

Delegated Report

Planning Ref: 25/00397/CONDIT
Applicant: Mr Michael Grant
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 6 Pentland Close Hinckley Leicestershire

**Proposal: Variation of condition 2 (Plans) of planning permission 22/00514/HOU.
Amendment from brick to render to the walls and amendment to fence positioning.**

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition previously imposed on a planning permission. In this case, planning permission reference 22/00514/HOU granted full planning permission for a two-storey side extension at 6 Pentland Close, Hinckley.
- 2.2. This application proposes to alter the previously approved external wall materials to the front and rear elevations from red brick to white/cream render and to extend and alter the previously approved fence positioning.

3. Description of the site and surrounding area

- 3.1. The site is located within a residential area of Hinckley. The application dwelling lies within a row of two storey semi-detached gabled roof dwellings set back from the highway, some of which have been subject to extensions and alterations, including side and rear extensions. It is constructed of red facing bricks, brown concrete roof tiles and white uPVC window frames. To the side there is a concrete garage.

4. Relevant planning history

22/00514/HOU

- Proposed two storey side extension
- Planning Permission
- 21.07.2022

5. Publicity

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

6. Consultation

6.1. Ramblers Association:

- No comments have been received.

7. Policy

7.1. Core Strategy (2009)

- Policy 1: Development in Hinckley

7.2. Site Allocations and Development Management Policies DPD (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)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

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

8. Appraisal

8.1. The principle of development, siting, layout, scale and overall design of the proposed extensions and alterations have already been established through the earlier grant of planning permission 22/00514/HOU. The key issues in respect of this application are therefore:

- Design and impact upon the character of the area
- Other matters
- Conditions

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 This application proposes to alter the previously approved materials to the external front and rear walls from red brick to a mix of red brick and white/cream render and to extend and alter the previously approved fence positioning.

8.4 Whilst render is not currently a finish present to the application dwelling or the immediate street scene therefore the amendment is regrettable. However, render is prevalent on the adjacent Outlands Drive, therefore, it is not considered to result in any unacceptable impact upon the character and appearance of the existing dwelling or area. Furthermore, brick is to be retained to the side elevation along with to the fenestration, breaking up the renders appearance

8.5 The alteration to the previously approved fencing would see the extension of the fencing along the south-east side boundary by 7.42 metres, and along the front boundary on a 47 degree angle by 3.58 metres, leaving a 0.82 metres access. By way that the fencing would be located adjacent to a public footpath and tucked away to the south-west end of the cul-de-sac, whilst there being an examples of similar fencing within the street scene, the extension/alteration it is not considered

to result in any unacceptable impact upon the character and appearance of the existing dwelling or area.

- 8.6 No further amendments in relations to the scale of the overall extensions have been made.

Other issues

- 8.7 The proposed amendments to the external construction materials and fencing of the previously approved and extant planning permission for extensions and alterations would have no adverse impacts on the residential amenity of the occupiers of any neighbouring properties, highway safety or off-street parking provision within the site.

Conditions

- 8.8 The previously approved planning permission 22/00514/HOU was subject to 3 conditions.
- 8.9 The development has not been implemented and therefore Condition 1 (time) remains necessary, however, would need to refer to the original 3 year time scale for implementation of the development.
- 8.10 Condition 2 (approved plans) would need to be amended to refer to the plan submitted and approved under this application to define the new permission.
- 8.11 Condition 3 (external materials) would need to be amended to refer to the amended material submitted and approved under this application to define the new permission.
- 8.12 No other conditions are considered to be necessary to ensure satisfactory development.

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.

10. Conclusion

- 10.1. The proposal is located within the settlement boundary of Hinckley and seeks to vary condition 2 (plans) and condition 3 (materials) of planning permission

22/00514/HOU for a two-storey side extension at 6 Pentland Close, Hinckley, therefore there is a presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the wider policies of the NPPF.

- 10.1 For the reasons given in the report above, it is considered that the proposed scheme of alterations would respect the overall scale, character and appearance of the existing dwelling and street scene. The proposal would not result in any significant adverse impacts on the residential amenity of the occupiers of any neighbouring properties, highway safety or off-street parking provision within the site. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and is therefore recommended for approval subject to 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 permission 22/00514/HOU (21st July 2022).

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 Scheme 1 - Floor Plans, Elevations, 3D View, Drg No. 22/45 02C as received by the Local Planning Authority on the 14th April 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10 and DM18 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the proposed extension shall match the corresponding materials of the existing dwelling with the exception of white render to the external walls as shown in approved plan Drg No. 22/45 02C.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

- a) 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.

