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Planning Ref: 25/01133/FUL
Applicant: Mr William Scrivins
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 98 Castle Street Hinckley Leicestershire

Proposal: Demolition of existing two-storey rear extension and erection of a single-storey 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 demolition of an existing two-storey rear extension and the erection of a single-storey rear extension at 98 Castle Street Hinckley. The proposed single-storey extension will replace the existing two storey extension.
- 2.2. The proposed extension would have a depth of 2.77 metres and a width of 3.81 metres. It would feature a gabled roof with an eaves height 2.45 metres and a ridge height of 4.08 metres.
- 2.3. The proposed extension would also include one single double-glazed window, and one partially glazed double window.
- 2.4. The materials to the external walls would be in brick work and the window openings would be in timber to match the existing building.

3. Description of the Site and the Surrounding Area

- 3.1. 96-98 Castle Street are a pair of semi-detached two storey properties located within the Hinckley Town Centre Conservation Area. They were originally constructed in the mid-19th century as cottages by the Great Feoffment Charity. They have subsequently fallen into commercial use and have been subject to modern alterations including rendering and extensions to the front elevation, but despite such alterations their historic interest remains as does some integral aspects of their original mid-19th century construction and simple domestic style architecture, including the ornately patterned tiled roof, tall central brick chimney stack, and multi-toned red brick to the side elevation. For these reasons the property is considered to make a positive construction to the character and appearance and heritage significance of the

Hinckley Town Centre Conservation Area, and it is identified as an important local building within the associated Conservation Area Appraisal (2013).

- 3.2. The property is currently in use for real estate commercial purposes. The front elevation features white render and facing brickwork at ground level and white timber elements, framed with blue paint. The front elevation also includes signage displaying the business name, consisting of a white background with blue lettering.
- 3.3. The property is located on a sloped site, and a private parking area is located to the rear of the building.

4. Relevant Planning History

91/00118/4

- INSTALLATION OF NEW SHOP FRONT
- PER
- 20.03.1991

89/00093/4

- CHANGE OF USE FROM RETAIL CLASS A1 TO ESTATE AGENT CLASS A2
- PER
- 21.03.1989

79/01082/4

- USE OF PREMISES FOR SALE OF ANTIQUES WITH RESIDENTIAL USE ABOVE
- PER
- 24.07.1979

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. Responses have been received from following consultees:
- HBBC Conservation Officer: the comments have been provided in the assessment section.
 - HBBC ES Pollution: No objection
 - LCC Ecology: No objection. Pictures supplied show the extent and condition of the existing two-storey extension. It is considered unfavourable to roosting bats and birds and therefore, of limited wildlife value and no further surveys are

required. However, two informative notes were requested and have been added at the end of this report. These relate to requirements for an ecologist should works to the main building occur and in relation to swift boxes.

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 DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- 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)
- National Design Guide (2024)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. The extensions relate to a replacement commercial extension to an existing commercial unit within the Town Centre and therefore the development would sustainable development in principle. The key issues in respect of this application are therefore:

- Design and impact upon the character of the area including the Conservation Area
- Impact upon neighbouring amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area including the Conservation 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. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.5. Section 16 of the National Planning Policy Framework (NPPF) (2024) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.6. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.7. According to HBBC Conservation Officer: *“As the existing flat roof two storey extension is of a functional character and of no historic or architectural interest there are no in principle objections to its loss. The proposed replacement extension would be sited in the same position as the existing, having a slightly larger footprint but being single storey in scale. It would be subservient in scale to the host building. It would have a dual pitched roof and be constructed of red brick with a clay tile roof so the form and materials for the extension match and respect the existing building. The proposed windows to the extension are of a simple casement style and whilst being relatively functional they would have a satisfactory appearance, as would the reinstated window at first floor level where the existing extension is to be removed. The continued siting of the extension to the rear would have no material impact upon the heritage interest of the building when viewed from the Castle Street frontage.”*
- 8.8. According to the HBBC Good Design Guide (2020), commercial scale and massing requires very careful consideration. In some cases this may be because over prominence could result in an oppressive environment. The proposed extension would have a depth of 2.77 metres and a width of 3.81 metres. It would feature a gabled roof with a height of 2.45 metres and a ridge height of 4.08. given the modest size, matching design and materials, and single-storey nature, the extension is not considered to result any oppressive environment impacts and it is subordinate to the main building and in keeping with surrounding area.

- 8.9. The proposed fenestration, comprising one single window and one double window on the rear extension, together with two reinstated windows on the main building resulting from the removal of the existing first-floor extension, is not considered to cause harm or have any adverse impact on the character or appearance of the main building or the surrounding area.
- 8.10. Overall, it is considered that the proposed extension is of an appropriate siting, scale, form and appearance and utilises materials that respect the existing local important building. For these reasons the proposal will have a minor positive impact, and subsequently the character and appearance and thus heritage significance of 96-98 Castle Street and the wider Hinckley Town Centre Conservation Area will be enhanced. Therefore, the proposal complies with Policies DM10, DM11 and DM12 the SADMP, of the SADMP and Chapter 12 of the NPPF section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring 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 that 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.
- 8.13. Whilst it is acknowledged that the proposal is a commercial extension the guidance contained in the HBBC Good Design Guide (2020) for residential type developments is still useful in assessing the impact of the proposal on surrounding residents, it 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 set out within the Good Design Guide. The proposed development would not breach 45⁰ in any adjacent neighbouring properties at no.100 to the right and no.94 to the left and it would have more than 3 metres distance to the both side boundary treatment, and therefore, the proposed extension is not considered have any overlooking, overdominance or overbearing impacts on adjacent neighbouring amenities.
- 8.14. The proposed scheme includes two new windows on the proposed extension, as well as two reinstated windows resulting from the removal of the existing first-floor extension facing Lawrence House, the neighbouring property to the north, serving the proposed kitchen. As the windows are positioned at ground-floor level, the application site is topographically set at a lower level than Lawrence House, and there is a sufficient separation distance along with an existing boundary wall, the proposal is not considered to result in any loss of privacy or overlooking to any neighbouring property.

- 8.15. Overall, 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.

Impact upon Parking Provision and Highway Safety

- 8.16. 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.
- 8.17. Policy DM18 of the SADMP also requires developments to demonstrate an adequate level of off-street parking provision.
- 8.18. The proposal would not result in any additional commercial units or bedrooms, and the proposed additional parking space to the rear is considered to improve highway safety and overall parking provision. Therefore, the proposal is considered to comply with Policies DM17 and DM18 and is not considered to have any adverse impact on parking provision, pedestrian safety, or highway safety.

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 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 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:

- Proposed First Floor Plan, Drg No. CAS-MAS-XX-01-DR-A-20002 Rev P01,
- Proposed Ground Floor Plan, Drg No. CAS-MAS-XX-GF-DR-A-20001 Rev P01,
- Proposed Main Roof Plan, Drg No. CAS-MAS-XX-RF-DR-A-20003 Rev P01,
- Proposed North (Rear) Elevation, Drg No. CAS-MAS-XX-ZZ-DR-A-21003 Rev P01,
- Proposed Site Plan, Drg No. CAS-MAS-XX-GF-DR-A-90001 Rev P01,
- Proposed South (Front) Elevation, Drg No. CAS-MAS-XX-ZZ-DR-A-21001 Rev P01,
- Proposed West (Side) Elevation, Drg No. CAS-MAS-XX-ZZ-DR-A-21002 Rev P01

along with application form all received by the local planning authority on 26 November 2025.

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 proposed extension and openings shall match the corresponding materials of the main building.

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.
2. **Bats** - The property may be suitable for roosting bats, which are protected by law from harm. It is the applicant's responsibility to ensure that bat legislation is not breached and therefore may need to consult with a licenced bat ecologist prior to commencement to ensure that bats will not be impacted by the works. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst advice from a bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls.
3. **Birds** - Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.