



Appeal Decision

Site visit made on 25 June 2025

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 July 2025

Appeal Ref: APP/L2440/D/25/3365656

1 Glebe Close, Oadby, Leicester, LE2 2LA

- 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 Lumbhani against the decision of Oadby and Wigston Borough Council.
 - The application Ref is 24/00319/FUL.
 - The development proposed is proposed boundary treatments and associated landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area bearing in mind the special attention that should be paid to the desirability of preserving the setting of the nearby grade II listed building, Glebe Mount, and the extent to which it would preserve or enhance the character or appearance of the Oadby Hill Top and Meadowcourt Conservation Area (CA).

Reasons

3. The National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to its conservation. I have also had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) as amended.
4. The significance of the CA, insofar as it relates to this appeal, derives from its development of large arts and crafts style houses set on large plots for the wealthy industrialists of the area during the early part of the C20th, using a limited selection of materials and within a leafy setting with the Botanic Gardens at its heart. The significance of Glebe Mount (listed in 1987, no 1073689, dating from 1903) which sits opposite the appeal site, lies in its architectural and historic interest and although part of its setting has been eroded through the development of modern dwellings in Glebe Close within its wider grounds to the south, it retains an impressive, wide frontage to Glebe Close with its imposing front elevation set above the road level behind a historic brick wall with planting above. The Botanic Gardens nearby on Glebe Road can be seen from outside the appeal site with an abundance of tall, mature trees and planting set behind a hedge and black railings.
5. The appeal site comprises a modern, detached dwelling sited on a large corner plot with a wide, open frontage onto Glebe Close and a side boundary of mature

planting onto Glebe Road. The dwelling and others in this cul-de-sac were built in the grounds of Glebe Mount in the second half of the C20th. The appeal dwelling has recently been substantially extended and altered under planning permission ref 22/00150/FUL. Landscaping works were not approved as part of that application and this proposal has been submitted following the refusal of a previous scheme. Since it was submitted, a boundary wall has been partially constructed with a different siting, design and materials to those now proposed.

6. The wall proposed in this appeal would extend across the whole of the frontage for a length of some 33m, set in by 1m from the back edge of the footway. The wall would be some 0.56m in height with thirteen pillars 1.8m high, with black iron railings of a slightly lower height set between those and two sets of double gates positioned further back of a height to match the railings. The wall and piers would be constructed of a blue engineering brick with holly hedging in front of the wall and behind its longest, central section.
7. I saw that within the CA there is a variety of boundary treatments including high railings and gates at the end of this cul-de-sac but not all of those contribute positively to its character. Those that do generally comprise mature soft landscaping and planting with low walls without piers. Whilst the historic brick wall along the wide frontage of Glebe Mount opposite is higher, the Council's Conservation Officer has said that it is a retaining wall that previously separated the formal garden from the wider grounds. As Glebe Mount's front elevation stands on higher ground above that, it does not have an overly dominant impact on the setting of the building or the street scene.
8. That wall does not, therefore, provide a precedent for the height of the piers proposed here which would be sited at the same ground level as the dwelling and would have a more dominant impact. This would be exacerbated by the proposed blue engineering brick materials which would neither reflect the light buff brick of the dwelling or the prevailing materials seen elsewhere in the area. Whilst the proposed railings would allow some intervisibility between the street and the dwelling and would retain some openness, the number and height of the piers, together with the proposed materials of the wall and the height of the railings and gates, would be at odds with the prevailing character of boundaries in the immediate area and given the substantial length of the boundary, would draw attention to the appeal site and would compete with the historic boundary wall opposite.
9. I have noted the 1m set back from the back edge of the footway and the proposed holly hedging in front of the wall and behind its longest, central section. Holly is a slow growing plant however and it would be some years before it might provide some screening of the wall, piers and railings. In any case, planting should not be used to screen a development that is otherwise unacceptable.
10. The site's frontage is seen clearly from the junction with Glebe Road and from within the grounds of Glebe Mount. As such, the proposal would harm both the character and appearance of the CA and the setting of Glebe Mount.
11. The Framework advises that any harm to the heritage asset or its setting should have a clear and convincing justification. Given the scale of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable

importance and weight. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal.

12. I have had regard to the appellant's fallback position that a wall of up to 1m in height could be erected as permitted development against the back edge of the footway. The appellant has said that he has submitted a Certificate of Lawful Development to the Council. As there is now an existing, partially constructed wall in that position, this would seem to be more than a theoretical possibility. However, a wall and gates of 1m in height would be considerably lower than the gates and 1.8m high piers proposed here and would have a much less dominant impact. I am not persuaded then that such a wall would be significantly more harmful than this proposal. I therefore give this matter limited weight and it does not provide sufficient justification for the proposal.
13. Neither am I persuaded that any security requirements could not be met by alternative measures that would have less impact on the CA and the setting of the listed building.
14. Given the above and in the absence of any significant public benefits, I conclude that the proposal would fail to preserve the setting of the grade II listed building at Glebe Mount and the character or appearance of the Oadby Hill Top and Meadowcourt Conservation Area. This would fail to satisfy the requirements of the Act and the Framework and would conflict with policies 6, 40, 41 and 44 in the Borough of Oadby and Wigston Local Plan 2011-2031 (adopted 2019). Together, those seek to ensure that new development respects existing local and historic character and conserves or enhances both designated and non-designated heritage assets and their settings. As a result the proposal would not be in accordance with the development plan.

Conclusion

15. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Sarah Colebourne

INSPECTOR