

Delegated Report

Planning Ref: 26/00147/HOU

Applicant: Mrs Ria Mercer

Ward: Burbage Sketchley & Stretton



**Hinckley & Bosworth
Borough Council**

Site: 30 Grange Drive Burbage Hinckley

Proposal: Erection of a first-floor 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 first floor rear extension at 30 Grange Drive, Burbage. It is for the extension to an existing first floor bedroom.
- 2.2. The proposed first floor rear extension, would be above of the existing flat roof rear extension and it would have a depth of 3.35 metres and a width of 3.65 metres, it would also feature a gabled roof form with an eaves height of 4.65 metres and a ridge height of 6.30 metres. The extension would include the addition of a first floor rear window and as a result of internal room reconfiguration a first floor obscured glazed bathroom window is proposed on the north east elevation.
- 2.3. The proposed extensions would use matching white rendered finish and a new matching back uPVC window with matching roof tile to complement the existing dwelling.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the urban settlement boundary of Burbage and in a residential area. It is a four bedroom two-storey detached dwelling constructed of red bricks and white rendered facade, plain roof tiles and black uPVC windows. There is also an existing porch along the front elevation of the property and an existing extension to the rear.
- 3.2. The dwelling sits midway along the road, along its south western boundary is a footpath which separates it from 28 Grange Drive. To the east is 32 Grange Drive. The rear garden backs onto properties on Sycamore Close. The properties along Grange Drive occupy spacious plots and are different in design and appearance.

4. Relevant planning history

05/00398/FUL

- EXTENSION AND ALTERATIONS TO DWELLING
- PER
- 02.06.2005

20/01377/HOU

- New Front Porch and rendering the First Floor
- PER
- 12.03.2021

81/00957/4

- SUBSTITUTION OF RESIDENTIAL HOUSE TYPES
- PER
- 24.11.1981

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 raising concerns regarding loss of light, increased overshadowing, and the overall scale and dominance of the proposed first-floor extension.

6. Consultation

- 6.1. No objection has been received from following consultees:
 - Burbage Parish Council
 - LCC Highways: no objection, one informative has been added at the end of this report for the applicant consideration.

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 3: Development in Burbage
- 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
- 7.3. Burbage Neighbourhood Plan:
 - Policy 3: Design and Layout
- 7.4. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.5. 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 the highway safety

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 Policy 3 of Burbage Neighbourhood Plan states that, any future residential development within the Parish of Burbage must respect its surroundings and result in the provision of high-quality homes as per the National Planning Policy Framework (2018), HBBC Site Allocations and Development Management DPD (July 2016) and any other supporting documents to the Local Plan.

8.5 The proposed rear extension would result in an L-shaped form to the rear elevation. Given its height and overall scale which is subordinate to the original dwelling, together with the use of matching materials to the existing render, and as it would not increase the overall ground floor footprint of the dwelling, it is not considered to have any adverse impact on the design and character of the main dwelling or the surrounding area.

8.6 The proposed window to the rear elevation is also considered to be sympathetic to the existing openings in terms of scale, positioning, and design. As such, it is considered to be in keeping with the design of the main dwelling and the character and appearance of the surrounding area.

8.7 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) and Burbage Neighbourhood Plan.

Impact upon neighbouring residential amenity

8.8 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.

8.9 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.

8.10 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.

- 8.11 The adjacent neighbouring properties are No. 32 Grange Drive to the east and No. 28 Grange Drive to the west. The proposed first-floor rear extension would project beyond the first floor rear elevation of No. 32 Grange Drive but not significantly beyond the ground floor conservatory. Concerns have been raised regarding potential loss of light and increased overshadowing to this neighbouring garden and rear rooms.
- 8.12 The proposal maintains the recommended two-metre separation distance between the side elevations of the dwellings and would comply with the 45-degree guideline set out in the HBBC Good Design Guide. It is noted that the ground floor of No.32 includes conservatory windows which would experience some loss of light, however, this would not be significant to the room as a whole considering the rear facing windows which would be unaffected. As above the 45⁰ guideline is not breached from the adjacent first floor windows, therefore owing to the depth and location of the extension it would not cause an adverse loss of light nor overdominance to No.32. Any reduction in daylight would largely occur during late afternoon and the evening, and for the reasons set out above the resulting impact is considered to be modest and not sufficient to warrant refusal. One new bathroom window is proposed in the side elevation facing No.32, a condition is recommended ensuring this is obscure glazed to protect the privacy of residents at No.32.
- 8.13 No. 28 Grange Drive is located immediately to the west of the application site. The proposed rear extension would not breach the 45-degree guideline in relation to this neighbouring property. Furthermore, given the significant distance of the proposed development from the shared boundary and from No. 28, together with the absence of any windows or openings on this elevation, the proposal is not considered to result in any overbearing or overdominant impact. Nor is it considered to give rise to any unacceptable loss of light or loss of privacy to this neighbouring property or its amenities.
- 8.14 By virtue of the above assessment, the proposal is not considered to result in 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 on the highway safety

- 8.15 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.
- 8.16 Public Footpath Z23 runs adjacent to the proposed development. The Local Highway Authority (LHA) has stated that *'The LHA are satisfied that the use and enjoyment of the Public Footpath will not be significantly affected, however the following notes should be drawn to the Applicant's attention'* The relevant notes have been included at the end of this report for the applicant to consider prior to any implementation.
- 8.17 The proposal would not result in any additional bedrooms nor alter the existing parking situation and therefore would not give rise to a significant adverse impact on highway safety.

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:

- Proposed Floor Plans and Elevations DRW No.937/03A received by the local planning authority on 24 February 2026 and
- Proposed Block Plan, Site Location Plan, Drg No. 937/01 received by the local planning authority on 17 February 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 first use of the development hereby approved, the ensuite window in the first floor northeast elevation shall be fitted with obscured glazing to a minimum of level 3 of the Pilkington Scale and once so provided shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of the neighbouring dwelling from potential overlooking in accordance with policy DM10(a) 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.
2. The Local Highway Authority (LHA) refers the Local Planning Authority (LPA) to current standing advice provided by the Local Highway Authority dated September 2011:
 - a) Prior to construction, measures should be taken to ensure that users of the Public Right of Way are not exposed to any elements of danger associated with construction works.
 - b) Public Rights of Way must not be re-routed, encroached upon, or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
 - c) Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
 - d) If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.

- e) Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- f) No new gates, stiles, fences, or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way, and the County Council may be obliged to require its immediate removal.