

Delegated Report

Planning Reference: 25/00965/HOU
Applicant(s): Mr Kevin Casson
Ward: Hinckley De Montfort



Hinckley & Bosworth
Borough Council

Application Site: 5 Bradgate Road, Hinckley

Proposal: Proposed demolition of existing outbuildings and proposed new replacement outbuilding.

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 planning permission for a replacement outbuilding within the property curtilage.
- 2.2. The outbuilding is proposed to be broadly L-shaped with measurements of 13m in width and 22.7m in depth, with a flat-roof height of 3.8m (at its highest) with a slight overhang, and a lower section with a height of 3m. The outbuilding is proposed to serve a number of uses; a golf room simulator, plant/pump house (to serve the external existing swimming pool), a games/sitting room, internal gym and cinema room.
- 2.3. The proposed development includes two 5.35m bi-fold doors at the northwest and southwest elevations serving a sitting room, a further 4m wide bi-fold door at the northwest elevation, serving an internal gym, one full-length casement window at the southwest elevation and a sliding patio door at the northwest elevation, serving the cinema room. A small service door is proposed at the northeast elevation, serving the internal plant/pump room. Three 2.6m x 1.2m rooflights are proposed atop the flat-roof. The proposed extension is to be completed in off-white render finish.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located at 5 Bradgate Road, within the settlement boundary of Burbage. The property comprises a substantial 6-bedroom detached dwelling situated on a substantial plot measuring approximately 3,360m².

- 3.2. The dwelling is constructed using light brown brick and features a hipped roof encompassing the entire dwelling. The property is set back 15m from the highway by a paved horse-shoe driveway with two gated entrances, and is bounded by a half brick, half iron-clad fence.
- 3.3. The surrounding area is predominantly residential in nature. Properties in the vicinity are generally of different original design, with architectural variations within the immediate area. Given that most dwellings in the area are of similar massing and scale, the application dwelling, No. 5 Bradgate Road is significantly larger in terms of its footprint, scale and overall plot size in comparison to the nearby dwellings. The dwellings to the rear of the application site, along St Louis Close are all residential in nature, are similar in massing (three-storey) and have been recently constructed.
- 3.4. The site is not located within a conservation area, nor is the property listed. Directly to the northeast of the application site is a small parcel of semi-rural/open land which does not currently accommodate any site use.

4. Relevant Planning History

4.1.

82/00435/4

- ALTERATIONS AND EXTENSIONS TO PROPERTY
- PER
- 22.07.1982

18/00667/HOU

- Single storey rear extension to create an indoor swimming pool
- PER
- 30.08.2018

19/00059/HOU

- Erection of boundary wall, gates and rail fencing to the front of the dwelling
- PER
- 05.03.2019

21/00391/HOU

- Proposed loft conversion with rear dormers, first floor balcony to rear elevation and new roof lights to front elevation
- PER
- 17.05.2021

23/00030/HOU

- Proposed first floor rear balcony and alteration
- PER
- 03.03.2023

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 neutral comment has been received raising the following concerns:
- The potential future use of the proposed building, including the possibility of it being used as a residential annex.
 - The hedge shown at approximately 4m in height on top of the retaining wall is considered overbearing, and a reduction with regular maintenance is requested.
 - Concerns about lighting relate to potential light pollution, with a preference for low-level, downward-facing lights used only when the building or pool is in operation. Given that the hedge already exists, the proposals outlined in this application will only be assessed, (i.e., the outbuilding structure itself).
 - The use of the building as a residential annexe in the future will be protected from such use by a secured condition.
- 5.3. No further responses have been received.

6. Consultation

- 6.1. Given that the application site has minimal constraints and there is no parish council for Hinckley, no formal consultation 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)
 - National Design Guide (2019)

- Planning Practice Guidance (PPG)

7.4. 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

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. There is no specific guidance on design of outbuildings within residential curtilages within the Council's Good Design Guide.
- 8.9. Class E of the General Permitted Development Order (2015) covers 'any building or enclosure required for a purpose incidental to the enjoyment of the dwellinghouse' which is not on land designated by Article 2(3) or within the curtilage of a listed building. The maximum height of the proposed flat roof ridge of the outbuilding is 3.8m, exceeding 2.5m within 2m of the north property boundary, although not exceeding an overall maximum height of 4m. Additionally, the proposed outbuilding does not exceed 50% coverage of the original garden and is single-storey in massing. However for the reasons above, the proposal would not be permitted under Class E of the GPDO.
- 8.10. The existing collection of outbuildings, which comprises an indoor gym, changing room and storage building covers a footprint of 91m² over three separate outbuildings. The replacement outbuilding proposes a 151% increase of footprint to 229m². This is a significant increase in building size, however given the substantial plot size (totalling 3,360m²) and existing main dwelling size, the outbuilding would not appear disproportionate in the context.
- 8.11. In terms of elements of detailing, it is generally appropriate to ensure that the new development integrates coherently with the existing. The proposed building exterior differs from the main existing dwelling by its use of light off-white render colour. Given that the outbuilding is proposed at the foot of the garden towards the northern boundary, it would not be viewed in the same context as the main dwelling, and a degree of variation in design is therefore considered acceptable in this case.
- 8.12. Roofscape is a key character forming feature of detail in residential design. This includes the shape and pitch of roofs, as well as the materiality. Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house. The outbuilding is proposed with a flat roof, which is different from the main dwelling's hipped roof. However, given that the outbuilding is a substantial distance (29m) away from the main dwelling, this roof inconsistency is largely mitigated. It is also worth noting, the property benefits from a pre-existing rear single-storey extension which incorporates a large rear projection and hipped roof structure on the same elevation as the proposed outbuilding. This rear projection serves an indoor swimming pool.
- 8.13. Fenestration, including the scale, rhythm, proportions and elements of detail used for window and door openings plays a critical role in the success of housing design. In the case of residential extensions, care should be taken to ensure that the existing horizontal and vertical rhythm together with the proportion of openings is either reflected or complemented. The outbuilding proposes three bi-fold doors, a full-length

casement window and a set of sliding patio doors. This proposed windows and doors are consistent with the form and design of the proposed outbuilding.

- 8.14. Given its largely screened location and positioning to the rear of the application welling, the proposed development respects the established building line along Bradgate Road. The siting of the building ensures appropriate separation distances from neighbouring properties.
- 8.15. In terms of design and visual impact, the proposal has been assessed from both public and private viewpoints. Public views from Bradgate Road and neighbouring St Louis' Close demonstrate that the development would have little harm on the street-scene given that the public views of the proposals are almost non-existent given the tall boundary treatment. Private views at Nos. 8, 9 and 10 St Louis Close are minimal given the tall existing boundary treatment. As a result of these minimal views, the design is considered to be in keeping with the surrounding context and does not result in significant adverse visual impact.
- 8.16. By virtue of the above, on balance, it is considered that the proposal respects the character of the existing dwelling and surrounding area and is in accordance with Policy DM10 of the SADMP.

Impact upon Residential Amenity

- 8.17. 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.
- 8.18. 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.
- 8.19. 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.
- 8.20. 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.
- 8.21. The host dwelling sits adjacent to Nos. 3 and 7 Bradgate Road, however the proposed outbuilding maintains a separation distance of 50m at its minimum and will not result in amenity concerns for the occupiers of these dwellings. Nos. 123 and 125 Sapcote Road, sit perpendicularly to the application dwelling's proposed outbuilding, but these maintain a 70m separation distance at its minimum and pose no amenity

- concerns. Nos. 8, 9 and 10 St Louis Close sit to the rear and nearest to the proposed outbuilding and will be assessed as part of this application.
- 8.22. The outbuilding, is sited on the northeastern property boundary, is positioned adjacent to land at the east which is not currently in use. The majority of the side (east) elevation of these outbuilding backs onto this land and provides no further amenity harm to this small parcel of land.
- 8.23. Fenestration proposed on the ground floor includes two bi-fold and one sliding patio door, which faces the northwest boundary of the property and neighbouring Nos. 123 and 125 Sapcote Road, with no intervisibility between them and therefore no loss of privacy. The southwest facing bi-fold door looks towards the rear elevation of the host dwelling and poses no loss of privacy for the occupiers or any neighbouring property. There is no fenestration proposed which faces any remaining neighbouring properties.
- 8.24. The 45-degree guidance, as set out in the Good Design Guide, is applied for planning applications for extensions to existing properties which might affect the outlook from or daylight to a neighbouring property. No element of this proposal breaches this guidance and will therefore result in no loss of natural sunlight.
- 8.25. 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. The proposed outbuilding maintains a 13m separation distance from the rear elevation of No. 9 St Louis Close and 14m from the front left elevation of No. 8 St Louise Close and therefore complies with this guidance.
- 8.26. In addition, the separation distance between two principal windows to habitable windows should be a minimum of 21m. No element of this proposal breaches this guidance given there is no fenestration proposed at the elevations nearest to the neighbouring properties, No. 8, 9 and 10 St Louis Close.
- 8.27. Given the modest flat roof height of 3m, the proposals will not result in overdominance for the occupiers of the application dwelling and the nearby properties.
- 8.28. Given the substantial plot size and the proposed outbuildings siting adjacent to an unused parcel of land, the proposals are not considered to result in overdevelopment.
- 8.29. The rear elevation of the outbuilding maintains a separation distance of 13m from the rear elevation of the nearest dwelling, No. 9 St Louis Close, which sits to the rear. The dwelling in question, does not have intervisibility of the proposals, given the presence of hard boundary treatment. The flat roof pitch also mitigates this concern.
- 8.30. There are no windows or significant glass-door openings facing the neighbouring properties at the rear – Nos, 8, 9 or 10 St Louis Close and therefore the development will not result in loss of privacy for occupiers of these dwellings.

- 8.31. Given the height of the outbuilding, it will not result in loss of light or excessive shadowing for the host or nearby dwellings, with specific reference to Nos. 8, 9 and 10 St Louis' Close.
- 8.32. To comply with the Good Design Guide, dwellings with three or more bedrooms should also provide a minimum of 80m² of private outdoor amenity space with a minimum length of 7m. The proposals are all provided with private outdoor amenity space that exceeds 72m in length and 1,945m² in total area, which is compliant with the Good Design Guide.
- 8.33. By virtue of the above the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is 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, 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

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:

- Application Form - received by the Local Planning Authority on 06/10/25
- Proposed Outbuilding Plan - Drg No. 500.07C - received by the Local Planning Authority on 03/12/25
- Proposed Elevations - Drg No. 500.06D - received by the Local Planning Authority on 03/12/25
- Proposed Site Location Plan Dwg No 500.02 received by the Local Planning Authority on 06/10/25
- Proposed sketch/visuals – received by the Local Planning Authority on 03/12/25

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 ancillary accommodation hereby approved shall only be used for purposes ancillary to the dwelling known as No. 5 Bradgate Road and shall not be occupied, sold, leased, or let, on a permanent or temporary basis, as an independent unit of residential accommodation at any time.

Reason: To ensure that the property is not occupied as an independent unit of residential accommodation, which may have additional impacts on the area in accordance with Policies DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. 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.