

## Delegated Report

**Planning Ref: 26/00059/CLP**  
**Applicant: Mr & Mrs M O'shea**  
**Ward: Groby**



Hinckley & Bosworth  
Borough Council

**Site: 136 Leicester Road Groby Leicester**

**Proposal: Certificate of proposed lawful development for the conversion of the loft space to create a habitable space (1No Bedroom) with flat roof dormer to rear.**

**Case Officer: Gwion Russell**

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### **1. Recommendations**

#### **1.1. Grant Certificate of Lawful Proposed Development**

### **2. Planning application description**

- 2.1. The application seeks a Certificate of Proposed Lawful Development for a loft conversion with flat roof dormer at the rear of the property. This conversion is proposed to serve an additional bedroom for the occupiers of the property.
- 2.2. The existing roof is to be retained and reinforced, providing internal bedroom space at a height of 2.3m and 0.7m at its lowest.
- 2.3. The flat roof dormer is proposed to serve the indoor landing leading to the proposed bedroom. This dormer externally will measure 3.8m by 1.2m and a height of 2m from the pitch of the roof.
- 2.4. There are no alterations to the front of the property, however the flat-roof dormer is partially visible from the highway due to the two-tiered design of the roof. The proposal also includes a 0.9m by 1m rooflight to the rear slope of the dwelling. There are no further alterations proposed.

### **3. Description of the site and surrounding area**

- 3.1. The application site relates to a semi-detached, two-storey residential dwelling situated within the settlement boundary of Groby. It benefits from a first-floor extension, atop the attached garage, which also serves a bedroom space.
- 3.2. It is typical of 1940s residential design and features a pebble-dash exterior with dark brown brick quoins and base spanning all four elevations. It features white uPVC windows and a curved-bay window spanning both floors of the dwelling. The extension element is also finished to match. The property benefits from a shared chimney stack which adjoins both dwellings.
- 3.3. The dwelling features a large, tarmacked driveway, with sufficient space to park four to six vehicles and an established hedge that encompasses the front perimeter of the dwelling.

### **4. Relevant planning history**

#### **78/00613/4M**

- Kitchen extension
- Permitted
- 24.05.1978

#### **83/00229/4**

- Extension to house
- Permitted
- 26.04.1983

#### **07/00515/FUL**

- Erection of conservatory
- Permitted
- 27.06.2007

#### **14/00862/HOU**

- Extensions and alterations to dwelling
- Permitted
- 14.11.2014

#### **24/00897/HOU**

- Erection of a front porch
- Permitted
- 19.12.2024

#### **4. Publicity/Consultation**

- 4.1 This is an application for a certificate of proposed lawful use and no publicity or consultation is required.

#### **5. Policy**

- 5.1 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

#### **6. Appraisal**

- 6.1 The main consideration for the determination of this proposal is whether the proposed development falls within permitted development as set out under The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) Schedule 2 Part 1, Class B.

- 6.2 Please note Class B covers the enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development is not permitted if:

a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use).

**The permission to use the dwellinghouse has not been granted by Class M, N, P or Q of Part 3.**

b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

**The proposal would not exceed the height of the highest part of the existing roof.**

c) the enlargement would extend beyond the plane of the existing roof slope of the principal elevation that fronts the highway.

**The proposal would not extend beyond the principal elevation roof slope fronting the highway.**

d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—

(i) 40 cubic metres (terraced houses); or

(ii) 50 cubic metres (detached and semi-detached houses).

**The proposal would not increase the roof volume beyond the limits and remains less than 50 cubic metres.**

e) the development would include—

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

**The proposal would not include the installation, alteration or replacement of a chimney, flue, soil and vent pipe, or any solar equipment.**

f) the dwelling is on article 2(3) land

**The dwelling is not on article 2(3) land.**

h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys)

**The dwelling has not been previously enlarged by additional storeys.**

Development is permitted by Class B subject to the following conditions -

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) the enlargement must be constructed so that—

(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—

(aa) the eaves of the original roof are maintained or reinstated; and

(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

## **7. Equality implications**

7.1 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.

7.2 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.

7.3 There are no known equality implications arising directly from this development.

## **8. Conclusion**

8.1 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

## **9. Recommendation**

9.1 The application has been determined with consideration to the following submitted documents:

- Proposed Site Layout Plan, Drg No. 001/10
- Proposed Loft Section, Drg No. 001/7
- Proposed Roof Plan, Loft Floor Plan, Drg No. 001/6
- Proposed Floor Plans, Drg No. 001/5
- Proposed Elevations, Drg No. 001/4
- Written Specification, Drg No. 001/8
- all as received by the Local Planning Authority on the 21<sup>st</sup> January, 2026.

## **11.1 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](mailto:building.control@blaby.gov.uk) or call 0116 272 7533.