

Delegated Report

Planning Reference 25/00275/HOU
Applicant(s) Mrs Samantha Francis
Ward Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Application Site 2 Caldon Close, Hinckley

Proposal Loft extension

Case Officer Sullivan Archer (Senior Planning Officer)

1. Recommendations

1.1. Refuse planning permission subject to:

- Planning reasons detailed at the end of this report.

2. Planning Application Description

- 2.1. This householder planning application seeks full planning permission for a loft conversion to create an additional floor of accommodation at 2 Caldon Close, Hinckley. To facilitate this, the existing two-storey, gable-ended, secondary side roof is increased in height by 1m to 8.2m and extended across to the northern side of the main roof. The existing two-storey, gable-ended, rear roof of the building is replaced with two new flat-roofed clipped gable roofs that have the same ridge height as the secondary side roof and include two pitched roof dormers. The scheme is constructed with facing brickwork and concrete roof tiles to match the existing property.
- 2.2. Concerns have been raised by the Local Planning Authority with the development since 22 May 2025 in relation to its design, and its impact on the character of the surrounding area and neighbouring residential amenity. The application has been determined on the latest submitted plans.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located to the southwest of, but within the identified settlement boundaries of, Hinckley. The application site is surrounded by residential properties, and Clarendon Park is located to the north-east of the site. The site is located on the western side of the cul-de-sac Caldon Close, and comprises a two-storey, four-bedroomed, detached property, 2 Caldon Close. The dwelling is constructed with a partial white render finish to its first floor and a brown-brick finish to the ground floor. The front, southern side, and rear elevations of the application dwelling are considered to be visually prominent from public views of the site from Caldon Close and Brookdale.

- 3.2. Caldon Close is wholly residential in character and consists of a mixture of brick-built bungalows and two-storey dwellings. Whilst the finishes vary between the two-storey properties along Caldon Close, the front and rear of the application dwelling and the adjacent properties, 3 and 4 of Caldon Close, are very similar. The design of the front elevations of these three properties is resemblant of the prominent design for two-storey properties within the surrounding area, which includes dual pitched, gable-fronted and concrete-tiled roof designs, and secondary dual pitched, gable-ended, one-and-a-half-storey side roofs.

4. Relevant Planning History

4.1 24/01107/CLP

- Certificate of proposed lawful development for erection of a rear dormer
- Permitted
- 05.02.2025

- 4.2 On 15 October 2024, the Applicant also sought pre-application advice from the Local Planning Authority via 24/10150/PREHMO to determine the acceptability of a loft extension for a master bedroom either under a householder planning permission or under Permitted Development Rights. Sketch Scheme 1 of this pre-application enquiry was the same development proposal that was originally submitted as part of this planning application. The advice from the Local Planning Authority was that the proposal would significantly and detrimentally impact the character of the area and the residential amenity of the adjacent dwelling, 16 Brookdale. Therefore, it was advised that both proposals were highly unlikely to be acceptable to the Local Planning Authority.

- 4.3 On 06 August 2024, the Applicant sought pre-application advice from the Local Authority on a development for a first-floor front extension over the existing garage with a new main roof to create a second storey loft via a loft conversion via 24/10113/PREHMO. The Local Planning Authority advised that the development proposal would be highly unlikely to be acceptable to the Local Planning Authority due the scheme's significant harm to the character of the area.

4.4 15/00507/HOU

- Single storey rear extension
- Permitted
- 10.06.2015

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 No responses have been received from statutory consultees.

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)
- 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 Key Policy 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.

- 8.3 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.
- 8.4 Paragraph 135 of the NPPF requires developments to function well and to add to the overall quality of the area, be visually attractive as a result of good architecture, layout, and appropriate landscaping, and to be sympathetic to local character and history.
- 8.5 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.
- 8.6 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.
- 8.7 Guidance Point I1 of the NGD highlights that new developments should consider the composition of street scenes and individual buildings and their elements including the height, scale, massing, roofscapes, and relationship between buildings, as well as views, vistas, landmarks, and landscaping, amongst others.
- 8.8 The Good Design Guide notes that although it may appear that extensions are relatively modest in their scale, both individually and collectively they can result in changes to the built environment that if designed insensitively, can have a significant negative impact.
- 8.9 Roofscapes are a key character forming feature of detail in residential design. This includes the shape and pitch of roofs, and their materiality. Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house.
- 8.10 Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building and on neighbours' amenity and should reflect the window pattern of the dwelling.
- 8.11 Rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.
- 8.12 Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two-storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions)

- unless in design terms this in itself would create an imbalance in the overall design of the property.
- 8.13 The scheme increases the massing of the property to create an additional storey of accommodation and utilises hipped roof designs to the rear of the property that are capped with flat roofs and feature two pitched roofed dormer windows. None of these elements of the appearance of the development form part of the original house design at this two-storey scale, nor are they a feature of the character of the surrounding area. Therefore, the scheme introduces incongruous features to the host dwelling that do not complement or enhance the character of the site or the surrounding area. This is not considered to represent good design.
- 8.14 In addition, the proposed roof extensions are not set down by the minimum 0.5m from the pitch of the main roof of the dwelling as required by the Good Design Guide. Given the considerable extent of the new proposed roofs, the proposed loft extension is not considered to appear subordinate to the main dwelling and competes with the existing main roof of the property. This is not considered to represent good design.
- 8.15 Furthermore, the proposed roof extension results in a 1.1m expanse of brick between the top of the existing windows and the proposed eaves height of the structure. This is not considered to represent good design.
- 8.16 As a result of the mixture of proposed roof designs, the existing main roof of the property does not appropriately interlock into the new proposed roofs. This causes a 0.3m height disparity between the ridge height of the main roof and that of the proposed roofs, and this is visually prominent from the side elevation of the property where the existing roof design abruptly stops. This is not considered to represent good design. The proposed roof designs also create a 0.5m and 1.4m gap on the northern and southern side elevations of the property respectively that reveals the proposed secondary gable-ended roof behind. This is not considered to represent good design.
- 8.17 By virtue of these factors, the development is not considered to be well designed and fails to reflect local design policies and government guidance on design. This poor design is therefore considered to result in significant harm to the character of the site and the surrounding area.
- 8.18 Whilst it is appreciated that 2 Caldon Close is not a corner plot, 1 Caldon Close is a bungalow and therefore the application site is visually prominent from the surrounding area. As a consequence of this, the adverse impacts of the development are exacerbated by the visual prominence of the front, southern side, and rear elevations of the application dwelling.
- 8.19 Moreover, the existing appearance of 2 Caldon Close has a strong conformity with the appearance of the two adjacent properties, 3 and 4 Caldon Close, and collectively these dwellings positively contribute to the prominent character of the surrounding area. By virtue of its height, scale, appearance, and incongruous roof designs, the current proposal is considered to unbalance the appearance and the

- visual relationship of these three dwellings, which diminishes their positive contribution to the character of the area. Therefore, the detrimental impacts of the development are considered to cause significant harm to the character of the surrounding area.
- 8.20 The Applicant has sought to justify their development proposal by referring to their previous scheme that has been granted prior approval under Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('GPDO') for the creation of a flat roofed dormer that externally measures 10.2m in width via application 24/01107/CLP.
- 8.21 Whilst this is a material consideration, the current proposal extends beyond the plane of an existing roof slope that forms the principal elevation of the dwellinghouse and fronts a highway. Therefore, the current development could not be completed under Class B and therefore this justification attracts no weight in the planning balance.
- 8.22 In addition, although the Applicant could implement their flat roofed dormer from application 24/01107/CLP, the Applicant described this development on 17 July 2025 as, *"Not in keeping with the character of the area in any way."* Therefore, it is not considered that the implementation of the scheme within 24/01107/CLP represents a more than theoretical fallback position in these site-specific circumstances and is therefore considered to attract little weight in the planning balance.
- 8.23 In summary, in light of the scheme's height, scale, design, appearance, and massing, the proposal represents poor design that fails to reflect local design policies and government guidance on design. The poor design of the scheme results in significant harm to the character of the site and surrounding area, which is exacerbated by the visual prominence of the development, and its detrimental impact on the discernible character of the surrounding area to which the host dwelling positive contributes to.
- 8.24 By virtue of these factors, the scheme is considered to result in significant harm to the character of the site and surrounding area and is therefore contrary to, and in conflict with, Policy DM10 of the SADMP, Policy 135 of the NPPF, the National Design Guide, and the Council's Good Design Guide. In accordance with Paragraph 139 of the NPPF, it is recommended that the application is refused.

Impact upon Residential Amenity

- 8.25 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.
- 8.26 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. The Good Design Guide recommends that the separation distance between two principal windows to habitable windows should be a minimum of 21m. However, the Good Design Guide also states that:

“An exception to this rule is in an urban location where it may be acceptable to have a reduced distance where issues of amenity and overlooking are dealt with by good design.”

- 8.27 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.
- 8.28 No extensions beyond the existing footprint of the dwelling are proposed, and the overall ridge height of the property has not increased. Whilst the proposed roofs have increased in height by 1m, this is not considered to result in any overbearing or loss of light impacts to any neighbouring properties in these site-specific circumstances.
- 8.29 No windows are proposed on the side elevations of the property, and only a high-level window for an en-suite on the first floor and two rooflights for the landing on the second floor are proposed on the front elevation of the dwelling. The windows are not principal windows to habitable rooms, and the site is separated from neighbouring properties on this elevation by Caldon Close.
- 8.30 Given the above, the scheme is not considered to result in any significant adverse impacts to neighbouring residential amenity as a result of overlooking or loss of privacy due to these elevations.
- 8.31 However, the scheme creates a new level of accommodation for the property, and the proposed rear elevation includes two new pitched dormer windows, which serve as the principal habitable windows to the proposed bedroom on the second floor.
- 8.32 Based on the submitted Location Plan, these windows are 30.7m from the closest principal habitable window on the rear elevation of 16 Brookdale. Whilst this exceeds the minimum separation distances within the Good Design Guide, the Good Design Guide represents the minimum standards required to protect residential amenity and does not specify whether this applies to properties with more than two-storeys in massing. Importantly, the Good Design Guide states that every application will be assessed on its own merits.
- 8.33 By virtue of the siting of 16 Brookdale directly to the rear of the application dwelling, the distance between the two properties, the proposed three-storey massing of the development, and the proposed principal habitable windows on the rear elevation of the host dwelling at this significant height, the scheme is considered to result in significant harm to the residential amenity of 16 Brookdale as a result of overlooking and loss of privacy.

- 8.34 Although the Applicant has referred to the existing hedgerow to the rear of the application site to seek to justify their development, this hedgerow is not within the red line boundary of the application site and therefore not within the control of the Applicant/ In addition, vegetation cannot be relied upon to provide permanent or substantial buffers to views because they can be removed without planning permission, they are susceptible to disease, and they are ever evolving and reliant on regular maintenance to retain a consistent form.
- 8.35 The proposed second floor plan also includes a window in the dressing room, but this is not included on the proposed elevations. Nevertheless, as this is not a principal window to a habitable room, this window could be opaque glazed via a planning condition.
- 8.36 In summary, in light of the siting of the siting of, and the separation distance between, the application dwelling and neighbouring properties, and the proposal's height, scale, massing, and window positions, the proposal is considered to result in significant harm to neighbouring residential amenity as a result of loss of privacy and overlooking impacts. This is contrary to, and in conflict with, Policy DM10 of the SADMP, Paragraph 135 of the NPPF, and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.37 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. Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.38 The development does not create any new bedrooms, and it is not considered to have a material impact on the site's vehicular access or off-street parking provision. Therefore, the proposal does not create an unacceptable impact on highway safety or the road network.in accordance with 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 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission is refused.

11. Recommendation

11.1 **Refuse planning permission** subject to:

- Planning reasons detailed at the end of this report.

11.2 Conditions and Reasons

1. By virtue of the proposal's height, scale, design, appearance, and massing, the development represents poor design that fails to reflect local design policies and government guidance on design. The poor design of the scheme results in significant harm to the character of the site and surrounding area, which is exacerbated by the visual prominence of the development, and its detrimental impact on the discernible character of the surrounding area to which the existing host dwelling positively contributes.

The proposal is therefore contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Paragraph 135 of the National Planning Policy Framework (2024), the National Design Guide (2019), and the Council's Good Design Guide (2020). In accordance with Paragraph 139 of the National Planning Policy Framework, the application is refused.

2. By virtue of the siting of and the separation distance between the application dwelling and neighbouring properties, and the proposal's height, scale, massing, and window positions, the development results in significant harm to

neighbouring residential amenity as a result of loss of privacy and overlooking impacts. This is contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Paragraph 135 of the National Planning Policy Framework (2024), and the Council's Good Design Guide (2020).

a. **Notes to Applicant**

1. The application has been determined in accordance with the following submitted details:
 - Application Form (submitted: 19.03.2025)
 - Existing Floor Plans and Elevations (1357-01) (submitted: 19.03.2025)
 - Permitted Development Dwg no. 1357-30 Rev B (submitted: 19.03.2025)
 - Planning Statement (submitted: 19.03.2025)
 - Proposed Floor Plans & Elevations (1357-02H) (submitted 06.08.2025)