
Appeal Decision

Site visit made on 3 May 2017

by R W Allen B.Sc PGDip MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 May 2017

Appeal Ref: APP/K2420/D/17/3171481
8 Drovers Way, Desford LE9 9DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Manjit Singh against the decision of Hinckley & Bosworth Borough Council.
 - The application Ref 16/01033/HOU, dated 9 November 2016, was refused by notice dated 1 February 2017.
 - The development proposed is demolition of conservatory and erection of single-storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of conservatory and erection of single-storey extension at 8 Drovers Way, Desford LE9 9DW in accordance with the terms of the application, Ref 16/01033/HOU, dated 9 November 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: ND.016.150.1 and ND.016.150.2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the area.

Reasons

3. The appeal property is a detached dwelling house positioned on a corner plot, located close to the end of a residential cul-de-sac. The side boundary which faces the road comprises a brick wall and piers with intermittent fencing panels; and with low-level hedge planting positioned between it and the public footpath. A section of the boundary wall juts out closer to the public footpath where it navigates around the side wall of the house.
 4. The proposed extension would be taller than the existing boundary wall, and it would result in a further section of the side boundary being realigned closer to the public footpath. Nevertheless, I am not persuaded that the proposed
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development would appear wholly dissimilar in appearance to the existing boundary wall, and I do not find that it would amount to an unduly prominent or significantly harmful addition to the property or the area; indeed it would only be readily apparent or visible when viewed directly to the side of the property and from the front of neighbouring dwellings Nos 6 and 7 Drovers Way.

5. I observed and appreciated the quantum of low-level planting at the back edge of pavement that exists in this estate, and the contribution it makes in softening and providing greenery into the environment. The hedgerows located to the front of the appellant's side wall contribute to this softening effect. The main parties dispute as to whether there would be a need to remove some sections of the hedgerow to accommodate the proposed development. Insufficient evidence is before me to conclude one way or the other. However, even if I were to accept that a partial removal of the hedge was necessary, I find it would amount to only a very small portion of the total amount, and it would not undermine or cause significant harm to the character and appearance of the area.
6. I therefore find that the proposed development would not significant harm to the character and appearance of the host property or the area more generally. It would not conflict with Policies DM1 and DM10 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document 2016. These state that there will be a presumption in favour of sustainable development and will be permitted where, amongst other things, the development complements or enhances the character of the surrounding area.

Conditions

7. I have considered the conditions suggested by the Council against paragraph 206 of the National Planning Policy Framework. I have specified the approved plans so as to provide clarity and certainty as to the scheme approved. A conditions relating to materials is necessary to ensure the appearance of the development would be satisfactory.

Conclusion

8. For the reasons given above I conclude that the appeal should be allowed.

R Allen

INSPECTOR