

Delegated Report

Planning Ref: 26/00013/HOU

Applicant: Mr Lewis Bourne

Ward: Hinckley Castle



**Hinckley & Bosworth
Borough Council**

Site: 21 Bute Close Hinckley Leicestershire

Proposal: Erection of a two-storey side extension.

Case Officer(s): Zahra Jam Rotbeh (Planning Officer)

1. Recommendations

- 1.1. **Refuse planning permission** subject to the reasons at the end of this report.

2. Planning Application Description

- 2.1. This householder application is a full planning application for erection of a two-storey side extension at 21 Bute Close Hinckley.
- 2.2. The proposed side extension would have a width of 6.61 metres and a depth of 9.72 metres; it would feature a gabled-hipped roof with an eave height of 5.21 metres and a ridge height of 7.68 metres.
- 2.3. It should be noted that the applicant has amended the scheme once to a smaller scale, with a revised layout and design, in an effort to address issues relating to subordination and design.

3. Description of the Site and the Surrounding Area

- 3.1. 21 Bute Close is a semi-detached, two-storey, three-bedroom property constructed of red brick. The house features the gabled roof, and it is also a corner plot.
- 3.2. The property features window and door openings on all elevations, all constructed in brown uPVC.
- 3.3. The property is enclosed by wooden fencing, which serves as a boundary treatment separating it from the neighbouring properties.
- 3.4. The surrounding area is characterised by two-storey properties. The application dwelling sits at the end of a row of similar semi-detached properties. Opposite the site lies a number of detached dwellings which share the same design/character. Beyond this to the north/west of the site all the dwellings are semi-detached dwellings of the same age/design. Some examples of extensions of varying forms are present, but these do not detract from what is otherwise a reasonably uniform character.

4. Relevant Planning History
77/00200/4M

- EXTENSION TO HOUSE
- PER
- 14.03.1977

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

- N/A

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
- Policy DM17: Highways and transportation
- Policy DM18: Vehicle Parking Standards

7.3 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- National Design Guide (2024)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Extensions to existing domestic properties within the settlement boundary 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 residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2 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.

8.3 According to HBBC Good Design Guide (GDG), corner plots play an important role within the streetscene and it is important to recognise that overdevelopment of these plots can create an oppressive quality which can lead to a significant change in the prevailing character of a place.

8.4 Furthermore, according to the HBBC GDG, rear and side extensions should also be designed to be subordinate to the main dwelling. The GDG states that-storey side extensions should appear smaller in scale and massing and typically they should be set down from the ridge of the existing house and setback from the front elevation by 0.5m in both directions. On corner plots the GDG states that two storey side extensions should not be overbearing, should have an active frontage and should also be set at least 2m away from the highway.

8.5 In this case, the proposed extension is set down by 0.45 metres from the highest ridge line of the property and is setback of 1.27 metres from the front elevation. However, despite this reduction, the overall scale and layout do not achieve subordination. The extension would add almost triple the footprint of the existing dwelling. The width of the extension, whilst set back, would significantly imbalance the pair of semi-detached properties in the prominent corner plot position. Where other side extensions exist in the immediate area, they achieve a slimmer width, complementing the semi-detached properties they relate to.

8.6 The proposed gable elevation facing Bute Close is proposed with no openings and would also result in the removal of existing first-floor windows on this elevation. This would significantly reduce the design quality of this elevation, providing no active frontage. Given the corner plot location and the prominence of this elevation within the street scene, the proposal would appear visually harmful.

8.7 The proposed fenestration to the remaining elevations and proposed materials are considered to be in keeping with the existing design and is therefore not considered to result in harm to the design or character of the surrounding area, but this does not outweigh the above harm.

8.8 In summary, the proposed extension fails to complement the design and the scale of the existing dwelling, the scale and mass of the extension are substantial and would lead to its prominence within the streetscene. Furthermore, as a result of the scale of the extensions they imbalance the pair of semi-detached properties and overall there is a failure to be in keeping with the design and character of the surrounding area.

Therefore, the development is not in accordance with Policy DM10 of the SADMP, paragraph 135 of the NPPF (2024) and the aims of the HBBC Good Design Guide.

Impact upon Residential Amenity

- 8.9 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.
- 8.10 Paragraph 135(f) states planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 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. The proposal is not considered to breach 45-degree rule to the main dwelling.
- 8.12 The neighbouring properties most directly affected by the proposal are no. 19 Bute Close, located to the south of the application site, and no. 23 Bute Road, located to the northwest. The proposed development would maintain a minimum separation distance of 3.68 metres to no. 23. The side elevation of no.23 facing the application site contains no principal habitable windows. And given that only two ground-floor windows are proposed on this elevation, which would be screened by the existing garage and boundary treatment the development is not considered to result in any overbearing, overdominant, overlooking, or loss of privacy impacts to No. 23 or its residential amenities.
- 8.13 As previously noted, no. 19 is located to the south of the application site. The proposal would maintain a separation distance of 5.96 metres to the shared boundary and would not breach the 45⁰ guideline therefore would not cause an overdominant impact or loss of light. However, a large first-floor bedroom window (with Juliet doors) is proposed on the southern elevation of the rear extension. This window would be the sole bedroom window and would directly overlook the rear garden of No.19 and less directly the rear habitable windows. Whilst it is acknowledge that existing rear habitable windows overlook the garden of No.19, the orientation of the proposed window differs from the typical rear and obscurely angled overlooking which occurs presently and presents a more direct source of overlooking which is considered to result in a significant loss of privacy and unacceptable overlooking of the neighbouring property's rear garden. As a result, the proposal would have an adverse impact on the amenities of this neighbouring property and would therefore be contrary to Policy DM10 of the SADMP.

- 8.14 For the reasons outlined above, the proposal would result in an unacceptable level of overlooking and loss of privacy to no. 19, causing harm to the amenities of this neighbouring property. As such, the scheme would be contrary to Policy DM10 of the SADMP, the principles set out within the Good Design Guide with regard to protecting residential amenity and paragraph 135 of the NPPF.

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 In accordance with the Leicestershire Highway Design Guide (LHDG), Table 28 specifies that a minimum of three off-street parking spaces are required for a five-bedroom dwelling. It is considered that there is potential to accommodate two parking spaces on site. The remaining parking demand could reasonably be accommodated on the surrounding highway without leading to significant highway safety harm, having regard to the local character of the area, low traffic levels, and the availability of wide streets. On this basis, the proposed development is not considered to result in harm to parking provision or to have an adverse impact on highway safety.
- 8.18 To conclude, the proposal does not create any adverse impact on highway safety or the road network. Therefore, the scheme is in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

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 The proposal relates the householder application 26/00013/HOU for a two storey side and rear extension at 21 Bute Close.
- 10.2 By virtue of its scale, design and massing, the proposed extension is not considered to be subordinate to the main dwelling, moreover, by virtue of the overall design including the blank elevation design facing Bute Close the proposal is also considered to be of a poor design, inconsistent with the streetscene and not in keeping with character and appearance of the main dwelling and surrounding area. Therefore, it is considered to be contrary to Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016), the Hinckley and Bosworth Good Design Guide (2020) and National Planning Policy Framework (2024).
- 10.3 The proposal would result in an unacceptable level of overlooking and loss of privacy to number. 19 Bute Close, causing harm to the amenities of this neighbouring property. As such, the scheme would be contrary to Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016), the Hinckley and Bosworth Good Design Guide (2020) and paragraph 135 of the National Planning Policy Framework (2024).

11. Recommendation

- 11.1 **Refuse planning permission** subject to the reasons at the end of this report.

11.2 Reasons

1. By virtue of its scale, design and massing, the proposed extension is not considered to be subordinate to the main dwelling, moreover, by virtue of the overall design including the blank elevation design facing Bute Close the proposal is also considered to be of a poor design, inconsistent with the streetscene and not in keeping with character and appearance of the main dwelling and surrounding area. Therefore, it is considered to be contrary to Policy DM10 of the Site Allocations and Development Management Policies

Development Plan Document (2016), the Hinckley and Bosworth Good Design Guide (2020) and National Planning Policy Framework (2024).

2. The proposal would result in an unacceptable level of overlooking and loss of privacy to number. 19 Bute Close, causing harm to the amenities of this neighbouring property. As such, the scheme would be contrary to Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016), the Hinckley and Bosworth Good Design Guide (2020) and paragraph 135 of the National Planning Policy Framework (2024).

11.3 Notes to applicant

This application has been determined with assessment of the submitted 21 Bute Close location plan, 21 Bute Close-Proposed Plans B, 21 Bute Close-Proposed Elevations A, 21 Bute Close-Proposed Roof Plan as received by the Local Planning Authority on the 22nd March 2026.