

Delegated Report

Planning Ref: 25/00914/CONDIT

Applicant: Mr George Wallis

Ward: Hinckley Trinity



Hinckley & Bosworth
Borough Council

Site: 56 Hollycroft Hinckley Leicestershire

Proposal: Application to vary conditions 2 (approved plans) and 3 (materials) on planning application 23/00860/HOU. Addition of partial render to first floor

Case Officer(s): Zahra Jam-Rotbeh (Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning application description

- 2.1. Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition previously imposed on a planning permission. In this case, planning permission reference 23/00860/HOU granted full planning permission for a part two storey and single storey extension. Condition 2 of the planning permission required that the development shall be implemented in accordance with the approved plans. Condition 3 of the planning permission required that the material to be used on the external elevation of the proposed extension and alternation shall match the corresponding materials of the existing dwelling.
- 2.2. This application seeks planning permission for the variation of condition 2 and 3 of that planning permission to allow for the use of white render to external walls, an additional of a window to the rear elevation and removal of the second-floor window on the side elevation.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Hinckley. The property is a two-storey detached property built in buff brick, white uPVC windows, gable roof to the front and hipped roof form to the side of the property. The streetscene has a number of detached and semi-detached dwellings of various scale and design and mature trees. The dwelling is within the northern corner of Hollycroft Conservation Area.

4. Relevant planning history

21/00269/OUT

- Erection of one dwelling (Outline - all matters reserved)
- PER
- 19.04.2022

23/00570/REM

- Approval of Reserve Matters (Access, Appearance, Landscaping, Layout, and Scale) for outline planning permission 21/00269/OUT (Erection of one dwelling)
- APRREM

- 23.08.2023

23/00860/HOU

- Part two storey and single storey rear extension
- PER
- 03.11.2023

77/00939/4M

- DEMOLITION OF EXISTING GARAGE AND ERECTION OF GARAGE
- PER
- 05.08.1977

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. HBBC Conservation Officer – Subject to the details being satisfactory, the proposal has a neutral impact on the character and appearance of 56 Hollycroft and the wider Hollycroft Conservation Area and will preserve its significance.

7. Policy

- 7.1. Core Strategy (2009)
 - None relevant
- 7.2. Site Allocations and Development Management Policies (SADMP) DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - 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

8. Appraisal

- 8.1. Extensions and alterations to existing domestic properties 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 dwelling and Hollycroft Conservation Area
- Impact upon neighbouring residential amenity
- Other matters
- Conditions

Design and impact upon the character of the dwelling and Hollycroft Conservation Area

- 8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.3 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.4 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment including conservation areas and national and locally important heritage assets and should ensure the significance of a conservation area is preserved and enhanced. Policy 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.
- 8.5 The proposed new application would not make any changes to the rear extension dimensions and it remains unchanged. According the original application (23/00860/HOU), the extension has appropriate dimensions, scale and design and it is sited to the rear, therefore it is considered that the proposal would have a neutral impact, respecting and complementing the scale, character and appearance of the existing dwelling and surrounding area.
- 8.6 This planning application seeks to remove a window on the side elevation and add one window to the rear, replacing the proposed door in the original scheme. This alteration is not considered to have any material impact on the main dwelling or the surrounding area.
- 8.7 Furthermore, the proposal includes partial rendering to the side and front external walls at first-floor level. According to HBBC Conservation Officer: *Within the conservation area render is occasionally used as a finish for facing walls on properties, including a number upon Hollycroft itself. In principle the use of render for the upper floor on the front and side elevations of the original dwelling would reflect the use of a prevalent construction material in the conservation area and would ensure that the property maintains an appropriate character and appearance. However, to ensure the dwelling has a satisfactory appearance the type and colour of the proposed render should be confirmed prior to the commencement of the development, with a light-coloured render such as off white or cream being suggested to reflect the predominant render colours in the conservation area. Subject to this detail being satisfactory, the proposal will preserve the significance of the Hollycroft Conservation Area and comply with Policies DM11 and DM12 of the Site Allocations and Development Management Plans DPD, section 16 of the National Planning Policy Framework and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.* According to the agent's email to the Local Authority, the render will be in off-white and is therefore considered acceptable, as it

is not expected to have any adverse impact on the design of the main dwelling or the surrounding conservation area.

- 8.8 To sum up, the proposed planning application is not considered to have any adverse impact and therefore it would preserve the character and appearance and thus significance of the Hollycroft Conservation Area in accordance with Policies DM10, DM11 and DM12 of the adopted SADMP, the general principles of the adopted Good Design Guide, section 16 of the NPPF (2023) and the statutory duty of Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.9 Policy DM10 of the adopted SADMP requires 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 proposed extension on both original and this new application sits comfortably to the rear of the property within a large garden that is over 13m in depth and has appropriate design, scale and appearance. The extension is 2.1 metres away from the southeast boundary and approximately 5 metres from the north-west boundary at the closest point. This reduces the level of overbearing impact on neighbouring adjoining properties. The already approved dwelling to the rear of the property is well set back and therefore the proposed extension does not significantly impact on the new dwelling and the proposed access.
- 8.11 The proposal involves removing the first-floor side window shown on the original plan and adding one window to the rear, replacing the previously proposed rear door. These changes are considered neutral and are not considered to have any adverse impact on the residential amenities.
- 8.12 By virtue of the siting, appropriate scale and dimension of the proposal together with separation distances, surrounding trees screening to/from any neighbouring properties, the proposal has no significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposal is therefore in accordance with Policy DM10 of the adopted SADMP. No objections to the scheme have been received from any neighbouring properties.

Other matters

- 8.13 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision with suitable design. Paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or if the cumulative impacts on the road network would be severe. This scheme does not propose any changes to the highway or parking provision impacts, which will remain as the original plan. Therefore, the proposed plans are not considered to have any adverse impact on parking provision or highway safety.

Conditions

- 8.14 The previously approved planning permission 23/00860/HOU was subject to 3 conditions. The development has been implemented and therefore Condition 1 (time) would be unnecessary. Condition 2 (plans) would need to be amended to refer to the plan submitted and approved under this application to define the new permission. Condition 3 (materials) would need to be amended to refer to the amended materials as submitted and approved under this application to define the new permission.

- 8.15 No other conditions are considered to be necessary to ensure satisfactory development.

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 is located within the settlement boundary of Hinckley and seeks to vary condition 2 (plans) and 3 (materials) of planning permission 23/00860/HOU for the erection of part two storey and single storey rear extension at 56 Hollycroft, Hinckley. Therefore there is a presumption in favour of sustainable development as set out in Policy DM1 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the wider policies of the NPPF.
- 10.2. For the reasons given in the report above, it is considered that the proposed amendment to the approved plans and external construction materials with the proposed use of white-rendered external walls to the side and front elevation would complement the character and appearance of the existing dwelling and wider street scene, and would not result in any significant adverse impacts on the residential amenity of the occupiers of any neighbouring properties, highway safety or off-street parking provision.
- 10.3. The proposal therefore is considered to be in accordance with Policies DM1, DM10, DM11, DM12 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide, section 16 of the NPPF (2023) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and are 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.

11.2 Conditions and Reasons

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
 - Site Location Plan Drawing Ref: 0684370;
 - Block Plan Drawing Ref: 0684370;
as received by the local planning authority on 1 September 2023; and
 - Proposed Floor Plans, Elevations, Drg No. 1398-101
as received by the local planning authority on 25 September 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

2. The materials to be used on the external elevations of the first-floor front and side elevations hereby permitted shall be in off-white render in accordance with the external materials details submitted on the Proposed Floor Plans, Elevations, Drg No. 1398-101 and submitted application form received by the local planning authority on 25 September 2025. All other materials shall match the corresponding materials of the existing dwelling.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.