
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: 28 January 2025

Appeal Ref: APP/W2465/D/24/3339559

2 Overpark Avenue, Leicester LE3 1NH

- 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 Miss Lizzie Lee against the decision of Leicester City Council.
 - The application Ref is 20232102.
 - The development proposed is construction of single and two storey extension at side of house (Class C3).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents. I consider that subsequent description to accurately represent the proposal and I have therefore used it within this decision.
3. 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 Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

5. The appeal site is located close to the junction between Overpark Avenue and Hamelin Road. Due to the arrangement of buildings in the vicinity of the junction, the side elevation of the appeal property is readily visible from the public realm. Although there is some variation in the designs of dwellings and the use of materials, the area is characterised by semi-detached dwellings and short terraces of standard designs which give the streetscape a pleasant suburban character.
6. The width of the proposed extension would be relatively large, and the Council's Officer report indicates that this would be approximately 75% of that of the host dwelling. Due to the comparative width, the extension would appear as an overdominant addition to the building. Although the first floor of the extension would be set back from the front of the host building, and the ridge of the roof would also be lower, these elements of the design would not be sufficient to mitigate for the excessive scale of the proposal.

7. The proposal would also be of an incongruous appearance, with a relatively complex roof design and part of the side elevation set at an angle. This would give the extension a convoluted and contrived appearance, exacerbated by the prominence of the side of the property within the streetscape.
8. The appellant refers to examples of other 2-storey side extensions in the wider area. However, the development at 25 Aylmer Road confirms the harm to character and appearance arising from an extension of an excessive width and unorthodox design in a prominent location. It has also not been demonstrated that the other examples referred to are a direct parallel to the appeal proposal, including in respect of the design and width of the extension. In any event, I have determined this appeal on its own merits.
9. In conclusion, due to its scale and design the proposal would lead to significant harm to the character and appearance of the host property and the area. The proposal would therefore be contrary to the design and visual requirements of Policy CS3 of the Leicester Core Strategy 2014 and Saved Policy PS10 of the City of Leicester Local Plan 2006. The proposal would also be contrary to the Framework in respect of achieving well-designed places.
10. The proposal would also not comply with the advice of the Residential Amenity Supplementary Planning Document 2008 regarding the width and roof designs of extensions.

Other Matters

11. I am mindful of the appellant's intentions to improve accommodation for their family, as set out in their Personal Statement. However, it has not been demonstrated that these circumstances are such that an extension of the scale and design proposed is required to provide suitable accommodation, even allowing for the constraints of the site. It may be the case that an extension of a more appropriate design could meet the appellant's accommodation needs. These matters do not therefore outweigh the harm I have identified.
12. I note the frustrations expressed by the appellant in relation to the level of communication from the Council leading up to this appeal. However, this is not a matter for this appeal which I have determined on its planning merits.

Conclusion

13. For the reasons given above the appeal should be dismissed.

David Cross

INSPECTOR