

Appeal Statement

Name and Address of Applicant:

Mr Reagan Hayes
163 Coventry Road
Hinckley
Leicestershire
LE10 0JS

Name and address of agent:

Mr Kevin Bromley
KB Design Services
154 Parkville Highway
Holbrooks
Coventry
CV6 4HY

Date of Application:

8TH May 2025

Application Number:

25/00467/HOU

Particulars and location of development:

Erection of double storey rear, single storey front and loft extensions (revised scheme of scheme of 23/00218/HOU)

Reasons stated by Hinckley and Bosworth Borough Council to refuse permission to carry out the development:

1. By virtue of balconies scale, siting, massing and design, the proposed development would result in a significant loss of privacy of the adjacent neighbouring properties. The development is therefore contrary to Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016), the Hinckley and Bosworth Good Design Guide (2020) and National Planning Policy Framework (2024).
2. By virtue the proposed wall and gate designs, scale and sitting, they are considered to have an adverse impact on the character and appearance of the surrounding area. As such, it is contrary to Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016), the Hinckley and Bosworth Good Design Guide (2020) National Planning Policy Framework (2024).

Reasons for appealing Hinckley and Bosworth Borough Councils decision to refuse permission to carry out the development:

Balconies:

Policy DM10 – *“It would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including vibration and visual intrusion)”* – **The balconies, without privacy screens, create an adverse effect on the privacy of the neighbours. The 1.8m high privacy screens to both flanks and balustrades preventing egress onto the flat roof area mitigate any overlooking issues. The introduction of the privacy screens provide improved privacy to neighbouring property comparatively to the originally approved Juliet balconies. The privacy screens satisfactorily mitigate any overlooking issues.**

Good Design Guide – There is nothing specific to balconies in this document, but it does say that extensions that cause overlooking privacy issues would not be supported. **As mentioned above, privacy screens introduced to mitigate overlooking issues**

Garden wall:

Policy DM10 – *“It complements or enhances the character of the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features”* **The proposed boundary wall and gates to the front garden are taller than most boundary walls in the immediate vicinity, but there are boundary walls which are of similar scale and design along the same road. These are indicated in Appendix 1 with photographs and house numbers. The materials in the local area are largely brick, as opposed to the rendered block proposed, however, there is a boundary wall at number 502 Coventry road which has white rendered finish. The photographs in appendix 1 clearly show a presence of garden walls of similar scale, materials and design to those proposed in our application. We would, however, have adjusted the walls and fencing to align with the local street scene, had we been given the opportunity by the LPA to do so. No communication regarding the LPA’s opinion of the walls and gate was received. We feel that this is an issue that could have been resolved with a simple revision to the application. Scaling the size down to a 1.4m wall with a 600mm lower half, as opposed to the 1.8m wall with 900mm lower half which was proposed and changing the material to brick. We felt that as they were part of the same application and the LPA saw no way to support the balconies, then the communication was not deemed necessary.**

Good Design Guide – Section 4 Detailing Boundary Treatments states: *“Reflecting local boundary treatments, such as brick or stone walls, hedgerows, railings or soft landscape features can provide a beneficial means of integrating new development into the existing environment and can be critical in the overall creation of character within a scheme.”* **As demonstrated in the photographs taken along the same road (see appendix 1) as the application property, the new wall is of similar scale and design as others in the local are, “reflecting local boundary treatments”. My client’s property suffered a burglary on 15th November 2023, where the criminals entered the property during daylight hours through the front garden. The additional**

security that a more robust boundary treatment would provide was also an influence on the design.

Summary:

The LPA statement provided as part of their particulars of decision stated:

“In dealing with the application, through ongoing dialogue and the proper consideration of the proposal in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the local planning authority have attempted to work with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application as required by the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). However, in this instance, it has not been possible to overcome the concerns raised and the proposal remains in conflict with the provisions of the Development Plan and therefore the application has been refused.”

We have provided mitigation measures to prevent overlooking issues, as instructed by Mr Lindon Morgan, the enforcement officer for Hinckley and Bosworth Borough Council. Between the submission of the application and the refusal notice, there was very little communication with the planning team. The LPA’s claim that they *“attempted to work with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems”* is unfounded and at no point did they contact us to discuss any alterations that could possibly be made to create a design that they could support.

The same applies to the front garden wall and gate.

Appendix 1 – Photographs showing boundary walls along Coventry Road

502 Coventry road:



485 Coventry Road:



477 Coventry Road:



395 Coventry Road:



323 Coventry Road:

