

Delegated Report

Planning Ref: 26/00089/HOU

Applicant: Ed Dowling

Ward: Hinckley DeMontfort



Site: 24 Butt Lane Hinckley Leicestershire

Proposal: Single storey side extension

Case Officer: Zahra Jam-Rotbeh (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. The applicant seeks full planning permission for the erection of a single storey side extension at 24 Butt Lane. The extension would replace the existing conservatory area.
- 2.2. The proposed side extension would project 3.45 metres from the side elevation and would have a width of 7.14 metres. It would feature a flat roof with glazed roof lantern on top with an eave's height of 3.46 metres and a maximum lantern height of 4.33 metres.
- 2.3. Following a request from the case officer, the original plans have been amended to reduce the depth of the extension so that it aligns approximately with the existing conservatory, thereby avoiding any potential harm to the neighbouring property at No. 24A.
- 2.4. The external walls will be finished in render to match the existing property.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located within the settlement boundary of Hinckley. The street scene is a mix of detached properties of different size, design and finishes.
- 3.2. The application property is a two-storey link detached dwelling along Butt Lane. The Hinckley Park Primary School is located across the road facing this property.
- 3.3. 24 Butt Lane is finished in white-render and redbrick along with timber decoration on top, with windows and doors in white uPVC installed on the elevations.
- 3.4. The dwelling is relatively set back from the highway and benefits from mature vegetation to the front, which will partially screen the property.

4. Relevant Planning History**81/00964/4**

- ERECTION OF A GARAGE
- PER
- 14.10.1981

91/00417/4

- ERECTION OF BUNGALOW OUTLINE
- OUT
- 25.06.1991

88/00722/4

- ERECTION OF ONE BUNGALOW OUTLINE
- OUT
- 02.08.1988

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents.
- 5.2 No response has been received.

6. Consultation

- 6.1 None-relevant

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 Burbage Neighbourhood Plan:
- Policy 3: Design and Layout
- 7.5 Other Relevant Guidance:
- Good Design Guide (2020)
 - National Design Guide (2024)
 - 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.
- 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 The proposed single-storey extension will project 3.45 metres from the side elevation. It features a flat roof which is not an appropriate design according to HBBC Good Design Guide. However given its modest scale, single-storey form, and the use of matching materials, as well as the fact that it would replace the existing conservatory, the significant setback (3.30 metres) and set down (2.29 metres) from the main dwelling and streetscene, the extension is considered to be subordinate to the main dwelling and not to result in any adverse impact on the streetscene or the character of the surrounding area. Furthermore, the design is considered to be in keeping with the character and appearance of the surrounding area and the main dwelling.
- 8.4. The proposed extension involves inserting a window opening to the side and a new door to the front which is consistent with the fenestration style of the main dwelling to the front and side and are not considered to have any adverse impact on the existing fenestration, design or character of the surrounding area.
- 8.5 Therefore, the form and design of the development is considered modest, subordinate to the main dwelling and the design of the extension would not have any adverse impact upon the character of the area. It is considered that the development is in accordance with Policy DM10 of the SADMP, the NPPF (2024) and HBBC Good Design Guide.

Impact upon Residential Amenity

- 8.6 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.
- 8.7 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.
- 8.8 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.
- 8.9 The properties most directly affected by the proposed development are No. 24A Butt Lane, located to the south-east and attached to the main property, and No. 20 Butt Lane, located to the south-west of the site. While the extension would project beyond the front building line of No. 20, it would not breach the 45-degree rule. Given the separation distance of approximately 12 metres to the nearest habitable window, the single-storey nature of the development, and the presence of existing mature vegetation, the proposal is not considered to result in any overdominance, overbearing impact, loss of privacy, or overlooking to this neighbouring property or its amenities.
- 8.10 As noted above, No. 24A is located to the south-west of the application site and is attached to the host dwelling. While the proposed extension would project beyond the rear elevation of the neighbouring property, the existing scheme already breaches the 45-degree rule and results in an overbearing impact. However, following the amendments, the proposed extension would have the same depth as the existing conservatory. As such, the proposal is not considered to result in any additional harm in terms of overbearing or overdominance. Furthermore, it is not considered to cause any loss of privacy or overshadowing impacts to this neighbouring property or its amenities.
- 8.11 By virtue of 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.
- 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 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 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:
 - Amended Proposed Elevations, Floor Plans, Drg No. 1717

received by the local planning authority on 18 May 2026 and

- Amended Proposed Block Plan
received by the local planning authority on 10 June 2026 and
- Site Location Plan, Drg No. 1717/SL

As received by the local planning authority on 29 January 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 extension 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).

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.