

Delegated Report

Planning Ref: 26/00320/HOU
Applicant: Sophie Steans
Ward: Hinckley Clarendon



Site: 50 Kinross Way Hinckley Leicestershire

Proposal: Proposed Two Storey Side Extension & Single Storey Rear Extension

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. This householder application seeks planning permission for erection of a two storey side extension and single storey rear extension at 50 Kinross Way Hinckley.
- 2.2. The proposed single-storey rear extension would measure 3.50 metres in depth and 6.37 metres in width. It would provide a new dining room. It features a flat roof form with a height of 2.25 metres.
- 2.3. The proposed two-storey side extension would be located along the side elevation facing both the main road and the private road serving the neighbouring properties. The extension would measure 8.24 metres in depth and 2.31 metres in width. It would feature a gabled roof to match the existing roof structure, set down by 0.6 metres. The proposed eaves height is 7.30 metres, with a ridge height of 11.07 metres. Additionally, a mono-pitched roof is proposed above the garage door at the front, extending from the existing mono-pitched porch roof and it would feature an eave height of 3.27 metres and a ridge height of 5.20 metres.
- 2.4. The proposed side extension would provide a garage and utility area at ground floor level, with an en-suite bedroom at first floor level.
- 2.5. Matching materials to the external elevations and the proposed roof would be in brickwork and tiles to match existing.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the urban settlement boundary of Hinckley in a residential area. It is a three bedroom two-storey semi-detached dwelling constructed of red brickworks, plain roof tiles and brown uPVC windows.
- 3.2. Kinross Way is characterised by two-storey detached and semi-detached properties in brickwork with different colour and designs. A public green area sits to the north of the dwelling.
- 3.3. There are some similar extensions (to that proposed) in the surrounding area and an existing garden area and driveway to the front of the property.

4. Relevant planning history

- None-Relevant

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.
- 5.2. One objection has been received. The objector is concerned that the presence of the proposed extension and any associated building works may deter prospective purchasers or affect the achievable sale price for their property.

6. Consultation

- 6.1. None-Relevant

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 1: Development in Hinckley
- 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 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)
 - Leicestershire Highway Design Guide

8. Appraisal

- 8.1. Extensions to existing domestic properties within urban 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

Design and impact upon the character of the area

- 8.2. Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 8.3. Policy DM10 requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features.

- 8.4 According to HBBC Good Design Guide (2020), two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two-storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.
- 8.5 The proposed side extension includes a set-down of 0.60 metres and does not incorporate a setback from the front elevation. However, due to its modest scale and appropriate set-down, the extension is considered subordinate to the main dwelling. Furthermore, considering the presence of similar extensions within the street scene, the extension would not be out of keeping. As such, it is not considered to have any adverse impact on the character of the existing dwelling or the surrounding area.
- 8.6 The proposed single-storey rear extension would feature a flat roof, which is not typically supported by the HBBC Good Design Guide. However, due to its modest scale, the use of matching brickwork materials, and its location to the rear of the property where it will not be visible from public viewpoints, the extension is not considered to have a harmful impact on the design of the main dwelling or the character of the surrounding area.
- 8.7 The proposed fenestration including doors and windows openings to the front and rear is considered to complement the main dwelling design and surrounding character of the area.
- 8.8 Therefore, the form and design and scale of the proposed development is not considered have any significant adverse impact upon the character of the area and the design of main dwelling and therefore it is considered that the development is in accordance with Policy DM10 of the SADMP, the NPPF (2024) and principles in HBBC Good Design Guide.
- Impact upon neighbouring residential amenity
- 8.9 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.10 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.
- 8.11 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. Furthermore, proposals should comply with the 45° guidance.
- 8.12 The neighbouring properties most affected by the proposal are No. 48 Kinross Way to the west and No. 56 Kinross Way to the east, located across the private road. The proposed rear extension would extend beyond the rear building line of No. 48 and would breach the 45-degree guideline from the nearest window by approximately 1.2m. However, taking into account that this is not the sole window to room in question, the single-storey nature of the extension, the presence of boundary treatment, and its overall scale, the resulting impacts in terms of loss of light, overdominance, and overbearing effect are not considered to be significant. No

windows are proposed in the side elevation facing No.48 and the proposal would not give rise to additional adverse overlooking impacts.

- 8.13 According to HBBC Good Design Guide (2020), a principal window to a habitable room should ideally not be less than 8m from the blank side of a single storey neighbouring property, rising to 14m for a two-storey property and above. An exception to this rule is in an urban location where it may be acceptable to have a reduced distance where issues of amenity and overlooking are dealt with by good design.
- 8.14 The proposed side extension would project 2.13 metres to the side, reducing the separation distance between the host property and the neighbouring property at No. 56. The extension would be positioned at an angle relative to No. 56, with a separation distance of approximately 11 to 12 metres to the neighbouring habitable windows, which is below the recommended 14 metres. While this may give rise to some overbearing impact, the outlook of the extension is directed beyond No. 56, and the proposal is of a modest scale. Furthermore, there is limited scope to reduce the size of the extension. On this basis, the level of harm is considered minimal and would not result in a significant adverse impact on the neighbouring property or its residential amenity. No windows are proposed in the side elevation facing No.56 and its neighbouring dwellings. The additional window in the rear elevation would not give rise to additional adverse overlooking beyond the existing windows.
- 8.15 The objection raised relates to the potential impact of the proposed extension at No. 50 on the neighbour's ability to sell their property. The objector advises that they are seeking to downsize and is concerned that the presence of the proposed extension and any associated building works may deter prospective purchasers or affect the achievable sale price. However, matters relating to property values and private financial circumstances are not material planning considerations and therefore cannot be taken into account in the assessment of this application.
- 8.16 By virtue of the above assessment, the proposal is not considered to result in any significant adverse overbearing or overdominant, overlooking, or loss of light impacts to any of neighbouring occupiers and their amenities and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon parking provision and highway safety

- 8.17 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.18 Policy DM18 of the SADMP also requires developments to demonstrate an adequate level of off-street parking provision.
- 8.19 Table 28 (Residential Parking Standards) of the LHDG requires dwellings with four or more bedrooms to provide a minimum of three off-street parking spaces. The proposal increases the number of bedrooms from three to four; The front driveway would provide two parking spaces, the proposed garage would measure 2.3 metres in width and 5.4 metres in depth. The LHDG recommends a standard of 6 metres by 3 metres; therefore, the garage is not considered suitable to count as a parking space. The proposal would therefore result in a shortfall of one parking space,

however, considering the sites location this shortfall is unlikely to result in additional on street parking which would give rise to highways safety harm. A condition is required to ensure that the applicant provides the two proposed parking spaces as a minimum prior to the occupation of the proposed 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 As outlined in the report the development complies with the relevant policies of the Development Plan therefore, taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate 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:

Commented [EB1]: Do you think we need a condition requiring that the new parking space is available before first use of the extension?

- Block, Site Location Plan
- Proposed First Floor Plan, Drg No.26.15.05
- Proposed Ground Floor Plan, Drg No.26.15.04
- Proposed Roof Plan, Drg No. 26.15.06
- Proposed Elevations, Drg No. 26.15.07
- received by the local planning authority on 03 April 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 and alterations hereby permitted 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).

4. Prior to the occupation of the proposed development, a minimum of two off-street parking spaces shall be provided. The parking spaces shall be retained thereafter for that purpose in perpetuity.

Reason: To ensure adequate off-street parking provision in accordance with DM18 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.