

Delegated Report

Planning Reference: 25/00582/HOU
Applicant(s): Mr Marc Davis
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Application Site: Swallows Barn, Smockington Lane,
Wolvey, Hinckley

Proposal: Retrospective application for addition of two roof lanterns
to existing rear extension.

Case Officer: Gwion Russell (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 retrospective planning permission for three roof lanterns measure 2m by 3m in plan and project approximately 0.7m above the flat roof plane.

2.2. A previous householder application was submitted and permitted, under the reference 22/00570/HOU, for a single-storey rear extension measuring a depth of 6m and width of 18m and encompasses the whole rear façade of the dwelling. Prior to this application, there was a pre-application process for the application site under 22/10021/REPHMO.

2.3. This application, therefore, only assesses the retrospective provision of the roof lanterns detailed in paragraph 2.1. The provision of these roof lanterns is the only way it contrasts from the plans approved under 25/00570/HOU.

3. Description of the Site and the Surrounding Area

3.1. The application dwelling is located on the converge of the A5 and the B4114 within the open countryside in Smockington. Swallows Barn, which is situated within a small gated community, is a two-storey terrace house with a rendered façade and a gabled roof with similarly designed, styled and constructed properties on either side. The dwelling benefits from a 18m x 6m rear extension encompassed by a flat roof and a shared driveway with neighbouring Watling Farm House and Two Hoots Barn. The site and surrounding properties are converted buildings from agricultural use to residential.

4. Relevant Planning History

4.1 25/00570/HOU

- Single-storey rear extension
- Permitted
- 17/08/2022

5. Publicity

5.1 The application has been publicised by sending out letters to local residents.

5.2 No responses have been received.

6. Consultation

6.1 There have been no objections from the following consultees:

- Burbage Parish Council

6.2 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- No relevant policies

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 Burbage Neighbourhood Plan 2015 – 2026 (BNP) (2021):

- Policy 2: Design and Layout

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.5 Other Relevant Guidance:

- Hinckley and Bosworth Borough Council – The 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 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. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.3 Guidance Point C1 of the NDG confirms that well-designed new development should respond positively to the features of the site itself and the surrounding context beyond including the existing built development and landscape character, amongst others. Guidance Point I1 of the NDG highlights that new developments should consider the composition of street scenes and individual buildings and their elements including the height, scale, massing and relationship between buildings, as well as views, vistas, landmarks, and landscaping, amongst others.

8.4 Ultimately, Guidance Point I2 of the NDG advised that well-designed places should contribute to local distinctiveness and Guidance Point I3 of the NDG highlights that design decisions at all levels and scape should help to create a memorable sense of place.

8.5 Paragraph 137 of the NPPF states that applicants, where applicable, should provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy.

8.6 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.

8.7 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.

- 8.8 Policy 2 (Design and Layout) of the Burbage Neighbourhood Plan (made 2021) states that any future residential development within the Parish of Burbage must respect its surroundings.
- 8.9 There is no specific guidance within the Good Design Guide on roof lanterns, however it does state that fenestration, including the scale, rhythm and proportions, play a critical role in housing design. As they are positioned on the flat roof section of the rear extension, not visible from the main shared driveway of the properties and align with the originally approved locations (as outlined in 22/00570/HOU), the roof lanterns are not significantly harmful beyond the existing approved scheme.
- 8.10 Given their placement within the originally approved locations, the roof lanterns are considered to respect the character of the existing dwelling and the surrounding area and is in accordance with Policy DM10 of the SADMP, and the Good Design Guide.

Impact upon Residential Amenity

- 8.11 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.
- 8.12 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.
- 8.13 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.14 The original report 22/00570/HOU states *“the neighbouring property to the west of the proposal is not impacted with regard to overbearingness or overshadowing due to the neighbours existing rear extension being setback from the existing rear elevation of Swallows Barn by 5m”*
- 8.15 The application 22/00570/HOU approved three rooflights which sit flush (with no projection) to the flat roof and measure 3m in length by 1.2m width. The three roof lanterns proposed project 0.7m from the flat pitch of the rear extension element with dimensions of 3m by 2m, respectively. Despite the projection, this differs from the approved projection of approved in application 22/00570/HOU by only 80cm and, as a result, will unlikely cause further amenity impact to what was originally approved.
- 8.16 Although there will be some degree of light obtrusion for neighbouring Two Hoots Barn and Watling Farm House, this is unlikely to be to a greater extent to the

dimensions of the roof lights approved in 22/00570/HOU and will not result in sky glow or glare.

8.17 There will be direct views into the habitable rooms which are served by the proposed roof lanterns within the rear extension element of the application dwelling. Looking northeast, the windows which are primarily affected are the rear left first-floor window of Watling Farm House and the rear right first-floor window of Two Hoots Farm (which is not a habitable window). Due to the size and style of these neighbouring windows and the fact that there is only an 80cm expansion from previously approved plans, the amenity impact is limited.

8.18 By virtue of these factors and the limited expansion of the roof lanterns the proposals are 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.

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.

11. Recommendation

11.1 **Grant retrospective planning permission.**

11.2 **Conditions and Reasons**

1. The development is hereby permitted in accordance with the submitted application details received by the Local Planning Authority as follows:

- Application Form
- Site Location Plan- Drg No.MD-REAREX-PL-001-SITELOCATION
- Proposed Site Plan- Drg No.MD-REAREXT-PRE-001-LOCATION
- Proposed Elevations and Ground Floor Plan

All received by the Local Planning Authority on 17/06/25

Reason: For the avoidance of doubt and 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).