
Appeal Decision

Site visit made on 4 August 2026 by Kim Vo MPlan

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2026

Appeal Ref: 6009331

21 Bute Close, Hinckley, Leicestershire LE10 0SJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr. Lewis Bourne against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref is 26/00013/HOU.
 - The development proposed is for a two storey side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure and Preliminary Matters

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.
3. I have omitted narrative wording from the description of development above, given that the proposal has been revised and also for clarity and relevance purposes. It does not change any element of the appeal scheme and so would not affect the ability of the main parties to make their cases in respect thereof. Revised plans were received during the life of the planning application. The Council's decision was based on them, and I have therefore taken them into account.
4. Having reviewed the most recent changes to the National Planning Policy Framework (Framework), I am satisfied that they do not affect the substance of the main issues in the appeal or the outcome thereof. Since their arguments would not therefore be prejudiced, I have proceeded without further consultation with the main parties.

Main Issues

5. The main issues are the effect of the proposed development on a) the character and appearance of the host dwelling and surrounding area and b) the living conditions of the occupiers of Number 19 Bute Close's rear garden (No. 19), with specific regard to privacy.

Reasons for the Recommendation

Character and Appearance

6. The appeal relates to a two storey semi-detached dwelling, with a front porch and side conservatory. It occupies a prominent corner plot with a spacious side garden

within a cul-de-sac. The appeal property forms as one of three semi-detached, pitched roof pairs of a similar original design, positioned along the entrance bend of Bute Close. They have been minimally extended, largely preserving their original form. The repetition of details, consistent material palette and fenestration pattern establishes a distinctive, cohesive rhythm when arriving at the cul-de-sac. They therefore exhibit a collective and original identity. Together, all these elements contribute positively to the area's suburban character and appearance.

7. The proposal would be set back from the front and have a height lower than the main ridge. However, this would not create a truly subordinate appearance, given that the extension would have a total width and massing of a similar size to the host dwelling. It would therefore result in a bulky, excessively large and dominant addition that would appear disproportionate, causing the host property to read as an entirely new dwelling that has doubled in size. Moreover, it would appear heavily unbalanced with the adjoining property and would disrupt the original consistency of the three semi-detached pairs that frame the entrance into the cul-de-sac. Its prominence would be further exacerbated by the appeal site's open corner plot position, where it would be readily visible from the street scene. Whilst the large plot and spacious side garden could accommodate an extension of this size, this does not in itself justify the proposal's overwhelming scale, massing and design.
8. The proposed gable elevation would be blank. However, this would not, in this instance, have an unacceptable impact. This is due to the existing gable having few small scale windows and limited architectural detailing, which is also reflected in a number of other simple side elevations visible within the cul-de-sac.
9. That said, for the above reasons, the proposal would result in unacceptable harm to the character and appearance of the host dwelling and surrounding area. It would be contrary to Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document 2016 (SADMP), the SPD and the Framework. Together, and amongst other things, these require developments to complement or enhance the character of the surrounding area, noting that overdevelopment of corner plots can create an oppressive quality which can lead to a significant change in the prevailing character of a place.

Living Conditions

10. No. 19 is the adjoining semi-detached dwelling. The proposed extension would feature large Juliet doors to its side elevation serving the new master bedroom, which would face directly towards No. 19's rear garden. Notwithstanding this, this opening would be sufficiently separated, with a distance measuring more than the total width of the host dwelling. Whilst the opening would offer a high vantage point for views, the close arrangement of properties in the area means that their garden already experiences a degree of mutual overlooking from neighbouring first floor windows. This includes the existing first floor rear window serving bedroom one at the host dwelling, which has a much closer positioning to the shared boundary and more direct overlooks over No. 19's rear garden. The existing boundary fence would provide some screening.
11. For these reasons, the proposal would not result in harm to the living conditions of the occupiers of No. 19, with specific regard to privacy. Accordingly, it would not conflict with Policy DM10 of the SADMP and the SPD. Together, and amongst other things, this policy and guidance require developments to not have a

significant adverse effect on the privacy and amenity of nearby residents, and to ensure that adequate space between and around buildings is recognised as a core component of residential amenity.

Other Matters

12. No planning history or permission has been provided to demonstrate that the side garden was intended for a separate dwelling. In any event, such development would be materially different from the proposed extension. The amendments made to the scheme following discussion with the Council would not overcome the identified harm with regard to the first main issue, for the above reasons. The Council not accepting suggested amendments are matters that should be taken up with them directly and are not for me to resolve here.

Conclusion and Recommendation

13. With regard to Policy S4 of the Framework and the principle of development within settlements, there would be some benefits to the extension of the dwelling. The proposal would generate local employment during the construction phase, but this would be time limited and is therefore of moderate weight. It would also provide increased and improved internal accommodation for the occupiers of the dwelling but as this represents a primarily private benefit, it would attract very limited weight.
14. The harm I have found with regard to the first main issue and the subsequent development plan conflict, would be considerable and enduring and I therefore ascribe it significant weight. Policy DP3 of the Framework also states that development proposals should respond to their context so that they integrate with and enhance their surroundings. The benefits of granting planning permission for the proposals would therefore be substantially outweighed by the adverse effects.
15. Whilst I have found in the appellant's favour on the second main issue, this is a lack of harm and thus a neutral matter which is not capable of weighing against the harm I have found in regard to the first. Material considerations do not indicate a decision other than in accordance with the development plan, which the scheme conflicts with for the reasons I have set out. I therefore recommend the appeal should be dismissed.

Kim Vo

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR