



Appeal Decision

Site visit made on 17 January 2025

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2025

Appeal A: Ref: APP/X2410/D/24/3351083

62 Orchard Road, Birstall, Leicester LE4 4GE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr H Habib against the decision of Charnwood Borough Council.
- The application Ref is P/24/0470/2.
- The development proposed is erection of two storey side extension and single storey rear extension.

Appeal B: Ref: APP/X2410/D/24/3351084

64 Orchard Road, Leicestershire LE4 4GE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr H Habib against the decision of Charnwood Borough Council.
- The application Ref is P/24/0469/2.
- The development proposed is erection of two storey side extension and single storey rear extension.

Decision

Appeal A: Ref: APP/X2410/D/24/3351083

1. The appeal is dismissed.

Appeal B: Ref: APP/X2410/D/24/3351084

2. The appeal is dismissed.

Preliminary Matters

3. The descriptions of the developments provided on the planning application forms have been replaced by amended versions on the decision notices and in subsequent appeal documents. I consider those subsequent descriptions to accurately represent the proposals and I have therefore used them within this decision letter.
4. The appeal proposals are located on adjacent sites, have been made by the same appellant, and raise similar issues. I have therefore considered the appeals in a single decision letter to avoid repetition. However, I have considered each appeal on its individual merits as well as their cumulative effect.
5. A revised National Planning Policy Framework (the Framework) was published in December 2024 but there are no material changes relevant to the substance of the appeal.

Main Issues

6. The main issues in respect of both appeals is the effect of the proposals on the character and appearance of the host property and the area.

Reasons

7. The appeal sites are part of a pleasant if understated suburban area. Although there is some variation in the design and layout of dwellings, including a number of extensions, the area is characterised by semi-detached dwellings with hipped roofs which make a positive contribution to the rhythm and consistency of the streetscape.
8. In respect of **Appeal A**, the proposed front elevation of the extension would continue the main elevation of the dwelling at No 62. The eaves and ridge of the roof of extension would also be the same as those of the host dwelling. There is a 2-storey bay window on the original dwelling which breaks up the front elevation to a degree. However, even allowing for the effect of the bay, due to its scale and design the proposed extension would not be subservient to the host building and would appear as an overdominant addition to it. The proposed gable roof would also jar with the predominant use of hipped roofs in this area and would have an unbalancing effect with the hipped roof of the neighbouring attached dwelling. The creation of a new separate entrance on the front elevation would add to the incongruous appearance of the resultant building.
9. **Appeal B** relates to a proposed extension of a similar design, albeit a mirror-image and without a new entrance feature. Similar criticisms of the scale and design of the proposal can therefore be made of Appeal B as have been identified in respect of Appeal A. Moreover, the dwelling at No 64 projects forward of No 62, which would increase the prominence of this incongruous and overdominant extension within the streetscape.
10. Given the circumstances of **both Appeals**, there is a significant possibility that the proposals could be implemented together. Although the conjoined roofs would introduce a degree of symmetry, the offset gables due to the stepped arrangement of the properties would create a clumsy and jarring relationship between the resultant buildings. The lack of a step-back from the main front elevation of each dwelling and the continuation of the eaves and ridge lines of the roofs would also lead to an unacceptable terracing effect, which would contrast uncomfortably with the semi-detached dwellings in this streetscape.
11. I conclude that the proposals subject of both Appeal A and Appeal B, considered individually and cumulatively, would lead to significant harm to the character and appearance of the host properties and the area. The proposals would therefore be contrary to the design requirements of Policies CS2 of the Charnwood Local Plan 2011-2028 Core Strategy 2015, as well as saved Policies EV/1 and H/17 of the Borough of Charnwood Local Plan 2004. The proposals would also conflict with Policy DS5 of the emerging Charnwood Local Plan 2021-37 with regards to achieving high quality design, and due to the stage of preparation of that document I attach great weight to that policy. The proposal would also conflict with the Framework which seeks to achieve well-designed places.
12. The proposals would also be contrary to the advice of the Design Supplementary Planning Document 2020 regarding the design principles for house extensions.

Other Matters

13. I note the frustrations expressed by the appellant in relation to the advice from the Council and the decision process leading up to these appeals. However, this is not a matter for these appeals which I have determined on their planning merits.
14. The appellant refers to the potential to permit the single storey rear extensions while withholding approval for the 2-storey side extensions. However, based on the evidence before me in respect of both appeals, these elements of the proposals are not readily severable, and a 'split' decision on either appeal would therefore not be appropriate.
15. The appellant also refers to precedents in the area. However, I have not been provided with full details in respect of the permitted extension at 66 Bramley Road to demonstrate that it represents a direct parallel to the appeal proposals. Although there are examples of 2-storey side extensions in the area, those that I observed are materially different to the appeal proposals, particularly with regards to the arrangement of the front elevation and the ridge line of the roof.
16. I am mindful of the benefits of the proposals, including the efficient use of land. However, these benefits may be achieved by extensions of a more appropriate designs, and in any event the benefits do not outweigh the significant harm I have identified.

Conclusion

17. There are no material considerations that indicate the decisions should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that both Appeal A and Appeal B should be dismissed.

David Cross

INSPECTOR