

## Delegated Report

**Planning Ref: 24/00714/CLP**  
**Applicant: Paige Stockil**  
**Ward: Earl Shilton**



Hinckley & Bosworth  
Borough Council

**Site: 99 Belle Vue Road Earl Shilton Leicester**

**Proposal: Lawful Development Certificate for a proposed outbuilding in the garden**

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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 an outbuilding at 99 Belle Vue Road, Earl Shilton.
- 2.2. The proposed outbuilding would measure 5.74 metres in width and 11.00 metres in depth. It would feature a pitched roof which would measure 2.50 metres to the eaves and 4.00 metres to the ridge.
- 2.3. The proposed outbuilding would be set in from the boundary of the curtilage of the dwellinghouse by 2.00 metres.
- 2.4. Additional alterations include the addition of six uPVC double glazed doors to the front elevation, six uPVC double glazed windows and the addition of a triangle uPVC double glazed window to the rear gable which will accommodate a mezzanine.
- 2.5. All external materials are to match those of the existing dwelling, with the exception of grey tiles to the roof.

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

- 3.1. The application site relates to a two-storey semi-detached residential dwelling situated within the settlement boundary of Earl Shilton. The application dwelling comprises the use of red brick and cream render to the walls, red tiles to the hipped roof alongside a red brick chimney stack and white uPVC to the windows. A single storey flat roof porch projects forward of the principle elevation, the main access of which is situated to the side elevation.
- 3.2. The site is afforded by a slabbed hardstanding to the front of the principle elevation, which is enclosed by a range of boundary treatments; the hardstanding provides a provision for up to two off street parking spaces. To the rear of the dwelling sits approximately 353.00 square metres of grassed amenity space.
- 3.3. Belle Vue Road, is predominantly uniform in design and scale, however varied in finish.

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

- None relevant.

## 5. **Publicity/Consultation**

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

## 6. **Policy**

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

## 7. **Appraisal**

- 7.2 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 E.

- 7.3 Please note Class E covers buildings incidental to the enjoyment of a dwellinghouse;

Development is not permitted by Class E if—

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

**Permission to use the dwellinghouse as a dwellinghouse has not been granted under Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use).**

- b.) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

**The total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**

- c.) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;

**No part of the building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;**

- d.) the building would have more than a single storey;

**The building would be single storey.**

- e.) the height of the building, enclosure or container would exceed—

- (i) 4 metres in the case of a building with a dual-pitched roof,
- (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or

(iii) 3 metres in any other case;

**The building would be situated 2.00 metres from the boundary of the curtilage of the dwellinghouse and would feature a 4.00 metre high pitched roof.**

f.) the height of the eaves of the building would exceed 2.5 metres;

**The height of the eaves would not exceed 2.50 metres.**

g.) the building, enclosure, pool or container would be situated within the curtilage of a listed building;

**The site is not a listed building.**

h.) it would include the construction or provision of a verandah, balcony or raised platform;

**The building would not the construction or provision of a verandah, balcony or raised platform.**

i.) it relates to a dwelling or a microwave antenna; or

**The building does not relate to a dwelling or a microwave antenna.**

j.) the capacity of the container would exceed 3,500 litres.; or

**The building would relate to a container.**

k.) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

**The dwellinghouse is not built under Part 20 of this Schedule (construction of new dwellinghouses).**

In the case of any land within the curtilage of the dwellinghouse which is within—

a.) an area of outstanding natural beauty;

b.) the Broads;

c.) a National Park; or

d.) a World Heritage Site,

development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

**No part of the land is within an area of outstanding natural beauty, the Broads, a National Park or a World Heritage Site.**

In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

**No part of the land is on article 2(3) land.**

## **8. Equality implications**

8.1 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.

8.2 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.

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

## **9. Conclusion**

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

## **10. Recommendation**

### **10.1 Grant Certificate of Lawful Proposed Development**

10.2 The application has been determined with consideration to the following submitted documents;

- Certificate of Lawful Proposed Development application form
- Site Location Plan, Drg No, 0346-A-GA-001
- Block Plan, Drg No, 0346-A-GA-002
- Existing Plans, Drg No.0346-A-GA-004
- Existing Elevations, Drg No. 0346-A-GA-005
- all as received by the Local Planning Authority on the 22<sup>nd</sup> July 2024.
- Site Plan, Drg No. 0346-A-GA-003 Rev A
- Proposed Plans, Drg No. 0346-A-GA-006 Rev A
- Proposed Elevations, Drg No. 0346-A-GA-007 Rev A
- all as received by the Local Planning Authority on the 11<sup>th</sup> September 2024.

## **11. 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.