

## Delegated Report

**Planning Ref:** 26/00656/HOU  
**Applicant:** mrs Jade Gibson  
**Ward:** Barwell



Hinckley & Bosworth  
Borough Council

**Site:** 105 Byron Street Barwell Leicester

**Proposal:** Erection of a first floor side extension.

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

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### 1. Recommendations

#### 1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

### 2. Planning application description

- 2.1. This application is seeking full planning permission for the erection of a first floor side extension at 105 Byron Street Barwell. The proposed extension would provide additional space for an additional bedroom.
- 2.2. The proposed extension would be constructed above the existing single-storey side extension, maintaining the same depth of 6.26 metres and width of 2.72 metres. It would feature a matching eaves height and a ridge set down of 0.30 metres from the main dwelling.
- 2.3. As part of this application, one opening window is proposed on the front elevation, and one opening window is proposed on the rear elevation.
- 2.4. The proposed material will be the same as existing to match the main dwelling.

### 3. Description of the site and surrounding area

- 3.1. 105 Byron Street is a two storey semi-detached dwelling located in an established residential area within the settlement boundary of Barwell.
- 3.2. The dwelling is situated at the end of Byron Street, at the junction for Charnwood road on a corner plot. It is surrounded on all sides by other residential dwellings. Many of the surrounding dwellings have been altered and extended with both single and 2-storey extensions.
- 3.3. The site benefits from a south west facing rear garden where there is currently a conservatory to the rear of the property. This is to be demolished and falls under permitted development.

### 4. Relevant planning history

#### 03/00292/FUL

- SINGLE STOREY EXTENSION TO DWELLING
- PER
- 12.05.2003

#### 05/00909/FUL

- EXTENSIONS AND ALTERATIONS TO DWELLING

- REF
- 04.11.2005

#### **21/00814/HOU**

- Single storey side extension
- PER
- 10.11.2021

### **5. Publicity**

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No comments were received

### **6. Consultation**

- 6.1. No objections have been received from following consultees:
  - LCC Ecology
  - Barwell Parish Council

### **7. Policy**

- 7.1. Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026
  - Policy 22: Development and Design
- 7.2. Core Strategy (2009)
  - Policy 3: Development in Barwell
- 7.3. Site Allocations and Development Management Policies DPD (2016)
  - Policy DM1: Presumption in Favour of Sustainable Development
  - Policy DM10: Development and Design
  - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
  - National Planning Policy Framework ('NPPF') (2026)
  - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
  - Good Design Guide (2020)
  - National Design Guide (2019)

### **8. Appraisal**

- 8.1. Key Issues
  - Design and impact upon the character of the area
  - Impact upon neighbouring residential amenity
  - Impact upon highway and parking provision

#### Design and impact upon the character of the area

- 8.2. Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

- 8.3 According to the adopted HBBC Good Design Guide (2020), Corner plots play an important role in within the streetscene and it is important to recognise that overdevelopment of these plots can create an oppressive quality which can lead to a significant change in the prevailing character of a place.
- 8.4 The proposed first-floor side extension would have an eaves height matching the main dwelling, with a ridge set down of 0.30 metres and a front elevation setback of 0.50 metres. While the extension would be visible from Byron Street, the existing design of the dwelling, the varied character of surrounding properties, and the presence of similar extensions in the locality mean that the proposal is not considered to appear overly bulky or out of keeping with the area. The extension would be constructed using materials to match the existing dwelling and would complement the rendered finish of the property. As such, it is not considered to cause significant harm to the appearance of the host dwelling or the character of Byron Street and Charnwood Road.
- 8.5 A previous application for a two-storey extension was refused due to its undue prominence within the streetscene. However, the current proposal incorporates an appropriate ridge set down and front setback, ensuring that the extension appears subordinate to the main dwelling.
- 8.6 The proposed fenestration on the front and rear elevations is considered sympathetic to the existing dwelling in terms of design, proportions, and appearance. As such, they would not have any adverse impact on the character or appearance of the host dwelling or the surrounding area.
- 8.7 Therefore, the form and design of the development is considered modest, and the scale of the extension would have a minimal impact upon the character of the area. It is considered that the development is in accordance with Policy DM10 of the SADMP.

#### Impact upon neighbouring residential amenity

- 8.8 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.9 The HBBC Good Design Guide (2020) requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity. In the spirit of good neighbourliness, an adequate distance of 1m between the property and its boundary (giving a total distance of at least 2m between properties) should be encouraged.
- 8.10 The nearest neighbouring property to the proposed development is No. 103 Byron Street to the southwest of neighbouring property. The proposed first floor side extension would feature a separation distance of 11.43 metres to the front garden of No.103 and is not considered to cause any significant overlooking impact to this neighbouring property and therefore, the proposed development is not considered to cause any overdominance, overbearing, loss of privacy or any loss of light impact to the neighbouring property and amenities.
- 8.11 The proposed window to the front is also not considered to cause any loss of privacy impact.
- 8.12 By virtue of these factors, the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

## **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 Barwell and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 of the SADMP and the wider policies of the NPPF.
- 10.2. The proposed development would respect the scale and character of the existing dwelling and street scene, retain adequate private amenity within the curtilage and would not adversely affect the amenities of the occupiers of neighbouring properties. In addition sufficient off-street parking provision would be available on the site. On this basis, the proposal is therefore considered to be in accordance with Policies DM1, DM10, and DM18 of the SADMP and is 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 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:
  - Floorplans and Elevations as Proposed Dwg No 26-899 02As received on 20<sup>th</sup> July 2026

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

3. The materials to be used on the external elevations of the proposed extension shall match the corresponding materials of the existing dwelling.

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

### 11.3 Notes to applicant

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](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.