



Appeal Decision

Site visit made on 5 December 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 06 January 2025

Appeal Ref: APP/W2465/D/24/3353510
369 Gleneagles Avenue, Leicester LE4 7YJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Raj Hinglajia against the decision of Leicester City Council.
 - The application Ref is: 20240505.
 - The application is for proposed two storey side extension and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for proposed two storey side extension and single storey rear extension, as per application reference number 20240505 and the plans associated with it subject to the following conditions: i) The development hereby permitted shall be carried out in accordance with following approved plans; H/2/03 and H/2/04 (proposed ground and first floor plans, H/2/05, H/2/06, H/2/07 and H/2/08 (proposed front, side and rear elevations) and plans H/2/09 and H/2/10 (proposed roof and site plans. ii) the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building iii) The development hereby permitted shall begin not later than three years from the date of this decision.

Main Issues

2. The main issue is the effect of the proposal upon the character and appearance of the area.

Procedural Matter

3. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published on 12 December 2024 whose main focus was not directly relevant to this appeal. Nevertheless, I have determined this appeal in accordance with the revised provisions within the Framework.
4. The description of development used in the heading above differs from that used on the Council's Decision notice and instead the description is that as used by the Appellant on their original application form. I consider that the description of development still accurately reflects the proposal before me and as such I have used this description accordingly.

Reasons

5. The appeal property is a semi detached late 20th century house of buff type brick and render panels within an area of very similar Radburn type houses. The house is located along Gleneagles Avenue with an open plan front garden laid to lawn and a fenced rear garden. The house is located on an end row of houses and its end gable elevation faces onto an area of amenity grass land upon which there are trees under a Tree Protection Order (TPO).
6. I saw on my site visit that other houses along this row had been extended with two storey side extensions, often being flush to the front of the houses. Indeed, this site itself benefits from planning permission for a similar scheme under ref 20232208 however I have no specific plans for this scheme before me. Nevertheless, I consider that this past approval is a robust fallback position.
7. The proposal before me seeks permission to extend the property with a two storey side extension and a single storey rear and partial side extension. The scheme, like its predecessor, would not offer a set back to its front elevation of a set down to the ridge. It would have a total width at ground floor of around 4.1m which would be around 3.1m at first floor. This differs to a width of 2.7m at first floor as previously approved. To the side and rear a ground floor extension would extend to the side of the plot and continue up to around 5m into the rear garden. This rear extension would contain a lean too and pitched roof.
8. The main issue between the parties appears to be the extent and size of the proposed scheme and its affect upon the character and appearance of the host property and the area. In assessing these matters I give great weight to the relatively generous width of this plot and the fact that there is open space adjacent. As a result, I consider that the plot does have potential to accommodate development of this scale without causing harm to the area. Added to this, the many other examples of flush set extensions, and I do not consider that there would be particular risk of any harmful terracing occurring.
9. Although the existing house is of a modest width the site is therefore capable of accommodating such a change without causing harm to either the host property or the area. As such I consider that the scheme would meet the requirements of Policies CS03 of the Leicester City Council Core Strategy and would represent an appropriate design for this site as required by the Framework.

Other Matter

10. The proposed floorplans show what appears to be the former kitchen with no windows. Although I consider this potentially poor design, it is ultimately the Appellant's choice as to how they orientate the rooms in their house. In any case I suspect that such a room would be amalgamated, and this is not a reason that would lead me to dismiss this appeal.

Conclusion

11. As such, for the reasons given above, and taking into account of all other matters raised, I allow the appeal subject to the conditions outlined above.

A Graham

INSPECTOR