

Officer Report

Planning Ref: 26/00432/HOU

Applicant: Mr Truslove

Ward: Hinckley DeMontfort



Site: 38 Kent Drive Hinckley Leicestershire

Proposal: Proposed single storey Golf Room (Outbuilding)

Case Officer: Zahra Jam-Rotbeh (Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This householder planning application seeks planning permission for erection of a single storey Golf Room (outbuilding) at 38 Kent Drive Hinckley.
- 2.2. The proposed outbuilding would feature a width of 4.4 metres and a depth of 6.6 metres, it features a gabled roof with an eaves height of 2.35 metres and a ridge height 3.31 metres.
- 2.3. The external walls and roof are proposed to be all finished in Dark Grey Cladding Panels and the doors would be glazed with Dark Grey surrounds.
- 2.4. An amended scheme was requested by the Case Officer to reduce the potential impact on the neighbouring property at 31 Harwood Drive. In response, the agent revised the proposal by rotating the outbuilding so that its narrower elevation is positioned adjacent to the shared boundary with No. 31, while the wider elevation faces the open fields to the north of the site.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located within the settlement boundary of Hinckley. The immediate streetscene is predominantly made up from a mix of two-storey detached properties in different size, design and finishes.
- 3.2. The application property is a three-bedroom two storey detached dwelling located at Kent Drive cul-de-sac. The dwelling is finished in brickwork, with the openings in white uPVC installed on the elevations. A private driveway serves the property to the front.

4. Relevant Planning History

None-Relevant

5. Publicity

5.1 The application has been publicised by sending out letters to local residents and a site notice was also posted within the vicinity of the site.

5.2 Objections have been received including in response to the amended plans from one property. The concerns raised relate to the continued impact of the proposed outbuilding on neighbouring residential amenity, with the objector considering that, despite the revised orientation, the scale and presence of the building would remain intrusive and adversely affect the enjoyment of neighbouring properties and gardens. Concerns have also been expressed regarding the proposed use of the building as a golf room, particularly in relation to the potential for noise and disturbance arising from golf simulator equipment, impact noise, and associated activity. The objector considers that the proposal could result in a loss of residential amenity and has requested either the refusal of the application or the imposition of appropriate conditions relating to noise mitigation and hours of use should planning permission be granted.

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 Development Plan Document (SADMP) (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)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- National Design Guide (2024)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Extensions to existing domestic properties 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 residential amenity

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 The proposed single-storey outbuilding is intended to be used as a golf room. It would be finished in dark grey cladding panels, which differ from the materials used on the main dwelling. However, given the modest scale and single-storey nature of the building, together with its limited visibility from the public streetscene, the proposed materials are not considered to be harmful to the appearance of the host dwelling. The overall design, including its gabled roof form, is also considered acceptable. The footprint and scale of the outbuilding is on the larger side of outbuildings which are found in residential buildings, but not to a degree that it would represent overdevelopment of the plot when considering the remaining garden space. As such, the proposed outbuilding would not result in any significant adverse impact on the character or appearance of the site or the surrounding area.

8.5 Therefore, the form and design and scale of the proposed development is not considered have any 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).

Impact upon Residential Amenity

8.6 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.

8.7 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.

- 8.8 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 45⁰ guidance.
- 8.9 The properties most likely to be affected by the proposed development are No. 36 Kent Drive to the south and No. 31 Harwood Drive to the east. Given that the proposed outbuilding would be located to the north-east of the main dwelling within its curtilage, together with the adequate separation distance from No. 36 and the single-storey nature of the structure, the development is not considered likely to result in any unacceptable loss of light, overbearing impact, sense of enclosure, or loss of privacy for the occupants of No. 36 Kent Drive. Therefore, the proposal would not have an adverse impact on their residential amenity.
- 8.10 No. 31 Harwood Drive is located to the east of the proposed development. An objection has been received regarding the potential overbearing impact of the proposed outbuilding on this neighbouring property. In response to these concerns, amended plans were submitted which rotate the outbuilding so that its narrower elevation faces No. 31. This revision reduces the building's visual presence and minimises its impact on the neighbouring property. Whilst the building will be visible over the fenceline, the ridge of the roof in its amended form is sited away from the shared boundary. Furthermore, as amended the outbuilding would not extend along a significant portion of the rear boundary of No.31 further mitigating its impacts. As a single storey building the proposal would be sited over 9m from the closest habitable window within the rear elevation of No.31 and this separation distance is acceptable to mitigate adverse overdominance/loss of light. No windows are proposed in the side elevation facing No.31 and the existing boundary treatment would limit views in any event. Having regard to the amended design, the resulting impact is not considered to result in significant harm to the amenity of No.31 with regards to overdominance, loss of light or loss of privacy. Therefore, the proposal is considered to comply with Policy DM10 of SADMP.
- 8.11 Concerns have also been raised regarding the proposed use of the outbuilding as a golf room, particularly in relation to the potential for noise and disturbance arising from golf simulator equipment, impact noise and associated activity. However, these concerns are not considered to warrant the refusal of the application. The proposed outbuilding is intended for purposes incidental to the enjoyment of the dwellinghouse and for the personal use of the applicant. There is no substantive evidence before the Local Planning Authority to demonstrate that the proposed use would result in unacceptable noise or disturbance, and therefore it would not be reasonable or necessary to impose conditions restricting its hours of use or requiring additional noise mitigation. However, a condition is recommended ensuring that the building remains ancillary to the host dwelling which would prevent its use as a business which could intensify the use of the building beyond what could be reasonably expected in a residential area.

- 8.12 By virtue of the above assessment, the proposal is not considered to result in any significant overbearing or overdominant, overlooking, or loss of privacy 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.

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 detailed 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:

- Proposed Plans and Elevations - AVD-KDH-PL01 Rev A received by the local planning authority on 10 June 2026
- Application form received by the local planning authority on 12 May 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 outbuilding hereby permitted shall only be used for purposes incidental to the residential dwelling 38 Kent Drive, Hinckley and shall not be occupied, sold or leased or let, on a permanent or temporary basis as an independent unit of residential accommodation, nor used for business purposes at any time.

Reason: To ensure the annexe is not occupied as an independent unit of accommodation or used for business purposes which may have additional impacts in accordance with Policies DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document.

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 building.control@blaby.gov.uk or call 0116 272 7533.