

Delegated Report

Planning Reference 26/00085/HOU
Applicant(s) Mr Alan Cantes
Ward Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Application Site 108 Leicester Road, Hinckley

Proposal Proposed first floor extension to create additional storey and single storey front, side, and rear extensions and associated works

Case Officer Sullivan Archer (Senior 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 full planning permission for the provision of a first-floor extension to create an additional storey of accommodation alongside the provision of single storey front, side and rear extensions to 108 Leicester Road, Hinckley.
- 2.2. The proposed development would extend 1.4m to the front, and 1m further to the rear of the property, which would create a total footprint of 219.7sqm. The single storey extensions would feature a flat roof with a height of 3.4m, and the first-floor extension would increase ridge height of the property from 6.8m to 8.5m. The proposal would be constructed with a white silicone-type rendered finish and dark grey concrete roof tiles.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located on the northern side of Leicester Road, which to the northeast of, and within the settlement boundary of, Hinckley. Leicester Road is an adopted, classified 'B' road, subject to a 30mph speed limit. The application site consists of a red brick bungalow, which features several concrete tiled hipped roofs.
- 3.2. Leicester Road and Stoneygate Drive, which is to the northeast of the site, are wholly residential in character and there is a range of bungalows and two-storey dwellings within the street scene. For example, the property to the southwest of the site is a detached two-storey dwelling, and the residence to the northeast is a detached bungalow. However, due the variety of styles of buildings, there is no discernible unique character to the Leicester Road or Stoneygate Drive. Brick and render finishes are both prominent within the street scene.

4. Relevant Planning History

4.1 22/01221/FUL

- Proposed two storey dwellinghouse (following demolition of existing bungalow)
- Permitted
- 02.03.2023

4.2 21/00792/HOU

- Addition of first floor accommodation (under an concrete tiled duo pitched roof and zinc lean-to roof) above existing single storey bungalow type dwelling, including front extension (both single storey and first floor) and single storey and two storey rear extension (partially under a lean-to roof to form covered balcony area). Existing and proposed external elevations to be rendered (white) and partially clad in larch timber panels. Proposal includes replacement and additional PPC aluminium framed window
- Permitted.
- 15.07.2022

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents. No formal responses have been received.

6. Consultation

- 6.1 No responses have been received.

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)
- Planning Practice Guidance ('PPG')

7.4 Other Relevant Guidance:

- HBBC's Good Design Guide (2020)
- 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
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2. Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.3. The properties to the southwest of the application site are two-storey in massing and the application site benefits from planning permission to increase the massing of the existing property to two-storey via applications 21/00792/HOU and 22/01221/FUL. Therefore, the increased massing of the development would not be considered to result in any significant harm to the character of the surrounding area.

8.4. In comparison to the latest approved scheme at this site, the scheme would project 0.5m less to the rear of the existing property and 0.3m less to the front of the property, but the footprint of the property would remain the same. In light of this, and by virtue of the proposed size, scale, height, design, and use of materials, the proposal would be considered to respect the character of the existing dwelling and surrounding area in accordance with Policy DM10 of the SADMP.

Impact upon Residential Amenity

8.5. 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, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.

8.6. The Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity. The Good Design Guide recommends that a principal window to a habitable room should ideally be no less than 8m from the blank side of a single storey neighbouring property, rising to 14m for a two-storey property. In addition, the separation distance between two principal windows to habitable windows should be

a minimum of 21m. Notwithstanding this, these separation distances are the minimum standards that are required, and every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size, and shape.

- 8.7. The three adjacent neighbouring residential properties to the development would be 104 Leicester Road to the southwest, 74 Stoneygate Drive to the northeast, and 72 Stoneygate Drive to the north.
- 8.8. No principle habitable windows are proposed to either side elevation of the development, and the principal window to Bedroom 3 on the first floor of the scheme would be approximately 22m from the rear elevation of 72 Stoneygate Drive. All non-principle habitable windows in these locations could be obscure glazed via planning condition. By virtue of these factors, and the siting of the property and the neighbouring properties, the development is not considered to result in any loss of privacy, or any overlooking impacts to neighbouring residential amenity in these site-specific circumstances.
- 8.9. The proposal would not extend beyond the rear elevation of 74 Stoneygate Drive, and the two-storey element of the development would be separated from this neighbouring property by 9.4m. In light of this, and the distance between the development and 72 Stoneygate Drive, the proposal would not be considered to result in any significant loss of light or any overbearing impacts to these neighbouring properties.
- 8.10. At its closest, the proposal would extend beyond the two-storey rear elevation of 104 Leicester Road by 6m. The neighbouring property benefits from a single storey rear extension adjacent to its shared boundary with the application site, and the window closest to the development at first floor at 104 Leicester Road is opaque glazed. The proposal would not contravene the 45 degree rule to the other first floor window on the rear elevation of this neighbouring property. As such, the proposal would not be considered to result in any significant loss of light or any overbearing impacts to the residential amenity of the occupiers of 108 Leicester Road.
- 8.11. Whilst the current scheme would be considered to be acceptable, to prevent any additional harm to neighbouring residential properties resulting from further uncontrolled extensions, a planning condition could remove permitted development rights from the application dwelling.
- 8.12. The development and its proposed bedrooms would comply with the minimum internal space standards required by the Nationally Described Space Standards, and sufficient private outdoor amenity space would be retained to accord with the minimum standards within the Council's Good Design Guide.
- 8.13. In summary, the proposal would not be considered to result in any significant harm to the residential amenity of neighbouring properties, nor the future occupiers of the scheme in accordance with Policy DM10 of the SADMP.

Impact upon Parking Provision and Highway Safety

- 8.14. 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.
- 8.15. Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification. Table 28 of the Leicestershire Highway Design Guide ('LHDG') states that a minimum of three off-street parking spaces should be provided for properties with four or more bedrooms.
- 8.16. No amendments are proposed to the existing site's vehicular accesses onto Leicester Road, nor the property's off-street parking provision. Although the Proposed Ground Floor Plans suggest that the scheme could increase the capacity of the property from three to five bedrooms, it is considered that there is sufficient off-street parking provision to the front of the property to accommodate this size of dwelling in accordance with Table 28 of the LHDG.
- 8.17. By virtue of these factors, the proposal would not be considered to create an unacceptable impact on highway safety or the road network in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

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 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 received by the Local Planning Authority as follows:

- Proposed Elevations Plan (V2) (submitted: 25.02.2026)
- Proposed First Floor Plan (submitted: 28.01.2026)
- Proposed Ground Floor Plan (V2) (submitted: 26.02.2026)
- Proposed Loft Floor Plan (submitted: 28.01.2026)
- Proposed Block, Site Location Plan (submitted: 28.01.2026)

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. Notwithstanding the provisions of Classes A, AA, and B, of Part 1 of Schedule 2 of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other

alteration to the dwelling shall be carried out unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To protect the character of the surrounding area and 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).

4. The windows on the side elevations of the dwelling that are utilised for the wet room and the plant room on the ground floor and the en-suite and the family bathroom on the first floor shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below 1.7m 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).

a. **Notes to Applicant(s)**

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.