



Appeal Decision

Site visit made on 7 February 2025

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th February 2025

Appeal Ref: APP/L2440/D/24/3354654

39 The Oval, Oadby, Leicestershire, LE2 5JB

- 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 Buckland against the decision of Oadby and Wigston Borough Council.
 - The application Ref is 24/00220/FUL.
 - The development proposed is a free standing car protection canopy.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant, in his case, refers to the unreasonable behaviour of the Council in determining the application the subject of this appeal. This is a matter between the appellant and the Council.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is a detached bungalow. It is set back from the road behind a hedge, gate and garden/parking area.
5. The appeal property is located within a residential area, characterised by the presence of a range of detached dwellings, including bungalows, dormer bungalows and two-storey dwellings. Dwellings are set back from the road behind gardens and parking areas, many on spacious plots with gardens to the front, sides and rear.
6. During my site visit, I observed that the presence of gardens, hedges, street, trees and trees in gardens provides for a green and spacious environment. Further, whilst many dwellings have garages, these tend to be integrated or set well back from the road and do not appear intrusive. A general absence of structures forward of the main building line adds to the area's attractive sense of spaciousness.
7. The proposal would result in the development of a car canopy that would be sited well in front of the host dwelling, between the dwelling and the road. As a consequence, the proposal would appear incongruous within surroundings

otherwise notable for their spaciousness, resulting in part from the general absence of structures in the area between the front of dwellings and the road.

8. The harm arising from the above would be exacerbated by the appearance of the proposed canopy. I find that the introduction of metal poles and a polycarbonate sheet roof would introduce materials uncommon to the area and that this would add to the structure's alien appearance.
9. The proposed development would be clearly visible from the public domain. I consider that the prominent siting of the proposed canopy, directly between the host dwelling and the road, would result in the proposal drawing attention to itself as an incongruous feature.
10. Taking all of the above into account, I find that the proposed development would harm the character and appearance of the area contrary to the National Planning Policy Framework; to Policies 6 and 44 of the Oadby and Wigston Local Plan (2019); and to the Council's Residential Development Supplementary Planning Document (2019), which together amongst other things, seek to protect local character.

Other Matters

11. In support of his case, the appellant refers to other car ports elsewhere. However, there is nothing before me to demonstrate that the specific circumstances relating to each of these are the same as those relating to the appeal before me. Notwithstanding this, I have found that the proposal will result in harm and this is not a matter that is outweighed by the presence of other developments elsewhere.

Conclusion

12. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR