

Delegated Report

Planning Reference 26/00654/HOU
Applicant Ms. S Hibbert
Ward Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Application Site 3 Mallard Drive, Hinckley

Proposal Erection of a rear covered area

Case Officer Gwion Russell (Planning Officer)

1. Recommendations

- 1.1. **Grant planning permission** subject to planning conditions detailed at the end of this Report.

2. Planning Application Description

- 3.1. This householder planning application seeks full planning permission for the erection of a covered area at the rear elevation of the property. The covered area would measure a depth of approximately 6m by a width of 5.4m, spanning the northern side of the house and extending 1.2m beyond the property's northwest elevation. It would cover a footprint of 32.4m² and would not exceed a height of 3.6m. The cover would be predominantly finished in timber and feature 7 timber posts interspersed along its three elevations. The dual-pitched roof would be covered in a solid grey-slate tile. Whilst the covering proposes a rectangular-shaped footprint, its three elevations would remain open. It would be used to serve a small seating/dining area within the existing rear garden.

3. Description of the Site and the Surrounding Area

- 3.2. The application site is located at 3 Mallard Drive, within the Hinckley Clarendon ward. It is sited within the southwest of the settlement boundary of Hinckley.
- 3.3. The property comprises a four-bedroomed two-storey detached dwelling finished in brown facing brick. It benefits from an integrated single-bay garage and two off-street parking spaces.
- 3.4. Whilst Mallard Drive is predominantly residential in nature, the dwellings are varied by design although uniform in scale and massing.

4. Relevant Planning History

- 4.1. There is no relevant planning history within this application site that is applicable to the current development proposals.

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. No consultation responses have been received.

7. Policy

- 7.1. Core Strategy (2009):

- Policy 1: Development in Hinckley

- 7.2. Site Allocations and Development Management Policies Development Plan Document ('SADMP') (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design

- 7.3. National Planning Policies and Guidance:

- National Planning Policy Framework ('NPPF') (2026)
- National Design Guide ('NDG') (2019)
- Planning Practice Guidance ('PPG')

- 7.4. Other Relevant Guidance:

- The Good Design Guide (2020)
- Leicestershire Highway Design Guide ('LHDG') (2024)

8. Appraisal

- 8.1. NPPF Policy S4(1) confirms that development proposals within settlements should be approved unless the benefits of doing so would be substantially

outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.

8.2 The key issues in respect of this application are therefore:

- Design and impact upon the character of the area
- Impact upon residential amenity

Design and Impact upon the Character of the Area

8.3 NPPF Policy DP3(1) confirms that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings.

8.4 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area.

8.5 The Good Design Guide states that rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.

8.6 The covering proposes a near 6m depth from the original rear elevation of the dwelling. Whilst this is a considerable depth, this is largely off-set by its open elevations. By virtue of its scale, height and open elevations, the proposal would remain subordinate to the scale of the dwelling.

8.7 The use of timber and grey-slate materials would remain coherent with the main dwelling. The dual-pitched roof form would accord with the dual-pitched roof form of the main dwelling.

8.8 There may only be glimpsed views of the proposal from the public realm, and private views from neighbouring viewpoints would not be harmful.

8.9 By virtue of the above, the proposal would be considered to respect the character of the existing dwelling and surrounding area and would be in accordance with Policy DM10 of the SADMP, and the Good Design Guide.

Impact upon Residential Amenity

8.3 NPPF Policy P3(1) states that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.

- 8.10 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.11 The Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.12 The projection of 6m would not result in a breach of 45-degrees from any neighbouring window. This is largely given the covered area would be sited perpendicular at the rear of the neighbouring gardens, namely Nos. 1 and 2 Mallard Drive to the north. The open elevations mean that there is no significant loss of light for any neighbouring property.
- 8.13 The proposal involves no new openings and there is no concern regarding loss of privacy.
- 8.14 The separation distance between the proposal and the rear habitable windows of the neighbouring dwellings to the west could exceed 14m, which complies with the Council's Good Design Guidance on side to back distances. Furthermore, the open elevations proposed would not result in development that would be perceived as oppressive or overbearing for neighbouring properties.
- 8.15 By virtue of the above, the proposal would not give rise to neighbouring amenity concerns and would be in accordance with Policy DM10 of the SADMP, and the Good Design Guide.

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. 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 detailed 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 received by the Local Planning Authority as follows:

- Application Form
- Site Location Plan

- Proposed Ground Floor Plan & Elevations - 3MD/2026 2/2
- All received by the Local Planning Authority on 16/07/26

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 covering shall match the materials detailed on the hereby approved Application Form and Proposed Plans and Elevations (Drg No. 3MD/2026 2/2).

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).

a. **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 building.control@blaby.gov.uk or call 0116 272 7533.