



Appeal Decision

Site visit made on 23 July 2025

by A O'Neill BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal Ref: APP/G2435/D/25/3368217

8 Spring Avenue, Ashby De La Zouch, Leicestershire LE65 2RB

- 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 Dr Vishal Agrawal against the decision of North West Leicestershire District Council.
 - The application Ref is 25/00273/FUL.
 - The development proposed is a porch to front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for a porch to front elevation at 8 Spring Avenue, Ashby De La Zouch, Leicestershire LE65 2RB in accordance with the terms of the application, Ref 25/00273/FUL.

Preliminary Matter

2. At my site visit I observed that the porch has been constructed, and that it appeared to be in accordance with the submitted plans. I have therefore considered the appeal on the basis that the development has already taken place.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal property is a large detached, two storey dwelling constructed in brick. It is located in a predominantly residential area where there is variety in the size and appearance of dwellings. Some dwellings have porch structures to their front elevations and these also vary in their size and appearance.
5. I appreciate that the site is in a prominent location, visible from both Spring Avenue and Burton Road and that the porch is of a larger scale than other similar structures in the vicinity. However, in my judgement, it does not appear out of proportion with the host dwelling. As such, I do not find that it unduly dominates the front elevation.
6. The porch is constructed of timber which the Council suggests is not in keeping with the host dwelling. During my site visit, I observed other brick-finished dwellings featuring porches constructed in timber and with a similar appearance to the appeal development. Therefore, although the porch material differs from the host property, it is not out of keeping with the surrounding context.

7. Taking the above into account, I find that the porch is not harmful to the character or appearance of the area. As such, I find no conflict with Policy D1 of the North West Leicestershire Local Plan (2021) or Policy S4 of the Ashby De La Zouch Neighbourhood Plan (2011-2031). Together these require development to be of a good standard of design and to enhance and reinforce the local distinctiveness and character of the area.

Conditions

8. As the development has already taken place, a condition requiring compliance with plans is not necessary, nor is the standard time limit.
9. I have considered the condition suggested by the Council requiring drainage for the porch. The Council's report states that the proposal is acceptable in terms of environmental matters (e.g. flood risk and drainage) and it states that the proposal will have no adverse effect on the integrity of the River Mease Special Area of Conservation. There is no indication that the foregoing points are dependent on the imposition of any condition. Based on the information provided, it has not been explained why the suggested drainage condition is necessary. I see no reason why such a condition is necessary either, given that, according to the Council's report, the proposal would not be sited fully or partially on existing areas of permeable surfacing.

Conclusion

10. For the reasons given above the appeal should be allowed.

A O'Neill

INSPECTOR