



Appeal Decision

Site visit made on 17 June 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2020

Appeal Ref: APP/K2420/D/20/3251309

3 Grey Close, Groby LE6 0DS

- 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 & Mrs Jones against the decision of Hinckley & Bosworth Borough Council.
 - The application Ref 19/01414/HOU, dated 18 December 2019, was refused by notice dated 5 March 2020.
 - The development proposed was originally described as 'Partial demolition of the existing bungalow (including the roof) and erection of rear single storey extensions and an additional storey added to the existing dwelling to create a double storey house. The proposal also seeks to convert and extend the existing double garage into a quadruple garage and associated annex in the roof space.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the i) character and appearance of the area and ii) the living conditions of occupants of 2 Grey Close with respect to outlook and privacy.

Reasons

Character and appearance

Dwelling

3. The appeal relates to one of three bungalows to the rear of dwellings on Leicester Road, each set back in open plots and laid out in a stepped arrangement with No 3 furthest back and having the largest front garden. No 1 has been significantly extended, but remains single storey and I was able to still see consistency in the scale and design of the three dwellings. Opposite are three bungalows on Greylands Paddock which are wider in footprint but are laid out in a similar manner facing those on Grey Close. Together, the two groups form a distinct, enclosed cluster of backland development.
4. The proposal, though described as a remodelling, would effectively replace the existing bungalow with a larger, two storey dwelling at more than double the existing footprint, with extensions to front and rear creating wholly new gabled elevations to both sides and raising and changing its roof shape. Whereas the extensions to No 1 have maintained a single storey scale and have preserved features common to all three bungalows such as the main roof form,

fenestration and the prominence of the front gable, the proposal would retain none of the present bungalow character. Rather, its visibly greater height and massing, and use of uncharacteristic materials including contemporary aluminium framed windows, buff facing brick and extensive areas of timber cladding, would appear wholly out of context when viewed against the adjoining, mainly red brick bungalows at Nos 1 and 2 and would result in an incongruous and harmful form of development both in views within the street scene and from within the neighbouring rear gardens.

5. Although there are taller dwellings beyond the two cul-de-sacs, the bungalows themselves and significant tree cover mean only glimpses of a small number of dwellings on Parkside and Leicester Road are possible. Therefore, the remodelled dwelling would not be seen or read in direct context with development beyond the cul-de-sacs, but as part of an enclosed and distinctive group of bungalows, within which it would appear starkly different and harmful in scale and form as set out above. The appellant's point that the site would still have one of the least developed footprints relative to its plot is of little relevance as this would not mitigate the harm which would be caused by the excessive scale and conflicting appearance of the dwelling itself.

Garage

6. The existing detached garage stands prominently in the front garden of No 3, though its simple design means it appears as an ancillary structure to the host dwelling. The proposal would more than double the length of the garage and would increase its height to enable accommodation at first floor level. Whilst the proposed dormer window would face away from the close, rooflights would indicate the presence of the additional storey. The size and form of the garage mean it would not appear ancillary in nature, but would be a substantial and conspicuous feature, located toward the centre of the two cul-de-sacs where it would be visible on approach in from Leicester Road and would compete with the dwellings for prominence, detracting from the openness of the layout. The adverse impact of the dwelling and garage would be exacerbated given their excessive scale would be seen together and would visibly dominate the small cluster of development within which the appeal site is located.

Conclusion on first main issue

7. For these reasons, I conclude that the proposed development would significantly harm the character and appearance of the area, in conflict with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (July 2016) (the SADMP), which permits development that complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. There would also be conflict with the similar aims for high quality design set out in the National Planning Policy Framework.

Effect on living conditions

8. The proposed dwelling would have a taller side gable facing No 2 and extending rearward of the existing rear wall, with a rear facing dormer projecting from its roof pitch, with the larger extension to the far side of the dwelling standing beyond. This additional massing would be visible to occupants of No 2 above the boundary fence at an angle from rear facing windows and directly from within the conservatory and the rear patio and garden.

9. However, the additional massing of the side gable would maintain the same side building line as at present and would reduce in height as the roof slope descends from the ridge to the rear elevation. The additional depth of the side gable would not be significant given the size and openness of the rear garden, and I note that the extension would not breach a 45 degree line drawn from the main rear window of No 2. Given this, the additional massing would have limited impact on the expansive vista over the rear gardens possible from the rear windows, conservatory and patio of No 2. Therefore, the outlook enjoyed by neighbouring occupants would not be significantly diminished. Moreover, as No 2 stands south of the appeal site, the additional massing would be unlikely to cause demonstrable loss of sunlight or daylight, nor lead to a harmful sense of enclosure or overshadowing.
10. The Council's privacy concern relates to the potential use of the flat roof of the single storey rear extension as a terrace, due to the plans showing French doors opening onto the roof. Even with the proposed roof lantern, the available area of flat roof would still enable sitting out by several people, and the height of the roof would permit views over the boundary fence to the patio area of No 2 with consequent loss of privacy for its occupants. However, this could be addressed by means of a condition restricting use of the flat roof as a terrace, and subject to this, the proposal would not result in overlooking or loss of privacy to occupants of No 2.
11. For these reasons, I find that the proposal would not demonstrably harm the living conditions of neighbouring occupants, and would comply with Policy DM10 which requires that developments do not have significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and visual intrusion.

Other Matters

12. I accept that the proposal would enable energy efficiency improvements to be installed as encouraged by both local and national policy. However, such improvements would be expected of all new developments, and would provide only limited benefits which would not outweigh the harm identified.
13. I have had regard to other concerns raised by interested parties beyond those already addressed. However, none of these matters would alter my findings in respect of the main issues, and none would weigh in favour of the appeal, so it is not necessary for me to consider them in further detail.

Conclusion

14. Overall, whilst I find that the proposal would not cause significant adverse effects on neighbours' living conditions, this is a neutral factor which would not outweigh the significant harm I have identified to the character and appearance of the area and resulting conflict with the development plan. There are no material considerations which indicate planning permission should be granted despite this conflict. Therefore, the appeal is dismissed.

K Savage

INSPECTOR