
Appeal Decision

Site visit made on 7 May 2026

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 28 May 2026

Appeal Reference: 6007042

1 Boston Sidings, Bull in the Oak, Cadeby CV13 0FD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr. O. Wood against the decision of Hinckley & Bosworth Borough Council.
 - The application reference is 25/01222/HOU.
 - The development proposed is described in the application form as the “erection of a garage”.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr. O. Wood (the Appellant) against the Hinckley & Bosworth Borough Council. This application is the subject of a separate Decision.

Main issue

3. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings.

Reasons

4. The appeal site is located in the countryside, in a rural and predominantly agricultural landscape, close to the junction of Bosworth Lane and Bosworth Road with Ashby Road, which is a main north-south traffic route (the A447). There is a small cluster of buildings at the road junction, including the development at Boston Sidings. ‘The Old Farmhouse’ occupies the corner of Bosworth Road and Ashby Road, with a courtyard behind ‘The Old Farmhouse’ where new residential properties have been created (accessed from Boston Sidings). ‘The Old Farmhouse’ is listed (Grade II) as a “building of special architectural or historic interest”.
5. Boston Sidings is a modern redevelopment scheme that incorporates the buildings at the rear of ‘The Old Farmhouse’ but which has an overtly modern character. The new buildings are primarily faced with vertical oak cladding and, while most of the buildings have steeply pitched slate roofs, the houses at numbers 1 and 2 Boston Sidings have shallow barrel-vaulted roofs, echoing the design of large “Dutch barn” agricultural buildings. The layout is irregular in pattern, again reflecting the site’s

history. The design has plainly been conceived as a whole and it makes an impressive contemporary architectural statement.

6. A newer garage building at 'Hereford Cottage', opposite the appeal site has been added to the original scheme but it makes use of building materials and architectural form to match the original redevelopment scheme, with a steeply pitched roof.
7. Number 1 Boston Sidings ('The Hayloft'), is a substantial two-storey dwelling. The exterior incorporates substantial glazed areas as well as vertical oak cladding and the roof has a shallow barrel vault. It has a large front garden, where there is an important mature tree (protected by a Tree Preservation Order), and a formal back garden. This house also has the benefit of an adjoining paddock to the rear (north) of the development.
8. It is now proposed to construct a detached garage building in the front garden at number 1 Boston Sidings, with timber cladding (to match the host dwelling), metal roof sheeting and metal doors and windows.
9. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities.
10. Provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 impose obligations on those considering whether to grant planning permission for development that would affect a listed building. In such cases, it is necessary to have special regard to the desirability of preserving the setting of the listed building (among other things). Those formal requirements are reinforced by the 'National Planning Policy Framework', especially at Section 16, which emphasises the importance of conserving or enhancing the historic environment.
11. An emphasis on the importance of protecting heritage assets and of encouraging good design more generally is also to be found in the Development Plan, specifically in the Council's 'Site Allocations and Development Management Policies DPD' (adopted in July 2016). Policy DM10 is concerned with design considerations and, among other criteria, it identifies the need for new development to complement or enhance the character of the surrounding area and for building materials to be used in a way that respects the surroundings. Policies DM11 and DM 12 are aimed more directly at protecting and enhancing the historic environment.
12. The Council's Supplementary Planning Document, 'The Good Design Guide' (dated 2020), is also relevant but it does not have the force of the statutory Development Plan.
13. Of course, the application of all these policies requires a judgement to be made and a degree of subjectivity cannot be avoided in doing this.
14. The proposed new building would be a relatively large "garage/workshop", with space for ground maintenance equipment. It would be located in the front garden of the house, near to an important protected tree. Even so, the building could be

- constructed without causing significant harm to the tree, provided that it were to be constructed carefully in accordance with measures to protect the tree (as identified in the submitted “Arboricultural Impact Assessment”).
15. The new garage would be a significant building in its context because of its size on plan. It would stand out as being out of character with the remainder of the development, however, because of its very different roof construction. The pitched roof would be shallow, unlike the other pitched roofs within the enclave, and the metal sheeting would be unlike the slate finish on other pitched roofs. The metal clad barrel vaulting on the much larger buildings at numbers 1 and 2 Boston Sidings, are distinctive in their context, as an echo of large Dutch barn structures, but the new garage would not be comparable in size and would not relate to its surroundings or the site’s history in the same way. The new building would have some features in common with larger modern agricultural buildings generally but it would not relate to the buildings in this locality and I share the opinion that it would be unsympathetic to its surroundings.
 16. The location of the proposed new garage in a prominent position, towards the Bosworth Road frontage of the development, would add to its visual importance in the streetscene. I accept that the garage that has been built nearby is also a prominent feature but, nevertheless, I do not find that garage to be unharmonious in its setting, since it reflects other buildings in the group, both in respect of the materials used in its construction and in its architectural form.
 17. By contrast, the proposed garage at number 1 Boston Sidings would clash with its neighbours, in an architectural sense, and would be even more obvious due to its position. In consequence, I am convinced that it would be clearly alien and incongruous in its surroundings, in spite of the choice of similar wall cladding, and that it would undermine the high quality of the existing development.
 18. The new garage would be some distance away from ‘The Old Farmhouse’, however. It would not obviously figure in the immediate setting of this listed building, nor would it affect the courtyard at the rear which is more obviously associated with the historic use of the site. Nor would the open land opposite the listed building, which is important to its setting, be affected.
 19. The high design quality of the development at Boston Sidings may be said to enhance the setting of ‘The Old Farmhouse’, albeit in a way that reinterprets historical features in a contemporary style. Thus, although the proposed garage would not itself have a direct impact on the setting of the listed building, the quality of the development at Boston Sidings as a whole, is still relevant.
 20. I acknowledge that the proposed new building would be useful in itself, but I am convinced that the harm that would be done to the setting of the existing house and to the surroundings outweighs the benefits of the project. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
 21. In reaching these conclusions I have considered whether the appeal could be allowed but subject to conditions that might overcome the visual concerns that I have identified. In view of all the uncertainties involved, however, I have formed the opinion that it would not be possible to frame precise conditions to address the

design objections that I have identified and that therefore the appeal must be dismissed.

Roger C. Shrimplin

INSPECTOR