



Appeal Decision

Site visit made on 22 April 2025

by **Ian McHugh DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 June 2025

Appeal Ref: APP/L2440/D/25/3361179

15 Seagrave Drive, Oadby, Leicester, LE2 5GH

- 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 Muhammad Molvi against the decision of Oadby and Wigston Borough Council.
 - The application Ref is 24/00502/FUL.
 - The development proposed is a single-storey side and rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of both the existing dwelling and the streetscene; and whether the proposal would provide satisfactory living conditions for the future occupants of the appeal dwelling.

Reasons

Character and Appearance

3. The appeal property is a semi-detached bungalow, which is situated in a residential area. The area is characterised by bungalow development, several of which have been altered and extended since they were originally built. These include rear and side extensions and a rear dormer at the adjoining property.
4. The proposal is to demolish an existing flat-roofed extension and erect a flat-roofed wrap around rear and side extension. The rear extension would project out approximately 7.5m from the original rear wall of the property, with the side extension being 2.9m wide. A 'mock-pitch' would be constructed on the front of the side extension.
5. The Council considers that the proposal would 'overwhelm' the original dwelling and that its roof design, including the mock-pitch, would be out of character. The Council cites a conflict with Policies 6 and 44 of the adopted Oadby and Wigston Local Plan 2019 (LP). These policies seek (amongst other things) to achieve high quality design and for development to be in keeping with the local area. These are consistent with the provisions of paragraph 135 The National Planning Policy Framework 2024 (NPPF).
6. The Council also refers to a conflict with its Residential Development Supplementary Planning Document 2019 (SPD). Amongst other things, the SPD

states that residential extensions and enlargements should be in keeping with the character and appearance of the dwelling and should be visually subordinate.

7. In reaching my conclusion on this issue, I have considered the appellant's reasoning that the proposed flat roof would ensure that the proposal appears subordinate. I also acknowledge that other properties nearby have been extended in a similar manner and that mock pitches have been used elsewhere. However, I have determined the proposal on its own merits.
8. The proposed extension would take up some space that is already occupied by the earlier addition (which would be demolished) and a relatively large garden would remain. I also note that the occupants of the adjoining property did not object. However, the size and footprint of the appeal proposal would be overly large and out of scale with the original dwelling. Furthermore, the extent of its flat roof and the inclusion of the mock pitch would not reflect the character of the original bungalow and they would be unsympathetic and incongruous features, part of which would be visible from Seagrave Drive.
9. For these reasons, I conclude that the proposal would conflict with the relevant policies of the Council's Local Plan, its associated SPD and with the provisions of the NPPF, as referred to above.

Living Conditions

10. Part of the proposed rear extension would be set-in from the side boundary of the dwelling, which would allow a window to be inserted between the side wall of the extension and the fence along the shared boundary with the adjoining property. The window would serve the largest bedroom and it would be the only window to that room. The Council considers that this would result in a poor outlook and the proposal would not provide adequate levels of amenity for the occupants of the dwelling.
11. The Council's decision notice refers to a conflict with Policy 6 of the LP on this issue. However, the policy does not specifically refer to the living conditions of occupants. Nevertheless, paragraph 135 of the NPPF states that developments should create places with a high standard of amenity for existing and future users. In addition, paragraph 3.34 of the Council's SPD reflects the provisions of the NPPF.
12. I share the Council's concerns on this issue. Although some natural light and ventilation would enter the room via the proposed window, much of the room would have low levels of light and ventilation. In addition, the outlook from the window into the rear garden would be restricted, being through a relatively narrow 'corridor' that would be enclosed on both sides.
13. Accordingly, I conclude on this issue that the proposal would fail to provide satisfactory living conditions for the future occupants of the appeal dwelling

Conclusion

14. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR