
Appeal Decision

Site visit made on 9 June 2020 by John Gunn DipTP Dip DBE MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2020

Appeal Ref: APP/K2420/D/20/3245403

Thirlmere, 42 Far Lash, Burbage LE10 2RS

- 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 John York against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref 19/01145/HOU, dated 9 October 2019, was refused by notice dated 3 December 2019.
 - The development proposed is proposed extension to the side of detached bungalow. Increase pitch angle of roof for loft conversion.
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Decision

1. The appeal is allowed, and planning permission is granted for proposed extension to the side of detached bungalow. Increase pitch angle of roof for loft conversion at Thirlmere, 42 Far Lash, Burbage LE10 2RS in accordance with the terms of application Ref 19/01145/HOU, dated 9 October 2019 and the following conditions:

1. The development hereby permitted shall begin not later than three years from the date of this decision.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

3. The development hereby permitted shall be carried out in accordance with the location plan and following drawings:

Site Location Plan Plan No 1429/SL

Block Plan Plan No 1429/BP

Car Parking Plan Plan No 1429/CP

Proposed Plans, Elevations Plan No 1429/2

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

4. The effect of the proposed development upon: 1) the character and appearance of the host building and street scene and 2) the living conditions of the occupiers of surrounding residential properties, having regard to outlook.

Reasons for the Recommendation

Character and appearance

5. The appeal site lies in a residential area close to the junction of Far Lash and Herford Way. The southern part of Far Lash comprises individually designed detached and semi-detached houses, and bungalows set back from the road with front gardens enclosed by low walls and hedgerows. To the north of the appeal site the dwellings comprise modest sized semi-detached and terraced bungalows. They have a greater uniformity in design, and materials, and have open frontages containing a limited number of trees and shrubs
6. The addition of bedroom accommodation within an altered roof space would add approximately 3.4 metres to the height of the host building according to the Council and would result in its ridge being approximately 0.5 metre higher than the reroofed property at No 44. Although the resultant building would have a steeper roof pitch and greater mass than the host building, this would be broken up by the lower roofs over the projecting parts of the front elevation, such that the host dwelling would retain its own individuality. Harm to the host dwelling would not occur as a result.
7. Moreover, the extended dwelling would be viewed in the context of nearby development and varied roofscape. The proposal would not appear incongruous or unduly prominent in the street scene or look out of place with its immediate neighbours.
8. In light of the above I conclude that the proposal would complement the host building and the character and appearance of the street scene, in accordance with Policy DM10 of the Hinckley and Bosworth Borough Council - Site Allocations and Development Management Policies DPD (SADMP) which requires, amongst other things, that development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

Living conditions

9. The bungalow at No 1 Herford Way sits in a dip and is located approximately 1 metre lower than the host property. It has 2 windows and a glazed door on the rear elevation. Currently the outlook from these rear windows is of the side elevation of No 42. According to the Council there is a distance of approximately 13.5 metres between the rear wall of No 1 and the existing side elevation of the host property.
10. Whilst the new roof would be higher, and have a steeper pitch, the eaves of the host property would remain the same and the roof would slope away from the party boundary with No 1. The combination of the distance and the design of the roof would ensure that the proposal would not be unduly intrusive on the outlook from the rear rooms of No 1 that the door and windows serve, or on its rear garden. .
11. Whilst located in a southerly direction to No 1, I have received no substantive evidence to demonstrate that the proposal would result in a loss of light over and above the existing situation. In any event, given the separation distances involved, it is likely that any impact would be limited and would not be to the degree that would result in harm to the living conditions currently experienced by the occupiers of No 1.
12. In the light of the above I conclude that the proposal would not be harmful to the living conditions of nearby occupiers. The proposal therefore accords with Policy DM10 of the SADMP which requires, amongst other things, that development should not have a significant adverse effect on the privacy and amenity of nearby residents.

Conditions

13. The Council has suggested several conditions it would wish to see imposed in the event that the appeal was allowed. I have considered these against the guidance set out in the Framework and the Planning Practice Guidance.
14. To ensure that the development is undertaken as approved a condition referring to the approved plans is necessary. The plans and application form are not specific as to the materials that are being proposed therefore a condition requiring materials to match the existing property is necessary to protect the character and appearance of the area.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to the conditions set out above.

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed with the recommended conditions.

RC Kirby

INSPECTOR