

Delegated Report

Planning Ref: 25/00528/CONDIT
Applicant: Mr Terence Taylor
Ward: Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Site: 7 Dean Road Hinckley Leicestershire

**Proposal: Application to vary condition 2 of planning application 22/01022/HOU.
Amendment to approved plans.**

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 22/01022/HOU granted full planning permission for extensions and alterations at 7 Dean Road, Hinckley which included a two storey front extension, single storey front porch, and two storey side extension to replace the existing one and two storey rear extension. Condition 2 of the planning permission required that the development shall be implemented in accordance with the approved plans submitted with that application. Condition 3 of the planning permission required that the development shall be finished in the materials specified on the approved plans submitted with that application.
- 2.2. This application seeks planning permission for the variation of condition 2 (Plans) and 3 (Materials) of that planning permission. The application proposes to significantly reduce/alter the previously proposed scheme and therefore the amendments/alterations have been re-assessed in their entirety.
- 2.3. The application proposes a porch to the front elevation which would project outwards from the existing front elevation by 1.17 metres for a width of 2.77 metres. It would have a dual pitched forward facing gable roof form which would have ridge height of 4.59 metres and an eaves height to match the existing dwelling. It would be characterised by a glazed apex to the centre of which would sit the front entrance.
- 2.4. Aspects of the front elevation would be set forward by 0.17 metres with the existing front secondary access being set forward by 2.60 metres to create a parallel building line. The existing dual-pitched side facing gable would extend 5.13 metres over the existing flat roof element to the west for a width of 8.08 metres. Three additional single pane windows would sit to the front elevation hosting the kitchen, W.C. and utility. The flat roof front dormer would be removed and replaced with four Velux roof lights.
- 2.5. The existing windows to the eastern/western side elevations would be removed and bricked up, with the installation of one new door to the western side elevation hosting the utility.
- 2.6. A section of the flat roof form to the rear would be retained and would see an increase in width by 1.96 metres. A flat roof dormer is proposed to the rear roof line which would project outwards from the existing roof line by a maximum of 3.34 metres for a width of 14.97 metres and 3.00 metres in height. It would be set in from

the ridge line and sides by 0.60 metres and the eaves by 0.22 metres. A set of two bi-fold doors to the ground floor and four windows to the first floor dormer.

- 2.7. The proposed external materials would include the use of a mix of off-white render and brick to the walls, tiles to match those of the existing dwelling, and uPVC openings.

3. Description of the site and surrounding area

- 3.1. The application sites relates to a detached residential bungalow situated within the settlement of Hinckley. The main dwelling has a dual-pitched form with a flat roof dormer to the front roof line and flat roof to the attached porch/garage. It is constructed of light brown facing bricks, dark brown roof tiles, and white uPVC windows. The surrounding street scene consists of predominantly detached bungalows or chalet bungalows of 1960s/70s vernacular and are organised in a linear pattern with fairly generous front gardens, affording set-back from the public highway, and generous driveway parking areas.
- 3.2. A planning appeal was dismissed in 2023 for the construction of a two-storey detached dwelling/garage to the south of the site.

4. Relevant planning history

22/01022/HOU

- Proposed extensions and alterations to existing dwelling
- Planning Permission
- 21.12.2022

22/01056/FUL

- Proposed 2 storey dwellinghouse and 2 storey detached garage with driveway and landscaping to land south of 7 Dean Road
- Refused
- 24.05.2023

23/00034/PP

- Proposed 2 storey dwellinghouse and 2 storey detached garage with driveway and landscaping to land south of 7 Dean Road
- Dismissed
- 08.12.2023

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. Following the publication no comments have been received.

6. Consultation

- 6.1. None relevant.

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 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)
- Leicestershire Highways Design Guide (2024)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon parking provision
- Conditions

Design and impact upon the character of the area

8.2 Policy DM10 of the adopted Site Allocations and Development Management Policies seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.3 In respect of roof extensions that Council's Good Design Guide states that *'If this type of development is proposed, it should take the form of the existing building, mirroring the roof pitch, replicate or have lower eaves height and the ridge should be below the existing ridge height.'*

In addition, the proposal should not normally extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation.'

8.4 The applicant proposes to construct a dual-pitched forward fronting gabled porch above the main entrance into the host dwelling which would project outwards from the existing front elevation by 1.17 metres for a width of 2.77 metres along with setting parts of the front elevation forward by 0.17 metres with the existing front secondary access element being set forward by 2.60 metres to create a parallel building line. These aspects of the development would not extend by more than 2.00 metres beyond the existing front elevation and would neither cover it by more than 50%. The proposals are therefore considered to be minor, bearing no significant impact upon the existing character of the dwelling or surrounding area.

8.5 In respect of roof extensions that Council's Good Design Guide states *'Roof extensions are a well-used methodology for extending internal space but can be prominent over a wider area due to their higher scale compared with their neighbours. Some key guidelines are:*

- *Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene.*
- *Rooflights that lie flush with the roof itself will typically be the easiest way of introducing natural light into a roof space without resulting in negative visual impact*
- *Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building and on neighbours' amenity.*
- *Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers. Dormers to fronts of properties will only be acceptable where this is a prevailing feature of the surrounding context.'*

- 8.6 The existing dual-pitched side facing gable is to extend 5.13 metres over the existing flat roof element to the west for a width of 8.08 metres, a positive addition especially when considering that flat roof additions situated within a highly viewable position are not a prevalent nor a supported feature within the wider borough. Furthermore, the addition is to have a replicating eave and ridge height appearing to be a subordinate addition. A section of the flat roof is to be retained to the rear, but due to its restricted visibility and existing presence would not bear any further impacts upon the character of the area. The existing flat roof front dormer is to be removed and replaced with four Velux roof lights, these are not, however an uncommon addition within the street scene with pre-existing roof lights being observed to 6 and 10 Dean Road.
- 8.7 A flat roof dormer is proposed to the rear roof line which would project outwards from the existing roof line by a maximum of 3.34 metres for a width of 14.97 metres and 3.00 metres in height. It would be set in from the ridge line and sides by 0.60 metres and the eaves by 0.22 metres. A set of two bi-fold doors to the ground floor and four windows to the first floor dormer. Whilst not a representation of particularly good design given that the dormer would be set in from either roof edge and restricted from view, their inclusion is not considered to bear any impacts upon character or appearance of the application dwelling or wider street scene in this case.
- 8.8 In respect of rear extensions that Council's 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.*'
- 8.9 The existing rear elevation would only see an increase in its width by a minor 1.96 metres and would remain to sit within the confinements of the existing dwellings building line not being viewable from a public realm bearing no impacts upon the character of the area.
- 8.10 The proposed external materials would include the use of a mix of off-white render and brick to the walls, tiles to match those of the existing dwelling, and uPVC openings all which are viewable to the application dwelling and within the surrounding street scene.
- 8.11 By virtue of the above the proposals would not result in any significant adverse impacts on the character or appearance of the surrounding area. The proposed scheme would therefore be in accordance with Policy DM10 of the Site Allocations and Development Management Policies and the general principles of the Councils Good Design Guide.

Impact upon neighbouring residential amenity

- 8.12 Policy DM10 of the adopted Site Allocations and Development Management Policies states that proposals should not adversely affect the occupiers of the neighboring properties.
- 8.13 The proposed dormer would not protrude past the dwellings building line. Four openings are, however proposed which would face directly towards the applicant's own rear garden and although views into the rear garden of 5 and 9 Dean Road would be available these would be at an angle only. Furthermore, given those previously approved to first floor level there is not considered to be any further loss of privacy to no.5 and 9. No additional openings are proposed to either side elevation.
- 8.14 The proposed dormers would be situated 107.28 metres from the neighbouring dwelling to the south, 68 John Street, Hinckley and in turn would bear no significant impacts upon the occupiers.
- 8.15 By virtue of the above, it is considered that the proposal would not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposals would therefore be in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies. No objections to the proposals have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.16 Policy DM18 of the adopted Site Allocations and Development Management Policies seeks to ensure that development would provide an appropriate level of parking provision, and that there would not be a significant adverse impact upon highway safety.
- 8.17 Section 116 of the National Planning Policy Framework (NPPF) (2024) states that *"development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*
- 8.18 Part 4 of the Leicestershire Highways Design Guide seeks to ensure that dwellings with four or more bedrooms host a minimum of three off-street parking spaces.
- 8.19 In respect of front extensions, the Council's Good Design Guide states that *'Front extensions should not result in the loss of existing parking spaces where it would impact on the street scene.'*
- 8.20 The proposed scheme would convert the dwelling from a three to four bedroom dwelling, whilst removing its existing integral single garage and seeing the addition of minor extensions to the dwellings frontage. Notwithstanding this, the front of the site would remain to host a generous area of tarmacadam/gravelled hardstanding suitable to host a minimum of three off-street parking spaces leaving a suitable parking provision.
- 8.21 By virtue of the above the proposal would therefore have no adverse impacts upon highway safety and would therefore be in accordance with Policy DM18 of the adopted Site Allocations and Development Management Policies, The Council's Good Design Guide, Section 116 of the National Planning Policy Framework (NPPF) (2024) and the Leicestershire Highways Design Guide standards.

Conditions

- 8.22 The previously approved planning permission 24/00771/HOU was subject to 3 conditions. The development has not been implemented and therefore Condition 1 (Time) remains necessary, however, the applicant would need to refer to the original 3 year time scale for implementation of the development, implementing the permission on or before 21st December 2025. Condition 2 (Plans) would need to be amended to refer to the plans submitted and approved under this application to define the new permission. Condition 3 (Materials) would need to be amended to refer to the revised materials approved under this application to define the new permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the Existing and Proposed Floor Plans and Elevations, Drg No. 1A, 2A, 3A, 4A, 5A and 6A as received by the Local Planning Authority on the 22nd May 2025.
- 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 extensions and alterations shall be a mix of off-white render and brick to the walls, tiles to match those of the existing dwelling, and uPVC openings.
- 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).
- 8.1. A further condition in regard to obscure glazing is also considered to be necessary to ensure satisfactory development.
4. The windows to the ground floor front elevation hosting the W.C. and to the first floor rear elevation hosting the bathroom shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable. Once so provided the windows shall be permanently maintained at all times thereafter.
- Reason:** To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Plan Document (2016).

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 proposals are for variations to a previously approved planning permission for an extension to an existing dwelling within the settlement boundary of Hinckley where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted Site Allocations and Development Management Policies and the overarching principles of the NPPF.
- 10.2. The variations to the previously approved extension are considered to continue to respect and complement the scale, character and appearance of the existing dwelling and wider street scene and do not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties or impact the parking provision at the site. The development is therefore considered to remain in accordance with the existing dwelling and the wider countryside. The proposal would adhere to Policies DM1, DM10 and DM18 of the adopted Site Allocations and Development Management Policies and, Section 116 of the National Planning Policy Framework (NPPF) (2024), the Councils Good Design Guide and the Leicestershire Highways Design Guide and is recommended for approval subject to amended conditions 2 (Plans) and 3 (Materials) and further condition 4 (Obscure Glazing) to define the new planning permission.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the Existing and Proposed Floor Plans and Elevations, Drg No. 1A, 2A, 3A, 4A, 5A and 6A as received by the Local Planning Authority on the 22nd May 2025.

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 extensions and alterations shall be a mix of off-white render and brick to the walls, tiles to match those of the existing dwelling, and uPVC openings.

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 windows to the ground floor front elevation hosting the W.C. and to the first floor rear elevation hosting the bathroom shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable. Once so provided the windows shall be permanently maintained at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management 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.
- b) The property may be suitable for roosting bats, which are protected by law from harm. It is the applicant's responsibility to ensure that bat legislation is not breached and therefore may need to consult with a licenced bat ecologist prior to commencement to ensure that bats will not be impacted by the works. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst advice from a bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls.