

Delegated Report

Planning Ref: 26/00203/HOU

Applicant: Mr Piash Bokth

Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 76 Rugby Road Hinckley Leicestershire

Proposal: Part demolition of the existing double garage and the addition of a car port. Erection of a first floor side extension over a covered parking bay, a single and two storey rear extension.

Case Officer(s): Zahra Jam-Rotbeh (Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. This householder application seeks planning permission for the part demolition of the existing double garage and the addition of a car port. Erection of a first-floor side extension over a covered parking bay, a single and two storey rear extension at 76 Rugby Road, Hinckley.

2.2. The proposed side extension comprises a ground floor car port with a bedroom above at first floor level. It would measure 3.30 metres in width and 5.07 metres in depth and would feature a gabled roof design with an eave's height of 5.14 metres and a ridge height of 6.15 metres.

2.3. The proposed rear extension would comprise a part single-storey and part two-storey addition. It would have an overall width of 7.78 metres and a depth of 3.75 metres. The single-storey element would feature a flat roof with a glazed lantern and would have an eaves height of 2.57 metres. The two-storey element would incorporate a gabled roof, forming a crossed-gable arrangement with the existing dwelling, with an eaves height of 5.00 metres and a ridge height of 6.13 metres.

2.4. One bay of the existing double garage would be demolished as part of this proposed development.

2.5. The proposed development would also include a first-floor rear window with a Juliet balcony, along with five bi-fold doors serving the rear elevation. A first-floor window is proposed to the front elevation, together with a window and a door opening on the proposed side elevation.

2.6. The proposed extensions would use matching facing bricks and a new matching white uPVC window with matching roof tile to complement the existing dwelling.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Hinckley and in a residential area. It is a three bedroom two-storey semi-detached dwelling constructed of red facing bricks, plain roof tiles and white uPVC windows.

- 3.2. Rugby Road Street a main road through Hinckley characterised by mixed use property mainly dwellings and commercial uses with a wide variety of scales, designs, styles and appearance.

4. Relevant planning history

Non-Relevant

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. Non-relevant

7. Policy

- 7.1. Core Strategy (2009)

- Policy 1: Development in Hinckley

- 7.2. Site Allocations and Development Management Policies (SADMP) DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM18: Vehicle Parking Standards

- 7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

- 7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highway Design Guide

8. Appraisal

- 8.1. Extensions to existing domestic properties within urban settlement boundaries 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 neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the area

- 8.2. Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally.

- 8.3. The Council's adopted Good Design Guide states that two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two-storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum

distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.

- 8.4 The proposed side extension would incorporate a set-down of 0.20 metres from the main roof ridge height, and a set-back from the adjacent front elevation of 0.78 metres. Having regard to the original width of the main dwelling, the proposed set-back and set-down distances, and the use of a gabled roof finished in materials matching those of the main dwelling, the proposed side extension is considered to be acceptably subordinate to the main property. As such, it is not considered to result in harm to the design of the main dwelling or the character and appearance of the surrounding area.
- 8.5 The proposed rear extension would comprise a single-storey flat-roofed element and a two-storey element with a gabled roof. Given that the extension would be located entirely to the rear with only glimpses possible from the public realm, together with its appropriate overall scale with a set down roof, it is considered to be subordinate to the main dwelling. Furthermore, given the proposed size, siting, and complementary design features, the proposal is considered to be in keeping with the character and appearance of the host property and the surrounding area.
- 8.6 The proposed fenestration to the rear, side, and front elevations is considered to be sympathetic to the existing openings in terms of scale, positioning, and design. As such, it is considered to be in keeping with the design of the main dwelling and the character and appearance of the surrounding area.
- 8.7 Therefore, the form, design and scale of the proposed development is not considered have any adverse impact upon the character of the area and the design of main dwelling and therefore it is considered that the development is in accordance with Policy DM10 of the SADMP, the NPPF (2024) and Good Design Guide (2020).

Impact upon neighbouring residential amenity

- 8.8 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.
- 8.9 Policy DM10 of the adopted SADMP and the adopted Good Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.10 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.
- 8.11 The nearest neighbouring properties are No. 76 to the south and No. 78 to the northwest. The proposed side extension has the potential to impact No. 74, as it would breach the 45-degree rule and could result in an unacceptable overbearing effect. The proposed side extension would have a maximum separation distance of approximately 8 metres to the ground floor and first floor windows on the rear elevation of this property. However, as No. 74 is in office use and the windows do not serve any habitable rooms, these impacts are not considered to give rise to material planning harm. Accordingly, the proposal is not considered to result in an unacceptable impact on this neighbouring amenity.

- 8.12 No. 78 Rugby Road is located immediately to the south and attached to the application site. The proposed rear extension would not project beyond the rear elevation of No. 78 and would therefore not breach the 45-degree rule to this neighbouring property. Furthermore, given the proximity of the single-storey element to this shared boundary and the absence of any windows or openings on this elevation, the proposal is not considered to result in overbearing or over dominant impacts, nor any unacceptable loss of light or loss of privacy to this neighbouring property or its amenities.
- 8.13 By virtue of the above assessment, the proposal is not considered to result in any overbearing or over dominant, overlooking, or loss of privacy impacts to any of neighbouring occupiers and their amenities and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon parking provision

- 8.14 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.
- 8.15 Policy DM18 of the SADMP also requires developments to demonstrate an adequate level of off-street parking provision.
- 8.16 Table 28 (Residential Parking Standards) of the Leicestershire Highway Design Guide requires dwellings with four or more bedrooms to provide a minimum of three off-street parking spaces. The proposal would increase the dwelling to four bedrooms. However, as shown on the submitted parking plan, the proposed car port together with additional parking provision to the rear and the existing garage would allow the property to accommodate three off-street parking spaces. Accordingly, the proposal is not considered to result in any unacceptable impact on parking provision, highway safety, or pedestrian safety.
- 8.17 One bay of the existing double garage would be demolished as part of the proposed development. However, having regard to the provision of the proposed car port, the proposal is considered to have a neutral impact on parking provision and would not result in any harm to highway safety.
- 8.18 Therefore, the scheme is regarded as being in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

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 outlined 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:

- Block, Site Location Plan, Drg No. B25/13/S01
- Garage - Proposed Floor, Roof Plans, Elevations, Drg No. B25/13/P02
- Proposed Floor Plans, Elevations, Drg No. B25/13/P01
received by the local planning authority on 03 March 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 proposed extension and alterations hereby permitted 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).

4. The flat roofed area shall not at any time be used as a balcony or sitting out area neither shall any balustrade, railings, wall or other means of enclosure be erected on any part of the flat roof.

Reason: In the interest of the residential amenity and privacy in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.