

Delegated Report

Planning Ref: 25/00234/FUL
Applicant: Dr Karan Farmah
Ward: Hinckley Castle
Site: 34 Station Road, Hinckley
Proposal: Two storey rear extension



Hinckley & Bosworth
Borough Council

1. Recommendation

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application is for a two storey rear extension to the existing two storey dental practice building at 34 Station Road, Hinckley.
- 2.2. The proposed extension has a depth of 3.45 metres and a width of 13.1 metres. It has an eaves height of 6.5 metres and a ridge height of 9.1 metres. Both the width and height match those of the existing rear elevation of the building. The extension continues the existing dual gabled roof form.
- 2.3. The proposed extension is to be constructed of red facing brick and clay plain roof tiles, with timber casement windows. All material finishes are to match the materials of the existing building.
- 2.4. The ground floor of the proposed extension comprises a staff area with hallway, staff room and changing cubicles, WC and an office, in addition to a new stairwell to the first floor.
- 2.5. The first floor of the proposed extension comprises a hallway and staircase landing, WC, and two surgery consulting rooms.
- 2.6. The proposal does not involve any increase to staffing numbers or changes to hours of operation.

3. Description of the site and surrounding area

- 3.1. The application site currently contains a two-storey building in use as a dental practice. The building fronts Station Road with an existing tandem car parking area between the dental practice and the highway boundary.
- 3.2. The building was originally constructed in the Edwardian era and is double fronted with a timber entrance porch. It is of brick construction with a tiled roof.
- 3.3. Station Road is an adopted C-road leading to and from the town centre which is to the north of the development site. There are defined parking bays on the western side of the road. The eastern side is yellow lined, and parking is not permitted between 8am and 6pm.
- 3.4. The development site is surrounded to the side and rear by flats and their associated garages. A number of the flats are run as short-term accommodation lets by two different companies.

4. Relevant planning history

- **24/01086/FUL**
- Single storey rear extension
- Planning Permission
- 11.02.2025

5. **Publicity**

- 5.1. The application has been publicised by posting neighbour letters.
- 5.2. No comments have been received.

6. **Consultation**

- 6.1. LCC Ecology have advised that the site is located with a 'Swift Alert' zone as it is within 250 metres of recorded nest sites. A condition has been requested to ensure that swift boxes are provided on the building, at least 5 metres above the ground with a clear approach.

LCC Ecology noted that as the existing building is within a built-up area no bat survey is required. However, they have provided an informative to the Applicant regarding the legal protection of bat species, their breeding sites and resting places.

- 6.2. Environmental Services (Pollution) have no objections.

7. **Policy**

- 7.1. Core Strategy (2009)

- Policy 1: Development in Hinckley

- 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
 - Policy DM25: Community Facilities

- 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 (LHDG) (2024)

8. **Appraisal**

- 8.1. Key Issues

- Assessment against strategic planning policies
 - Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety

Assessment against strategic planning policies

- 8.2. The NPPF identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan,

permission should not usually be granted unless other material considerations indicate otherwise.

- 8.3. The development plan in this instance consists of the Core Strategy (2009), and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016). The dental practice is supported as a community facility and the proposed development is considered acceptable in principle.

Design and impact upon the character of the area

- 8.4. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.5. The proposal is for a two storey extension which will comprise new staff facilities including a staff room and changing cubicles, new WC, an additional office space, new staircase and hallways, and two new consulting rooms.
- 8.6. The proposed extension is sited to the rear of the existing building and matches the height and width of the existing building. The rear extension extends for a depth of 3.3 metres, into what is currently a partially paved and partially grassed area between the dental surgery building and the driveway associated with the flats to the rear.
- 8.7. Though the proposed extension is not visually subservient to the existing building, it is located to the rear and therefore has limited visibility from public areas. It is also noted that the existing dual gable toward the rear of the roofline is already set behind a larger gable that runs parallel to the principal elevation.
- 8.8. All materials proposed for the rear extension match those of the existing building.
- 8.9. Considering the siting to the rear of the existing building and the use of consistent material finishes, it is not considered the proposal would cause detrimental impact to the character of the area. The proposal is therefore in accordance with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.10. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.11. The two storey rear extension is located between the existing building and the row of flats to the west, some of which are dwellings but a number are operated as short-stay accommodation rentals. The proposed southern side elevation will also be visible to the flats to the south, which are again both private dwellings and short-term accommodation rentals.
- 8.12. The proposed extension reflects the height and width of the existing rear building elevation but will project 3.3 metres closer to the residences and short-term accommodation to the west. The separation distance between the rear elevation of the existing building is 13.1 metres at its closest point increasing to a maximum of 14 metres. The proposed extension would reduce this separation to 9.8 metres at its closest point increasing to a maximum of 10.7 metres.
- 8.13. The existing building has seven first floor windows which face toward windows on the adjacent flat building without any privacy measures. The first floor windows of the proposed extension are to be obscure glazed on their lower panes to reduce the

impact of the proposal on the privacy of the residences and short-term accommodation units. The original proposed only included the obscuring of first floor windows on the southern elevation of the extension, however the Applicant has confirmed their agreement to also obscure the rear (western) elevation windows.

- 8.14. The proposal is thus considered, on balance, not to have a significant adverse impact on the privacy and amenity of nearby residents and occupiers of adjacent buildings and is therefore considered to be sufficiently in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.15. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate level of parking provision.
- 8.16. The Leicestershire Highways Design Guide (LHDG) (2024) requires that a health/medical practice provide 1 space per staff member plus 2 spaces per consulting room or surgery. It also requires at least 1 ambulance space and 1 car drop-off/pick-up space.
- 8.17. The proposal does not involve any expansion to staffing numbers. The business currently employs 15 total staff at a full-time equivalent rate of 13 staff members. The existing dental surgery building contains 12 surgery rooms, and the proposal would add a further 2, resulting in a total of 14 surgery rooms. Based on total staff numbers and resulting surgery rooms, the required off-street car parking rate would be 43 spaces.
- 8.18. The development site is located within the Hinckley Town Centre in a highly urbanised area with sustainable transportation links. It is a walkable distance to a number of bus stops and to Council car parks to the north. It is common for businesses of a similar type within the area to provide limited on-site car parking spaces due to the density of built form.
- 8.19. The dental surgery currently provides 12 off-street car parking spaces, and the site constraints mean there is no capacity to increase this number. A further 3 on-street car parking spaces are available in a marked parking bay on the western side of Station Road, directly in front of the business.
- 8.20. Considering the constraints of the site, its sustainable urban location, and the character and context of the surrounding area, it is not considered that the shortfall in parking numbers against LHDG requirements would cause significant adverse impacts upon highway safety.
- 8.21. The proposal is therefore considered to reasonably address Policies DM17 and DM18 of the SADMP.

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 considered to be acceptable when assessed against the overarching principles of the NPPF, policies DM1, DM10, DM17 and DM18 of the SADMP, and the guidance of the Good Design Guide. It is therefore recommended that planning permission 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:

Proposed Block Plan Drg No. 02-6 received 10 March 2025
Proposed Ground Floor Plan, Drg No. 02-D received 10 March 2025
Proposed First Floor Plan, Drg No. 02-2C received 10 March 2025
Proposed Roof Plan, Drg No. 02-3A received 10 March 2025
Proposed Elevations Rear, Side, Drg No. 02-4E received 10 March 2025
Proposed Elevations Front, Side, Drg No. 02-5A received 10 March 2025
Window Section A, Drg No. 08-3 received 9 May 2025

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 proposed extension shall accord with the approved materials detailed within the application form.

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

4. The first floor windows on the south and west elevations of the building shall be fitted with obscure glazing to a minimum of Level 3 on the Pilkington Scale and non-openable below 1.7 metres above the floor of the room. Once so provided the window(s) shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. No development shall take place until a swift (*Apus apus*) enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. This is to detail the provision of a minimum of 1 group of 3 integrated/woodcrete nest boxes, in a suitable location on the building. All works are to proceed strictly in accordance with the approved scheme.

Reason: In order to protect wildlife species and their habitats in accordance with Policy DM6 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 building.control@blaby.gov.uk or call 0116 272 7533.
2. The property may be suitable for roosting bats, which are protected by law from harm. It is the applicant's responsibility to ensure that bat legislation is not breached and therefore may need to consult with a licenced bat ecologist prior to commencement, to ensure that bats will not be impacted by the works. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst advice from a bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls.