Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Refusal of Planning Permission

Name and Address of Applicant
Mr Stephen Dempsey
49 Stamford Drive
Groby
Leicester
LE6 0YD

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application	**Application No.**
7 September 2026	26/00793/HOU

Particulars and location of development:

Erection of a garden room and annexe

49 Stamford Drive Groby Leicester Leicestershire LE6 0YD

Part II - Particulars of decision

In dealing with the application, through ongoing dialogue and the proper consideration of the proposal in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the local planning authority have attempted to work with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application as required by the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). However, in this instance, it has not been possible to overcome the concerns raised and the proposal remains in conflict with the provisions of the Development Plan and therefore the application has been refused.

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reason(s):-

1. The proposed outbuilding, by virtue of its excessive scale, would represent overdevelopment of the site and demonstrate poor design, thus failing to

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

complement the character of the existing site or surrounding area. The proposal is therefore contrary to Policy DM10 of the Site Allocations and Development Management Policies DPD and Policy DP3 of the NPPF (2026).

2. The proposed outbuilding, by virtue of its siting and scale, would result in an overbearing and unneighbourly impact upon No. 47 Stamford Drive, thus causing unacceptable harm to neighbouring amenity. The proposal is therefore contrary to Policy DM10 of the Site Allocations and Development Management Policies DPD and Policy P3 of the NPPF (2026).

NOTES TO APPLICANT :-

1. This application has been assessed and determined with reference to the submitted documentation below:

- Application Form - received by the Local Planning Authority on 07/09/26
- Proposed Front Elevation 003 P1 - received by the Local Planning Authority on 07/09/26
- Landscaping Remedial Works 004 P1 - received by the Local Planning Authority on 07/09/26
- Proposed Layout Plan 001 P1 - received by the Local Planning Authority on 07/09/26
- Site Plan - 000 P1 - received by the Local Planning Authority on 07/09/26
- Technical details-002 P1 - received by the Local Planning Authority on 07/09/26
- Proposed Elevations Drg 003 - received by the Local Planning Authority on 17/09/26
- Site Location Plan 005 - received by the Local Planning Authority on 17/09/26

C. Brown.

Christopher Brown MRTPI
Head of Planning

Date: 2 November 2026

NOTES

1. **It will be most helpful if the application number shown overleaf is quoted on all correspondence.**

2. **If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within six weeks of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review**

3. **As this is a decision to refuse planning permission for a householder application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at https://www.gov.uk/appeal-householder-planning-decision). You must use a Householder Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, (or could not have been so granted otherwise than subject to the conditions imposed by them,) having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him. If you intend to submit an appeal that you would like examined by inquiry then you must notify your Local Planning Authority (planning@hinckley-bosworth.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found on GOV.UK.**

4. *IF AN ENFORCEMENT NOTICE IS SERVED RELATING TO THE SAME OR SUBSTANTIALLY THE SAME LAND AND DEVELOPMENT AS IN YOUR APPLICATION AND IF YOU WANT TO APPEAL AGAINST YOUR LOCAL PLANNING AUTHORITY'S DECISION ON YOUR APPLICATION THEN, YOU MUST DO SO IN ACCORDANCE WITH THE GUIDANCE FOUND USING THE FOLLOWING LINK HTTPS://WWW.GOV.UK/APPEAL-ENFORCEMENT-NOTICE/.*

5. **If permission to develop land is refused whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council**

to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

6. **In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.**

RNOTES (02/07/2014)