

Delegated Report

Planning Ref: 26/00497/HOU
Applicant: Mr Warren Carter
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 15 Swains Green Burbage Hinckley

Proposal: 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 erection of a two storey rear extension at 15 Swains Green, Burbage. The existing conservatory would be demolished as a part of this application.
- 2.2. The proposed ground-floor extension would have a minimum depth of 2.50 metres and a maximum depth of 3.51 metres. It would extend across the full width of the rear elevation, measuring approximately 10.77 metres in width. The extension would incorporate single-storey elements to either side and would have a maximum height of 3.10 metres.
- 2.3. The proposed first floor rear extension would have a depth of 2.5 metres and a width 5.21 metres, it features an eaves height of 4.95 metres and a ridge height of 6.45 metres. It would add additional space to the existing bedroom to the first floor level.
- 2.4. Two bi-fold doors and two side windows are proposed to the ground floor level, and a window opening is also proposed to the first-floor level.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the urban settlement boundary of Burbage and in a residential area. It is a four bedroom two-storey detached dwelling constructed of red bricks facade, plain roof tiles and white uPVC windows.
- 3.2. The dwelling is located within the Swains Green cul-de-sac. Burbage Junior School lies to the east of the application site, with a hedge and metal fence forming the boundary between the two sites.

4. Relevant planning history

None-relevant

5. Publicity

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

6. Consultation

- 6.1. No objections have been received from Burbage Parish Council.

7. Policy

7.1. Core Strategy (2009)

- Policy 3: Development in Burbage

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 DM17: Highways and transportation
- Policy DM18: Parking Provision

7.3. Burbage Neighbourhood Plan:

- Policy 3: Design and Layout

7.4. National Planning Policies and Guidance

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

7.5. 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 and highway safety

Design and impact upon the character of the 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 Policy 3 of Burbage Neighbourhood Plan states that, any future residential development within the Parish of Burbage must respect its surroundings and result in the provision of high-quality homes as per the National Planning Policy Framework (2018), HBBC Site Allocations and Development Management DPD (July 2016) and any other supporting documents to the Local Plan.

8.5 The proposed rear extension would comprise a two-storey element centrally positioned, with single-storey flat-roofed elements extending on either side. While the

two single-storey elements would vary slightly in depth and width, they would share a consistent roof height. Overall, the extension is considered to remain subordinate to the original dwelling due to its modest scale and design. Furthermore, the development would not be visible from the public realm, limiting its impact on the character and appearance of the surrounding area. The central two-storey element is considered to be well designed, and although the differing dimensions of the single-storey elements create a slightly unbalanced appearance, this is not considered to result in significant harm to the character or appearance of either the host dwelling or the surrounding area.

- 8.6 The proposed first floor window and ground floor doors to the rear elevation is also 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 The proposed material to the proposed window and door opening and the proposed finish to the rear elevation is not consistent with the existing material however given that the proposed development is not considered to be visible from any public views, it is not considered to be significantly harmful to the character of surrounding area.
- 8.8 Therefore, the form and 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 Burbage Neighbourhood Plan.

Impact upon neighbouring residential amenity

- 8.9 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.
- 8.10 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.
- 8.11 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.
- 8.12 The most impacted neighbouring property is No.13 Swains Green to the west and No.38 Falconers Green to the northwest, the proposed development would project beyond rear building line of No.13 but it would not breach the 45-degree rule. No side windows are proposed facing this neighbouring property and therefore the proposed development is not considered to cause any overbearing, overshadowing or overlooking impacts to this neighbouring property or its amenities.
- 8.13 As mentioned above, No. 38 Falconers Green is located to the northwest of the application site, according to HBBC Good Design Guide, a principal window to a habitable room should ideally not be less than 8m from the blank side of a single storey neighbouring property, rising to 14m for a two-storey property and above, there is no habitable window to this neighbouring property facing proposed development, the proposed first floor window would have a separation distance of 10.62 to the boundary wall and 15.16 metres to the No.38 side elevation and therefore, the proposed development is not considered to cause any significant harm in terms of

overbearing impacts to future occupants nor overlooking to the dwelling at No.38. The proposed first floor windows will be closer to the shared boundary and garden but given the modest increase this would not result in adverse additional overlooking to this properties garden. And therefore overall the proposal would not cause overbearing, overshadowing or overlooking impacts to this neighbouring property or its amenities.

- 8.14 By virtue of the above assessment, the proposal is not considered to result in adverse overbearing or overdominant, overlooking, or loss of light impacts to any of neighbouring occupiers, nor future 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 and highway safety

- 8.15 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.
- 8.16 Policy DM18 of the SADMP also requires developments to demonstrate an adequate level of off-street parking provision.
- 8.17 Table 28 (Residential Parking Standards) of the LHDG requires dwellings with four or more bedrooms to provide a minimum of three off-street parking spaces. The proposal would increase the size of the existing bedroom and would not result any additional bedroom. The front driveway and existing garage would provide three parking spaces and therefore it is unlikely the proposal cause any harm to highways safety or parking provision.

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:

- Proposed Elevations and Sections - C126 08
- Proposed First Floor Plan - C126 07
- Proposed Ground Floor Plan - C126 06
- Proposed Roof / Site Plan - C126 02
- Location / Block Plans - C126 01

And the application form received by the local planning authority on 02 June 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).

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.