

Delegated Report

Planning Ref: 26/00012/HHGDO
Applicant: Ms Hamrit Kaur Samra
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 26 Branting Hill, Groby

Proposal: Notification to determine if Prior Approval is required for a single storey rear extension measuring 6.00 metres in depth, 3.51 metres at ridge height and 2.52 metres at eaves.

Case Officer **Gwion Russell (Planning Officer)**

1. Recommendations

- 1.1. This is an application for prior notification under Condition A.4. of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A for a larger home extension.
- 1.2. Prior Approval is refused for the reasons set out in **Paragraph 10.4.**

2. Planning Application Description

- 2.1. This is an application for prior approval for a larger home extension via Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('GPDO') at 26 Branting Hill, Groby.
- 2.2. The proposal is for the erection of a single-storey rear extension that would in total measure 6m in width by 6m in depth, externally. It would have a base to ridge height of 3.513m and a base to eaves height of 2.281m.
- 2.3. The proposal would be located 1.49m from the shared adjoining property boundary, would feature a 4.8m wide bi-fold door at its rear elevation and two 0.7m wide rooflights atop the western pitch of the proposed dual-pitch roof.
- 2.4. The proposal would be finished in matching facing brick and would feature matching roof tiles.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is a semi-detached, two-storey residential property on Branting Hill, Groby. It is finished in facing brick, with concrete roof tiles and features white uPVC fenestration. It has a mono-pitch timber single-bay garage/store to its side elevation.

- 3.2. Branting Hill is typified by residential dwellings of similar scale and massing but variations in design. The majority of the dwellings are semi-detached dwellings typical of mid-century design. Properties opposite have recently been constructed but designed to complement the design of the wider area with a green buffer separating them from the highway.

4. Relevant Planning History

25/00054/HOU

- Single storey wrap around extension to include enclosed porch forward of the principal elevation, loft conversion with rear dormer and addition of outbuilding for home office/gym.
- Permitted
- 04.06.2025

5. Publicity

- 5.1 The application has been publicised by sending out letters to adjoining owners and occupiers in accordance with Paragraph A.2(5) of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('GPDO').
- 5.2 An objector states that the proposed 6-metre rear extension exceeds the principles of the Council's Good Design Guide, which requires extensions to be subordinate to the main dwelling and appropriately scaled. They consider the depth of the extension to be excessive and out of keeping with other properties on Branting Hill. The objector asserts that the extension would significantly reduce evening light to No. 28 Branting Hill. They further argue that the proposal does not comply with guidance for rear or side extensions in terms of massing and subordination.

6. Consultation

- 6.1 There is no statutory requirement to consult consultees on this type of application.

7. Policy

- 7.1 Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('GPDO').

8. Appraisal

- 8.1. The determination of this application is assessed on whether the proposed development falls within permitted development for a Larger Homes Extension as set out under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('GPDO').

8.2. One objection was received responding to the application and therefore the requirements of Paragraphs A.4(7) and (9) of Class A of this Part are applicable within the determination of this application.

8.3. For the purpose of Class A, development is not permitted if:

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA, or Q of Part 3 of this Schedule (changes of use);

Permission to use the existing property as a dwellinghouse has not been granted by Class G, M, MA, N, P, PA, or Q of Part 3 of this Schedule.

- (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The total area of ground covered by buildings within the curtilage would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

- (c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse

The proposed extension would not exceed the highest part of the roof of the existing dwellinghouse.

- (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The height of the eaves of the proposed extension would not exceed that of the original dwellinghouse.

- (e) the enlarged part of the dwellinghouse would extend beyond a wall which—

- (i) forms the principal elevation of the original dwellinghouse; or
- (ii) fronts a highway and forms a side elevation of the original dwellinghouse;

The proposed extension would not extend beyond the principal elevation of the original dwellinghouse and would not front a highway.

- (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

- (ii) exceed 4 metres in height;

Paragraph (f) is not applicable in this application.

- (g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;

The site is not within a Conservation Area.

The property is a semi-detached dwelling and the proposed development would not extend beyond the rear wall by more than 6 metres and would not exceed 4 metres in height.

- (h) the enlarged part of the dwellinghouse would have more than a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

The proposed extension would be single storey in massing.

- (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

The proposed extension would be within 2 metres of the boundary of the curtilage of the dwellinghouse, but the eaves would not exceed 3 metres in height.

- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (i) exceed 4 metres in height,
 - (ii) have more than a single storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse;

The proposed extension would not extend beyond a wall forming a side elevation of the original dwellinghouse.

- (ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

The enlargement would not adjoin any existing enlargement and therefore Paragraph JA is not relevant in these site-specific circumstances.

- (k) it would consist of or include—
 - (i) the construction or provision of a verandah, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antenna,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) an alteration to any part of the roof of the dwellinghouse; or

The proposal would not consist of any of the works detailed at Paragraph K of this Class.

- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

The existing dwelling was not built under Part 20 of this Schedule.

A.2 In the case of a dwellinghouse on Article 2(3) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse;
- (d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

The existing property is not on Article 2(3) land and therefore A.2 of this Class is not applicable in these site-specific circumstances.

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 In summary, one objection was received to the application and, therefore the proposal must be assessed under Paragraphs A.4(7) and (9). This requires the local planning authority to consider the impact on the amenity of adjoining properties and to issue a formal prior approval decision.

10.2 In relation to concerns that the rear extension would be out of keeping with the area, it is noted that the addition would be largely screened to the rear of the dwelling. As a result, the proposal would have only a negligible effect on the established street scene and the wider surroundings. Although nearby properties exhibit similar massing and scale, the street scene itself displays a varied character. It would therefore be unreasonable to resist the proposal on design or character grounds.

10.3 While the depth of the proposed extension is acknowledged to be substantial, it complies with the dimensional limits set out within the General Permitted Development Order (GPDO) and, on that basis, would not justify refusal in its own

right. Notwithstanding this, it is judged that the scale of the extension would affect the residential amenity of the adjoining property. The development would breach the 45-degree guidance and would therefore result in loss of light impacts to No. 28 Branting Hill.

10.4 In light of the above, and based on the submitted details, the proposed extension would comply with the relevant limitations and conditions of Class A of Part 1 of Schedule 2 of the Town and Country (General Permitted Development) (England) (Order) 2015 (as amended). However, given that the application has received an objection, it is granted prior approval and is therefore refused.

10.5 This application has been determined having regard to the following documents and plans submitted with the application to the Local Planning Authority on 7th January, 2026:

- Proposed Block Plan, Drg No. 26-BH-106 Rev A
- Proposed Elevations, Drg No. 26-BH-104 Rev D
- Proposed Ground Floor Plan, Roof, Drg No. 26-BH-103 Rev D
- Application Form

11. Recommendation

11.1 Prior Approval has been refused under Class A of Part 1 of Schedule 2 of the Town and Country (General Permitted Development) (England) (Order) 2015 (as amended).

a. Notes to Applicant(s)

1. This permission does not grant approval under the Building Act 1984 and the Building Regulations 2010 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section via e-mail at building.control@blaby.gov.uk or call 0116 272 75nGR33.