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# Appeal Decision

Site visit made on 13 January 2015

**by Isobel McCretton BA(Hons) MRTPI**

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

**Decision date: 29<sup>th</sup> January 2015**

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**Appeal Ref: APP/K2420/A/14/2227949**

**The Wyches, Barr Lane, Higham-on-the-Hill CV13 6AW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition.
  - The appeal is made by Mr Colin Bruce against the decision of Hinckley & Bosworth Borough Council.
  - The application sought approval of further details pursuant to condition No.3 of the approval of reserved matters Ref. 14/00251/REM granted on 3 September 2013.
  - The application was refused by letter dated 21 October 2014.
  - The development proposed is the erection of one dwelling.
  - The details for which approval is sought are: materials.
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. As part of the appeal, the appellant has included changes to the elevations of the proposed dwelling. Condition no.2 of the approval of reserved matters in respect of 'appearance' required the development to be carried out in accordance with the approved drawings. It appears that the appellant is unhappy with amendments to one of the chimneys, the front entrance and a dormer which were agreed by his agent during the Council's consideration of the reserved matters application. However, application for changes to the approved scheme must be made to the Council in the first instance which, from the details before me, does not appear to have been done. I am therefore unable to consider these changes and have confined my decision to the matter of the proposed materials.

## Main Issue

3. The main issue is the effect of the use of the materials proposed on the character and appearance of the new dwelling and the wider area.

## Reasons

4. The proposed dwelling is a detached house of bespoke design. The design is described by the Council as taking inspiration from Gothic/Arts and Crafts style buildings, and incorporating many features found within Higham Hall, a grade II listed building, situated around half a mile from the appeal site. The house would have low eaves, a series of hipped and half-hipped roofs and

- dormers and a strong vertical emphasis to the fenestration, detailed with heavy glazing bars and masonry headers.
5. It is proposed that the roof would be constructed with a slate grey 'Hawkins' tile, the walls a 'Weinberger Mozart Blend' brick, and the windows would be made of lightly stained oak.
  6. The Council has no objection to the proposed roof tiles, but finds that the proposed brick and window materials are unacceptable. The Council describes the bricks as being 'textured and predominantly sand coloured' and considers that this is not compatible with the design of the proposed dwelling, the materials proposed for the windows or the wider area.
  7. There is no special character to this enclave of residential properties a little outside Higham-on-the-Hill. The materials used for dwellings in the immediate vicinity of the appeal site vary with both brick of varying colour and render being used. However none of the brickwork on the other houses seems to be as light in colour as that proposed by the appellant. The Council maintains that buildings in the wider area of a similar design (later 1800s/early 1900s) would have been constructed from local, naturally occurring materials, i.e. clay based brick. I saw that in the wider area, where used, brickwork is predominantly of a darker colour. Thus the brickwork proposed would not be typical of the local vernacular. The National Planning Policy Framework advises that planning policies and decisions should not attempt to impose architectural styles or particular tastes. However it goes on to state that it is proper to seek to promote or reinforce local distinctiveness. I therefore do not consider that the proposed brick would be appropriate for this development.
  8. I also agree that the light coloured material for the windows, combined with the fairly light brickwork, would mean that the two would merge and the windows would not appear as a suitably distinct feature of the building. Again, this would not be typical of the local area.
  9. I conclude that the proposed materials would not complement the design of the proposed house or the character and appearance of the wider area. As such, it would not accord with saved policy BE1 of the Hinckley and Bosworth Local Plan (2001) which, among other things, requires a high standard of design which complements or enhances the character of the surrounding area with regard to a number of factors, including materials.

### **Conclusion**

10. For the reasons given above I conclude that the appeal should be dismissed.

*Isobel McCretton*

INSPECTOR