



Appeal Decision

Site Visit made on 16 November 2021

by Helen Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday 25 November 2021

Appeal Ref: APP/K2420/D/21/3279925

98 Hollycroft, Hinckley LE10 0HQ

- 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 Jason Stray against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref 21/00688/HOU, dated 11 March 2021, was refused by notice dated 16 July 2021.
 - The development proposed is an extension to existing garage, and replacing existing flat roof with a tiled pitched roof to improve the aesthetics.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and highway safety, with particular regard to access onto Brame Road.

Reasons

Character and Appearance

3. The appeal site comprises a detached bungalow on a corner plot of Hollycroft and Brame Road. In the surrounding area there is a mix of detached and semi-detached properties, which are generally set back from the road with front driveways and gardens.
4. The existing garage is within the rear garden of 98 Hollycroft and positioned adjacent to the front garden of 3 Brame Road. A wooden fence runs along the side boundary of the site with a gated vehicular access to the existing garage off Brame Road. 3 Brame Road is a detached bungalow that is set further back than the existing garage. Opposite the site on the other side of the road is a residential garden (rear of No 96 Hollycroft). At the end of this garden is a flat roofed garage with gated vehicular access onto Brame Road; this gated access is directly opposite the proposed site access.
5. The existing garage can currently be seen above the appeal site boundary fencing and gates, although due to its flat roof profile it is not visually prominent in the street scene. The proposal would increase the size of the existing garage in terms of its footprint and height. According to the Council, the highest part of the pitched roof would be over 2m higher than the existing garage.

6. The proposal would be more readily seen when viewed from the junction with Hollycroft and Brame Road than the present built form of the existing garage. There is some variation to ground levels which would also make it look more prominent. The proposal would be closer to the street frontage than the front elevation of 3 Brame Road and would be significantly taller than the existing garage and the garage opposite the appeal site. As a result of its more prominent location being closer to the street frontage, combined with the increased height, scale and massing of the proposal, it would appear as a dominant and incongruous feature within the wider street scene.
7. Due to the height, scale, massing, and prominence of the proposal it would unacceptably harm the character and appearance of the area. Therefore, for the reasons given, I conclude that the proposal would fail to accord with Policy DM10 of the Hinckley & Bosworth Borough Site Allocations and Development Management Policies DPD (adopted 2016). Amongst other things this policy seeks to ensure that developments complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, and design. The proposal would also conflict with the Hinckley & Bosworth Good Design Guide SPD (adopted 2020), which seeks to ensure that off road parking provision, such as garages, should not dominate the street scene.

Highway Safety

8. The site has existing vehicular access with gates onto Brame Road. However, according to the Council, there is insufficient space in front of the garage to park a vehicle clear of the highway, even with the gates removed. From my observations on site visit and the information presented, I conclude that the proposal for an enlarged garage would present a conflict with vehicles and pedestrian movement passing the site access because of vehicles not standing clear and obstructing the highway. I also observed that the appeal site access is directly opposite the existing garage access to No 96 Hollycroft, which could potentially exacerbate the issue. Therefore, the proposal would fail to provide adequate access to the enlarged garage by reason of its proximity to the highway which would not allow vehicles accessing the development to stand clear of the highway.
9. Consequently, the proposal would unacceptably harm highway safety. It would not comply with Policy DM17 of the Hinckley & Bosworth Borough Site Allocations and Development Management Policies DPD (adopted 2016), which seeks to ensure that development does not have a significant adverse impact upon highway safety. The proposal would also conflict with the Leicestershire Highways Design Guide that seeks to ensure on plot garages have a minimum set-back distance of 5.5m from the highway boundary. The proposal would fall short of this minimum distance.

Conclusion

10. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
11. For the reasons given above I conclude that the appeal should be dismissed.

Helen Smith INSPECTOR