



Appeal Decision

Site visit made on 5 December 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 03 January 2025

Appeal Ref: APP/X2410/D/24/3353223

51 Markfield Lane, Newtown Linford, Leicestershire LE6 0AB

- 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 Stewart Hunter against the decision of Charnwood Borough Council.
 - The application Ref is: P/24/0872/2.
 - The application is for house extension (single & 2 storeys), roof extension & loft conversion – revised scheme.
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Decision

1. The appeal is allowed and planning permission is granted for house extension (single & 2 storeys), roof extension & loft conversion – revised scheme, as per application reference number P/24/0872/2 and the plans associated with it subject to the following conditions: i) The development hereby permitted shall be carried out in accordance with following approved plan; AL(0)03 044 Rev K ii) 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.

Main Issues

2. The main issue is the effect of the proposal upon the character and appearance of the area.

Procedural Matter

3. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published on 12 December 2024 whose main focus was not directly relevant to this appeal. Nevertheless, I have determined this appeal in accordance with the revised provisions within the Framework.
4. The description of development used in the heading above differs from that used on the Council's Decision notice and instead the description is that as used by the Appellant on their original application form. I consider that the description of development still accurately reflects the proposal before me and as such I have used this description accordingly.

Reasons

5. The appeal property is a detached suburban type dwelling within a stretch of ribbon type development that extends along this part of Markfield Lane. Markfield Lane runs parallel to the main road and this residential street is

where the appeal site and other houses stand, set well back and up hill from the main road.

6. As a result of the topography here the houses stagger somewhat up the hill with the appeal property and its two neighbours standing highest. Although there are some exceptions, most houses are of a mid century design and many exhibit double height bay windows to their fronts. Despite this, the architectural design of many properties varies and there is little real consistency in design of these houses. Although eaves details are generally consistent the roof lines of these properties do vary somewhat and the angled bays appear from ground level to break the eaves lines due to their protruding design.
7. The appeal before me represents a revised scheme that was approved under planning reference P/22/0503/2. This has allowed the dwelling to increase much of its scale and form, even though it is still under construction. As a result of this consented scheme, the principal of this extension and its overall design is not something that I am obliged to consider. As such the main alterations relate to changes to fenestration, the omission of a rooflight, new design of the glazed alignment of the front porch and the raising of the bay window eaves line above that of the main house. It is this last point that represents the only point of contention between the parties and the main issue.
8. I saw on my site visit that much of the consented scheme had been built out. I also saw that the proposed square bay window as consented had been constructed marginally higher than that of the approved eaves line. As a result, the eaves of the bay appears to protrude slightly. According to the Appellant this is due to the need for insulation to the flat roof of the bay which was not identified as an issue previously.
9. Although I note the Council's comments that the general lines of eaves details along this stretch of Markfield Lane are consistent, I did see some variation in some respects. As mentioned above, the protruding bay windows give the effect of windows visually breaking the eaves line when seen from the ground - even though they don't physically protrude. On other properties there are set downs to side extensions and cat slide type roof features that offer some variation in the roof forms and the eaves lines.
10. To my mind it is acceptable and appropriate for a principal bay window feature to be somewhat dominant upon an elevation. In this respect I do not consider it unnatural for such a bay to protrude or even, in some cases, to break the eaves line. In this case, I consider that the main physical impact of this development has been created through the consented scheme, of which has been agreed, and not the protrusion of the bay.
11. Although the raising of the bay above this eaves line slightly compounds this impact of scale, I do not consider that this protrusion is enough to bring this scheme into conflict with Policy CS2 of the Charnwood Local Plan Core Strategy (2011-2028) and saved Policies EV/1 and H/17 of the Borough of Charnwood Local Plan aswell as Policy DS5 of the Emerging Draft Charnwood Local Plan and the Design Supplementary Planning Document or the Framework.

Conclusion

12. As such, for the reasons given above, and taking into account of all other matters raised, I allow the appeal subject to the conditions outlined above.

A Graham

INSPECTOR