



Appeal Decision

Site visit made on 16 January 2024

by D Cleary MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 February 2024

Appeal Ref: APP/K2420/D/23/3333531

9 Boyslade Road, Burbage, Leicestershire LE10 2RF

- 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 Anderson against the decision of Hinckley & Bosworth Borough Council.
 - The application Ref: 23/00633/HOU, dated 27 June 2023, was refused by notice dated 14 September 2023.
 - The development proposed is described as a two storey side and rear extension and replacement garage
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side and rear extension and replacement garage at 9 Boyslade Road, Burbage, Leicestershire LE10 2RF in accordance with the terms of the application, Ref: 23/00633/HOU, dated 27 June 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan referenced
 - WA 619 (04) 01 – Location Plan
 - WA 619 (04) 02 – Existing Ground and First Floor Plan
 - WA 619 (04) 03 – Existing Attic and Roof Plan
 - WA 619 (04) 04 – Existing Elevations
 - WA 619 (04) 05 – Proposed Ground and First Floor Plan
 - WA 619 (04) 06 – Proposed Roof Plan
 - WA 619 (04) 07 – Proposed Elevations
 - WA 619 (04) 08 – Proposed Internal Courtyard Elevations
 - WA 619 (04) 09 – Proposed Site Plan
 - 3) No development above damp proof course level shall be carried out until details of the external wall and roof materials have been submitted to the Local Planning Authority, and approved in writing. The development shall be carried out using these approved materials.
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Procedural Matters

2. The description of development in the banner heading and formal decision above has been taken from the Council's decision notice which differs from that within the application form. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. However, I have used the one given on the decision notice as it is more accurately describes the development proposed.
3. The Council's decision notice makes reference to specific paragraphs of the National Planning Policy Framework (the Framework). A revised version of the Framework was published, with immediate effect, on 19 December 2023. The revised Framework is a material consideration and its content should be taken into account in decision making. Main parties have been given an opportunity to comment on the new Framework and I have taken into account any subsequent comments received in arriving at my decision.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the dwelling and surrounding area.

Reasons

5. The appeal site is a two-storey detached dwelling of red brick and tile construction with a prominent asymmetrical roadside facing gable. The dwelling has an attached flat roofed garage to the side. Mature landscaping, both on and off the site, provides a verdant setting for the dwelling, screening the approach to the property along Boyslade Road in both directions.
6. Boyslade Road has two distinct character areas. The dwellings around the junctions with Sketchley Road and Boyslade Road East are more individual in design, comprising a variety of form, appearance and a mixed palette of materials. Further along Boyslade Road, away from Sketchley Road, the pattern of development becomes more uniformed. The appeal dwelling is located within the varied character area and has an individual design.
7. The Council has raised no particular concern with regard to the red brick flat roof garage to the side and front, nor the more contemporary two-storey extension to the side and rear¹. I have no reason to disagree with their assessment in this regard. The Council's primary concern relates to the design and appearance of the proposed first floor flat roof link between the existing dwelling and two storey side/rear extension.
8. The two-storey elements of the extension would be positioned deep into the site, set back from the existing front building line. This set back would ensure that the existing prominent gable would remain the most dominant feature of the dwelling. The proposed link would be set at a lower height to both the existing dwelling and that of the larger side/rear extension. The set down is considerable and would result in a visually subservient element of the scheme.
9. The use of green zinc facing materials would contrast with the red brick and tile construction of the dwelling. The proposed rear/side extension would be constructed from alternative materials, including zinc cladding, to which the

¹ Officer Report Paragraphs 8.7 and 8.8

Council raise no objection. The Good Design Guide Supplementary Planning Document 2019 (the SPD), at page 14, advises that "*Choosing the right materials can greatly help new development to fit harmoniously with its surroundings. They may not have to match, but colour, texture, grain and reflectivity can all support harmony*". The ratio of green zinc to the front elevation would be modest compared to extent of red brickwork, which would remain the prominent building material. In addition, its colour would complement the verdant surroundings of the site, while providing a visual transition between existing dwelling and more contemporary two storey side/rear extension. Given the variety of designs and use of materials in the surrounding area it is considered that the modest use of green zinc to the front elevation can be incorporated into the scheme without appearing incongruous to the dwelling or surrounding area.

10. The link would include a flat roof with chamfered roof to the side. The chamfered roof is similar in pitch to both the gable of the main dwelling and that of the rear/side extension. The form of the link would therefore visually complement both the existing dwelling and proposed extension to its rear. I acknowledge that the SPD advises that flat roofs may not usually be acceptable where visible from the public realm². However, the SPD goes on to state that there are instances where they may be acceptable, particularly where they reduce visual impact and are designed with a contemporary aesthetic style. A contemporary approach is adopted for the design of the extensions. Together, the setback, subservience in scale and use of contrasting materials would ensure that the flat roof link would not be visually prominent or harmful to the host dwelling.
11. A large, single pane, full height window is proposed within the link which contrasts with the multi-pane windows in the existing dwelling. The lintel height and the width of the opening is similar to the existing openings at first-floor level. Therefore, this window would visually align with the existing, while its appearance appropriately reflects the contemporary design approach of the extension.
12. The first floor set back of the extension would mean that the contemporary components of the extension are sited deeper into the plot and, as such, would not be prominent. The established landscaping would screen the extension when approaching the site. Views of the extension would largely be limited to the street immediately to the front of the property. The siting and screening, along with the established mixed variety of building designs in the area, is such that the proposal could be provided without appearing prominent on the streetscene or out of context with its surroundings.
13. The concerns of the Burbage Parish Council, with regard to the proposed materials, are noted. However, as I have identified above, the variety of building designs in the area mean that the use of such materials can be incorporated into the scheme without causing harm to the character of the dwelling or area.
14. For the above reasons, the proposal would not be harmful to the character and appearance of the dwelling or surrounding area. Therefore, the proposed development would accord with Policy DM10 of the Hinckley & Bosworth Borough Council Site Allocations and Development Management Policies

² Page 47

Development Plan Document (2016); Policy 2 of the Burbage Neighbourhood Plan (2021); the SPD; and, the Framework. Together, amongst other things, these seek to achieve high quality design in new developments and providing development which complements or enhances the surrounding area.

Conditions

15. I have imposed standard conditions relating to the commencement of development, and to require compliance with the submitted plans for certainty. A condition requiring the details of materials to be submitted to the LPA for approval is also necessary in the interest of the character and appearance of the area.

Conclusion

16. For the above reasons the appeal is allowed.

D Cleary

INSPECTOR