



Appeal Decision

Site visit made on 3 December 2020

by I Jenkins BSc CEng MICE MCIWEM

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

Decision date: 16 December 2020

Appeal Ref: APP/X2410/W/20/3258953

201 Harrowgate Drive, Birstall, LE4 3GT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr M Elson against the decision of Charnwood Borough Council.
 - The application Ref P/20/1039/2, dated 19 June 2020, was approved on 19 August 2020 and planning permission was granted subject to conditions.
 - The development permitted is two storey side extension including alterations to existing garage to create additional ground floor living accommodation.
 - The condition in dispute is No. 3 which states that: the facing materials to be used in the construction of the new works hereby permitted shall match as closely as possible those of the existing building, including those for the new window and storeroom door.
 - The reason given for the condition is: to ensure a satisfactory appearance of the completed development.
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Decision

1. The appeal is allowed and the planning permission Ref. P/20/1039/2, for a two storey side extension including alterations to existing garage to create additional ground floor living accommodation at 201 Harrowgate Drive, Birstall, LE4 3GT granted on 19 August 2020 by Charnwood Borough Council, is varied by deleting condition no. 3 and substituting it with the following condition:
 - 3) Notwithstanding the details of facing materials shown on the approved plans referred to in condition no. 2, the facing materials to be used in the construction of the front elevation of the extension hereby permitted, as well as the new front window and storeroom door shall match as closely as possible those of the existing building. The external surfaces of the side and rear walls of the extension hereby permitted shall be rendered.

Main Issue

2. I consider that the main issue in this case is whether condition no. 3 is reasonable and necessary in the interests of the character and appearance of No. 201 and the street scene.

Reasons

3. Nos. 201 and 92 are a pair of semi-detached houses located at the intersection of Harrowgate Drive and Queensgate Drive. In common with their neighbours, the external surfaces of the walls of these dwellings comprise facing brickwork. Furthermore, a notable feature of a number of the houses in the street scene,

including Nos. 201 and 92, is a panel of brickwork within the front elevation which is distinctly different in colour from the remainder of the brickwork. Given the distinct colour difference and repetition of this feature in the street scene, I consider that it is likely to have been a design feature, rather than the result of variations in brick batches, as suggested by the appellant. In my view the contrasting brick panels make a positive contribution to the street scene where they occur, adding interest to the front elevations whilst remaining in conformity with the general use of facing brick.

4. Condition no. 3 attached to planning permission Ref. P/20/1039/2 requires that the facing materials used in the construction of the approved 2-storey side extension match as closely as possible those of the existing building. The appellant seeks the removal of that condition, as he is concerned that it would be difficult to provide matching brickwork. Instead, he proposes to render the walls of the extended dwelling, with the exception of the projecting piers at the front corners of the building. Prior to the grant of planning permission, the Council indicated to the appellant that whilst it would be necessary to use brickwork matching the existing dwelling to construct the external face of the front elevation of the proposed extension, it may be acceptable to render the side and rear elevations.
5. The appellant has drawn my attention to a number of properties on the wider housing estate which have rendered/part-rendered walls. Whilst I do not know the full circumstances of those cases, none of them form part of the street scene where No. 201 is seen and so I give them little weight.
6. I saw that the approved side extension is at an advanced stage of construction. In my judgement, the facing brickwork which has been used to construct its front elevation is a reasonable match for the materials used in the main dwelling. I consider that the extended front elevation of No. 201 and its original southwestern sidewall, which adjoins No. 92, occupy a prominent position in the street scene, at the intersection of Harrowgate and Queensgate Drives. If these elevations were to be rendered, as proposed, the dwelling would have an alien and obtrusive appearance which would harm the character and appearance of No. 201 and the street scene. In this regard, it would conflict with the aims of Policy CS 2 of the *Charnwood Local Plan 2011-2028 Core Strategy* (CS), Policies EV/1 and H/17 of the *Borough of Charnwood Local Plan 1991-2006* (LP) and the Council's *Design Supplementary Planning Document* (SPD), which seek between them: to promote high quality design; to ensure that new development respects and enhances the character of the area, having regard to materials, amongst other things; and, to ensure that development is not an incongruous feature in the street scene.
7. In contrast, the visibility of the northeastern side elevation of the approved extension from public vantage points is very limited due to its close proximity to the sidewall of the neighbouring property, No. 199. Furthermore, visibility of the rear wall of the approved extension is also limited, as it is angled away from Queensgate Drive. Under these circumstances, I consider that the application of render to these walls would not have a material adverse effect on the character or appearance of either No. 201 or the street scene, and would not conflict with the aims of CS Policy CS 2, LP Policies EV/1 and H/17 or the SPD.

8. I conclude that insofar as it relates to the side and rear walls of the approved extension, condition no. 3 is not reasonable and necessary. However, in other respects it is. Therefore, I propose to allow the appeal in order to substitute condition no. 3 for another condition, which allows the side and rear walls of the approved extension to be rendered, whilst retaining the original requirements in relation to the front elevation.
9. For the reasons given above, I conclude that the appeal should be allowed.

I Jenkins

INSPECTOR