



Appeal Decision

Site visit made on 25 February 2022

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd March 2022

Appeal Ref: APP/G2435/D/21/3286711

16 Cheribough Road, Castle Donington DE74 2RY

- 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 Paul Hammonds against the decision of North West Leicestershire District Council.
 - The application Ref 21/01088/FUL, dated 3 June 2021, was refused by notice dated 14 October 2021.
 - The development proposed is the erection of a ground floor infill and build over of existing garage to create larger kitchen and utility area with new master suite at first floor.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a ground floor infill and build over of existing garage to create larger kitchen and utility area with new master suite at first floor at 16 Cheribough Road, Castle Donington DE74 2RY in accordance with the terms of the application Ref 21/01088/FUL, dated 3 June 2021, subject to the conditions set out in the schedule to this decision.

Main issue

2. The Council raises no objection to the new ground floor extension that would infill a small recess at one rear corner of the appeal property. I, too, find this element of the appeal scheme acceptable because it would be modest in scale, and mass, and appropriate in design and general appearance. It would respect the visual character of the existing property and have no discernable effect on the character and appearance of the local area.
3. Consequently, the main issue is the effect of the proposed first floor extension on the character and appearance of the host dwelling and the local area.

Reasons

4. The appeal property is a 2-storey detached house with ground floor side and rear projections that lies within an estate style residential area wherein family sized dwellings vary in design and scale. As a result, there is some variety to the general appearance of the existing built form in both the street scene and the local area to which No 16 belongs.
5. With a new first floor extension above the existing double garage at the side of No 16, the host dwelling would be significantly larger than the existing house with extended 2-storey front and rear elevations. The long uninterrupted

ridgeline of the completed dwelling running parallel to Cheribough Road would accentuate the width and scale of building as it would be perceived in the street scene. These features, coupled with the sizeable 2-storey gable to be introduced to the front façade, would differentiate the finished building with the detached dwellings just to one side of the site that generally do not include front gables and have single storey side projections to the main house.

6. Nevertheless, the appeal scheme has been carefully designed to reflect the style of the host building. Continuing the ridgeline of the main house at the same height would result in a homogenous roof form. Matching external materials would be used and the window openings, as proposed, would be in keeping with the pattern of fenestration in the host building. For these reasons, No 16 would have an acceptable appearance with the new first floor extension in place. While the building would be significantly changed on three sides, it would retain the character of modern design detached dwelling.
7. The additional built form would cause No 16 to gain some prominence when seen from Cheribough Road. The garage would no longer be subordinate to the main house. Even so, the finished dwelling would continue to stand comfortably within the plot with reasonable gaps to the existing properties on either side of the site. The garage would be seen as an integral part of the main house rather than a subservient element. While the existing properties just to one side of the site generally do not have gables facing the road, those on the opposite side of No 16, with which the proposal would also be visually 'read', do. In that context, and despite the 2-storey width of the new building, the completed building would not look out of place nor would it be obtrusive among the varied built form that characterises Cheribough Road and the area.
8. The Council's Supplementary Planning Document, *Good Design for North West Leicestershire*, (SPD) notes that extensions to dwellings should normally be subservient, whereby the original house remains dominant. Although the proposal and the finished building could not reasonably be described in these ways, the inclusion of the word 'normally' in this guidance implies that some flexibility can be applied to reflect, for instance, local circumstances. The SPD acknowledges this point. It states that the strict application of the guidance will not be appropriate in all circumstances. Against that background, and given my findings set out above, I find no significant conflict with the SPD.
9. On the main issue, I conclude that the proposed development would be in keeping with the character and appearance of the host building and the local area. Accordingly, it would not conflict with Policy D1 of the North West Leicestershire Local Plan, the Council's SPD or the National Planning Policy Framework. Together, these policies and guidance aim to ensure that new development is well designed and is compatible with its context.
10. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials match those of the existing building, as proposed.
11. For the reasons set out above, I conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

**Appeal Ref: APP/G2435/D/21/3286711
16 Cheribough Road, Castle Donington DE74 2RY**

Schedule of 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 following approved plans: Refs 001, 002, 003, 004, 005, 101 Revision A, 102 Revision A, 103 Revision A, 104 Revision A, 105 Revision A and the Location Plan, which shows the site edged red.
- 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 building.