

Planning Committee 20 May 2025

Report of the Head of Planning



Hinckley & Bosworth  
Borough Council

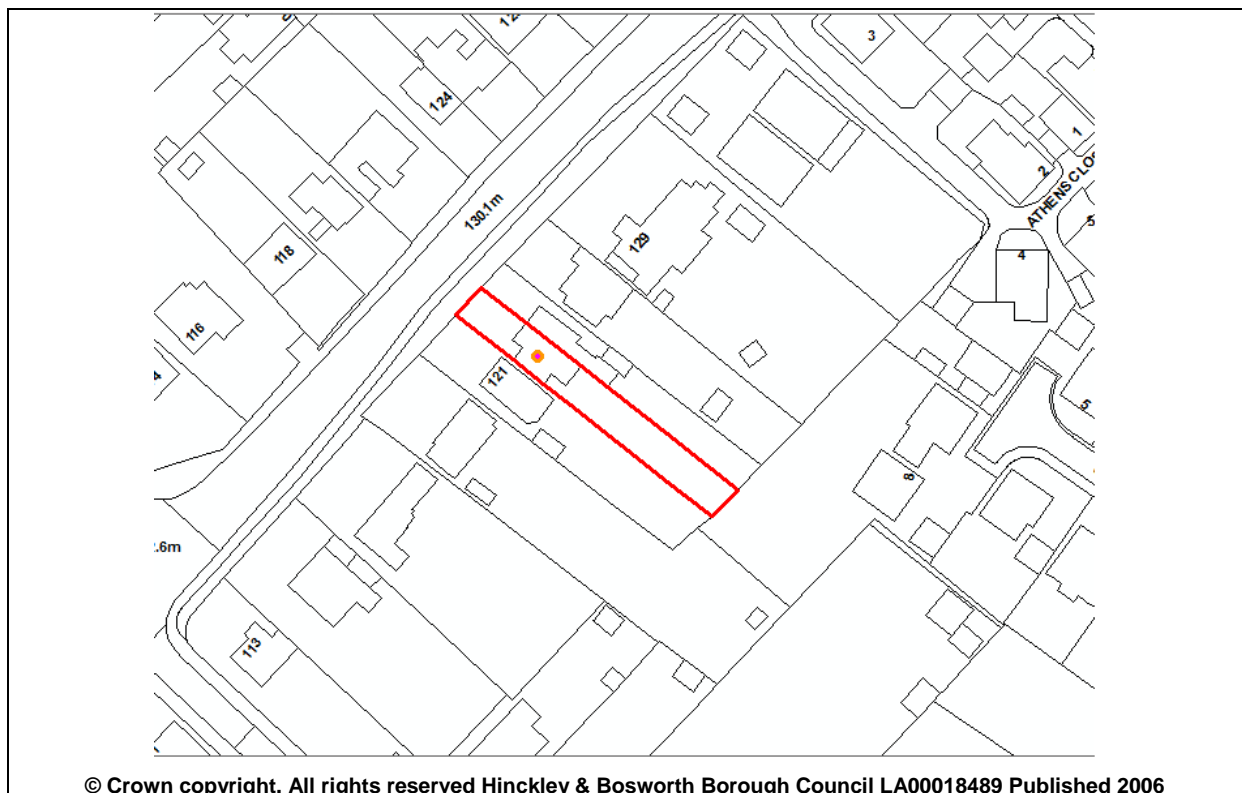
Planning Ref:25/00254/HOU

Applicant: Mr Swift

Ward: Hinckley DeMontfort

Site:123 Leicester Road, Hinckley

**Proposal: Demolition of existing single storey rear extension, and erection of single storey rear extension**



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## 1. Recommendations

### 1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.
- The Head of Planning being given powers to determine the final detail of planning conditions.

## 2. Planning Application Description

- 2.1. The is householder application seeks planning permission for the demolition of an exiting single storey rear extension and the erection of a new single storey rear extension to 123 Leicester Road, Hinckley.
- 2.2. The proposed development extends 6m from the rear elevation, with a total width of 5.5m, and a flat roof design with a roof lights, measuring 3.35m and 3.45m in height respectively. The part of the extension adjoining the existing dwelling is slightly narrower for a depth of 1m, at 4.6m in width. The proposed materials include render, grey uPVC windows and a felt/rubber roof.

### **3. Description of the Site and Surrounding Area**

- 3.1. The application dwelling is located on Leicester Road within the settlement boundary of Hinckley, which features a mix of detached and semi-detached properties with varied scales and designs on either side of the road.
- 3.2. The application dwelling is two-storey and semi-detached, with a hipped main roof, gable frontage, and has been extended previously with a two-storey side extension projecting towards 121 Leicester Road to the south west. Existing materials include grey/brown pebble dash render, dark brown windows, and dark brown roof tiles. There is an existing single storey rear extension, smaller than the proposed extension, which would be demolished as part of this proposal. The host dwelling and neighbours feature long, narrow gardens measuring approximately 40m in length and 7m in width. The front of the property includes some landscaping and a large driveway with space for at least two parked vehicles.

### **4. Relevant Planning History**

#### **00/00555/FUL**

- Extension to dwelling
- Permitted
- 27.07.2000

#### **04/01321/FUL**

- Extensions and alterations to dwelling
- Permitted
- 15.12.2004

### **5. Publicity**

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also erected next to the property.
- 5.2. One response has been received as a result of public consultation objecting to the proposal on the following grounds:
- Excessive width of proposal causing potential issues at the boundary
  - Terracing impact from extension
  - Overbearing impacts

### **6. Consultation**

- 6.1. None required.

### **7. Policy**

- 7.1. Core Strategy (2009)
- No relevant policies
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
  - Policy DM10: Development and Design
  - Policy DM17: Highways and Transportation
  - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)
  - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Good Design Guide (2020)

- National Design guide (2019)
- Local Highway Authority Design Guide (2024)

## **8. Appraisal**

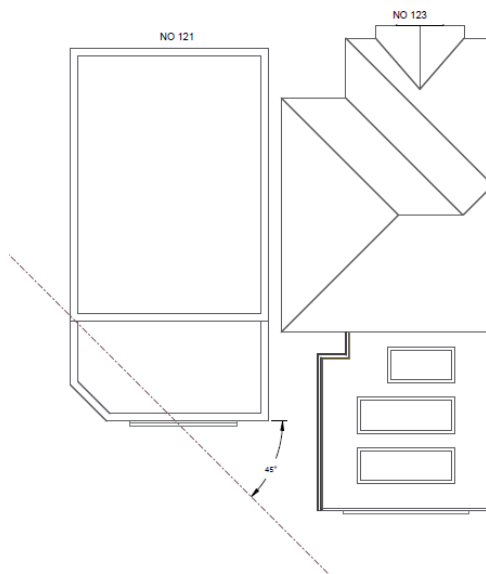
- 8.1. Extensions and alterations to existing dwellings within settlement boundaries are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:
  - Design and impact upon the character of the area
  - Impact upon neighbouring residential amenity
  - Impact upon highway safety and parking provision
  - Ecology and biodiversity

Design and impact upon the character of the area
- 8.2. DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally.
- 8.3. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of various forms of house extensions. In respect of rear extensions, it states: 'Rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building'.
- 8.4. As a result of public consultation, one objection has been received on the grounds that the proposed extension would be excessive in mass, leading to potential issues at the boundary with the neighbouring property, with associated overbearing impacts and the appearance of terracing.
- 8.5. The proposed single storey extension would extend an additional 2m in depth beyond the existing single storey rear extension, and an additional 1m in width (at its maximum). The overall height and scale and massing would increase when compared to the existing situation, with a significant increase in the ground floor footprint.
- 8.6. In respect of the objection received, the proposed extension would leave an appropriate distance between the boundary between the application site and neighbour to the south west of 1.5m. The Council's Good Design Guide makes reference to side to side distance, outlining that extensions may extend to the boundary of the property, however in the spirit of good neighbourliness an adequate distance of 1m between the property and its boundary should be encouraged, which is achieved in this instance. Concerns regarding terracing impacts and excessive width are therefore not shared by the LPA.
- 8.7. The proposed design is subordinate to the existing dwelling, and whilst the design may appear contemporary and slightly out of keeping with the main dwelling, it would share the same materials and general appearance of the main dwelling. The proposal would also not be visible from the public realm and would therefore respect the existing building and the local area generally. Furthermore, the neighbouring dwelling (No. 121) has a similarly designed single storey rear extension which is of a comparable scale.
- 8.8. Notwithstanding the objection received, by virtue of its appropriate siting, scale, design and subject to the use of matching corresponding external materials, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse impacts upon the character or appearance of the surrounding area. The proposal is therefore considered to be acceptable in design terms and in accordance with Policy

DM10 of the adopted SADMP and the general principles of the Council's adopted Good Design Guide.

Impact upon neighbouring and occupier residential amenity

- 8.9. Policy DM10 of the adopted SADMP and the adopted Good Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.10. The adjoining two storey semi-detached dwelling (No. 125) has a number of single storey rear extensions and structures which extend beyond the depth of the proposed extension. Therefore, by virtue of its single storey scale, it is considered that the proposed rear extension would have no significant adverse overbearing or overshadowing impacts upon the main habitable room windows, rear amenity space, or the privacy of the neighbouring occupiers of No. 125.
- 8.11. The neighbouring dwelling to the south west (No. 121) is a detached dwelling set off the boundary by approximately 2.5m from where the existing structure lies. The proposed extension would extend an additional 2m in depth beyond the existing single storey rear extension, and an additional 1m in width (at its maximum), with an increase in height of approximately 1m at the eaves. Whilst the proposed extension would be more visible from the rear amenity space of No. 121, it is not considered that there would be any significant adverse overbearing impacts when compared to the existing situation and taking into account the existing boundary treatment (1.8m closeboarded fence). Furthermore, the proposed extension would comply with the 45-degree rule.



*Plan showing "45-degree rule" compliance*

- 8.12. The proposed extension would leave adequate resultant amenity space in the rear garden of the application site.
- 8.13. Overall, by virtue of its siting, single storey scale, design, and separation distances, the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings and would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.
- Impact upon highway safety
- 8.14. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the adopted SADMP requires new development to provide an appropriate level of parking provision.
- 8.15. There would be no alterations to the existing access, and the proposal would not add additional accommodation which would require extra off street parking spaces.

- 8.16. In summary, the revised proposal would not result in an unsafe access arrangement for pedestrians or vehicles and demonstrates an acceptable parking and turning arrangement in accordance with policies DM17 and DM18 of the SADMP.

Ecology and biodiversity

- 8.17. The proposal would be exempt from the biodiversity gain condition by virtue of being a householder application development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

**9. Equality Implications**

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 9.2. Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

- 9.3. There are no known equality implications arising directly from this development.

- 9.4. The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

**10. Conclusion**

- 10.1. The proposal relates to extension and alterations to an existing dwelling located within the settlement boundary of Hinckley where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the overarching principles of the NPPF.

- 10.2. Notwithstanding the objection received, by virtue of its siting, scale, design and subject to the use of matching corresponding external materials, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse impacts upon the character or appearance of the surrounding area. By virtue of its siting, scale, design, and separation distances, the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. The access and parking arrangement remains unchanged and is therefore acceptable. The proposal is therefore considered to be in accordance with Policies DM1, DM10, DM17 and DM18 of the adopted SADMP and the general principles of the Council's adopted Good Design Guide and is therefore recommended for approval subject to conditions.

**11. Recommendation**

- 11.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.
- The Head of Planning being given powers to determine the final detail of planning conditions.

#### 11.2. **Conditions and Reasons**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Location Plan
- Revised Proposed Block Plan (received 30/04/25).
- Proposed Alterations (Existing and Proposed Elevations, Floor Plans, Roof Plans – Drawing No. 000\_GA\_SSwift\_LE101LR

**Reason:** To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the proposed extension and alterations hereby permitted shall match the corresponding materials and window detailing of the existing dwelling.

**Reason:** To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).