

Delegated Report

Planning Reference: 25/00605/HOU
Applicant(s): Mr Chris Smith
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Application Site: 33 Elvesthorpe Lane, Earl Shilton

Proposal: Two-storey rear and side extension

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

2.1. This householder planning application seeks planning permission for a two-storey rear and side extension to 33 Elvesthorpe Lane, Earl Shilton.

2.2. The rear element of the extension externally measures 7.8m in width and 2.2m in depth. The side element of the extension measures 7.2m in depth and 2.5m in width from the northwest elevation of the original dwelling. An additional gross footprint of 30m² to the dwelling in its original form. The proposals incorporate an open-plan kitchen and dining room, office and WC on the ground floor. On the first floor, there are two bedrooms and a main bathroom proposed, changing the property from a two-bedroom to a four-bedroom dwelling. The original bathroom is to be re-configured as an en-suite which serves the larger of the two original bedrooms. The proposals do not occupy the entire first-floor footprint and include a pitched roof element on the rear northeast elevation.

2.3. The dwelling has been extended previously and whilst the ground-floor extensions remain largely unchanged (as the proposals will sit in the place of an existing rear kitchen extension and the attached garage), there is a small additional gross footprint of 5.7m² to the already extended dwelling.

2.4. Proposed fenestration on the ground floor includes a small WC window on the northwest side elevation, a 3m wide bi-fold door on the rear elevation, which serves the dining room area and a standard window which serves the kitchen area. On the first floor there are two windows proposed, which serve an additional bedroom and the proposed main bathroom. All windows are proposed to be finished in white uPVC which matches existing, with grey concrete tiles on the roof and off-white

render proposed covering the front and side elevations, while brick finish is proposed at the rear.

3. Description of the Site and the Surrounding Area

- 3.1. The application dwelling is a two-storey, semi-detached property on Elvesthorpe Lane within the southwest area of the village of Earl Shilton and within its settlement boundary. The property is set back 18m from the highway and is covered with a shared hipped roof structure. The side elevation (and corner quoins) of the dwelling are finished in brown brick with a white render finish on the principal elevation. Currently, there is a brick finish garage attached to the northwest side elevation of the dwelling and a flat-roof rear extension incorporating a kitchen. Although properties along Elvesthorpe Lane are mainly two-storey in massing and primarily semi-detached, there is no discernible unique character to the street scene due to the variety of building design and there are two single-storey semi-detached dwellings immediately to the south of the site contributing to the lack of uniformity. Despite this, nearly all nearby properties have been extended previously (three neighbouring properties have similar two-storey side extensions to what is proposed). Elvesthorpe Lane is wholly residential in character but as it is a one-sided street there is open countryside opposite the dwellings.

4. Relevant Planning History

- 4.1 There is no planning history associated with the property.

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2 No responses have been received.

6. Consultation

- 6.1 There have been no comments from the following consultees:

- Earl Shilton Town Council

- 6.2 No further responses have been received.

7. Policy

- 7.1 Core Strategy (2009):

- Policy 2: Development in Earl Shilton

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 Earl Shilton and Barwell Area Action Plan (2014):

- Policy 22: Development and Design

7.4 National Planning Policies and Guidance:

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

7.5 Other Relevant Guidance:

- Hinckley and Bosworth Borough Council – The Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Extensions to existing domestic properties 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 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.3 Guidance Point C1 of the NDG confirms that well-designed new development should respond positively to the features of the site itself and the surrounding context beyond including the existing built development and landscape character, amongst others. Guidance Point I1 of the NGD highlights that new developments should consider the composition of street scenes and individual buildings and their

- elements including the height, scale, massing and relationship between buildings, as well as views, vistas, landmarks, and landscaping, amongst others.
- 8.4 Ultimately, Guidance Point I2 of the NDG advised that well-designed places should contribute to local distinctiveness and Guidance Point I3 of the NDG highlights that design decisions at all levels and scape should help to create a memorable sense of place.
- 8.5 Paragraph 137 of the NPPF states that applicants, where applicable, should provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy.
- 8.6 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.7 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.8 Policy 22 of the Earl Shilton and Barwell Area Action Plan states that development will be permitted where:
- b) There is no detriment to the character or appearance of the host building or the surrounding area*
 - c) The siting and density respects the character and layout of the area*
 - e) The design respects the scale, proportions and height of the existing building, neighbouring structures and overall street scene*
 - f) Fenestrations are well proportioned, well balanced within the elevations and sympathetic to adjoining/neighbouring buildings*
 - g) The use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the local area generally*
- 8.9 In accordance with the Good Design Guide, two-storey side extensions should appear smaller in scale and massing, in order to be subservient to the main dwelling and any proposal should be set down from the ridge of the existing house and set back from the front elevation by a minimum of 0.5m. The two-storey side extension proposes a set-down distance of 0.4m from the main roof ridge line and sets the extension back by 215mm, which does not fully comply with guidance set out on page 49 of the Good Design Guide.
- 8.10 The adjoining property, No. 35 Elimesthorpe Lane, has been extended previously and has not incorporated a set-down distance from the main roof ridge line which has resulted in a straight consistent roof ridge line, as this dwelling has a bungalow to the south east this lack of subordination has not resulted in a terracing effect. Whilst the proposed extension does not fully comply with the set back/down guidance within the Good Design Guide, the amended proposals do result in a

satisfactorily subordinate appearance. Furthermore, the neighbouring property, No. 31 Elvesthorpe Lane, has, incorporated a significant set-down distance within the side extension and as such the host dwelling sits amid two contrasting roof designs.

- 8.11 With these points in mind and despite the roof design not complying fully with the design guidance as set out in the Good Design Guide, the proposed roof design complements both dwellings either side of the application site and provides some design variety and relieves the potential of creating a terracing effect. In addition, given there is a variety of design interpretations along the road, this also mitigates some harm of the minimal set-down and setback distances.
- 8.12 The Good Design Guide states that rear extensions should subordinate in height, width and depth and match roof pitch and detailing. As the rear extension element has a single-storey element (south) and a two-storey element (north), both roofs match the roof detailing, materials and pitch.
- 8.13 Owing to the street's layout, which features development on only one side, the proposals are not visible from the principal frontage of neighbouring properties at Nos. 31 and 35 Elvesthorpe Lane nor from any neighbouring habitable windows. In addition, due to the dwelling's large setback, it is not prominent from the highway and the large separation distance (approximately 45m) from the rear habitable windows of any properties on Sandringham Avenue, this is seen to mitigate any view of the scheme. As a result of this, it is regarded that the development does not have a significant adverse impact on the character of the surrounding area.
- 8.14 Given the variety in dwelling finishes along Elvesthorpe Lane, the off-white render chosen for the principal and side elevations does not cause any further design concerns. The roof is proposed to match the existing materials of the dwelling, giving a uniform look.
- 8.15 There is a risk the two-storey side extension may disrupt the separation distances between the dwellings, however as there have been a number of side extensions within the street-scene previously this would not be harmful to the character of the area and is mitigated to an acceptable degree by the design and set-back/down of the extension.
- 8.16 By virtue of the design, the proposed use of matching external materials and the scale, the proposal respects the character of the existing dwelling and surrounding area and is in accordance with Policy DM10 of the SADMP, Policy 22 of the Earl Shilton and Barwell Area Action Plan and, on balance, the Good Design Guide.

Impact upon Residential Amenity

- 8.17 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.

- 8.18 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.
- 8.19 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.20 Policy 22 of the Earl Shilton and Barwell Area Action Plan states that development will be permitted where the amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site.
- 8.21 According to the Good Design Guide, a two-storey extension should not infringe upon a 45-degree angle taken from the quarter-point of the nearest principal habitable window. In this case, the rear extension does not project far enough for this guidance to be applicable.
- 8.22 No. 35 Elvesthorpe Lane sits directly adjacent and is attached to the application dwelling. Due to the ground-floor proposals utilising the existing extension footprint there will be no significant changes and no amenity impact for the ground-floor of this neighbouring dwelling. The first-floor extension element will likely be visible from the nearest first floor window of the neighbouring dwelling and projects beyond it, but despite this, it does not breach any 45-degree guidance and will not cause loss of privacy of light for the occupiers of No. 35 Elvesthorpe Lane.
- 8.23 No. 31 Elvesthorpe Lane has been extended to the side and rear previously, there are no windows in the side elevation facing the application dwelling. Due to the siting and topography of the neighbouring dwelling and its extension, the proposals would not extend beyond the rear elevation of No.31 and would not be visible from any principal habitable window, does not breach any 45-degree guidance as set out in the Good Design Guide and as a result would not be overdominant or create a loss of light to this dwelling. The first-floor windows may create some additional overlooking the neighbouring garden of No. 31 however, due to the fact there are existing first floor windows and that No.31 has an existing two storey extension of similar proportions. The additional overlooking would not be harmful.
- 8.24 According to the Good Design Guide, the separation distance between two principal windows to habitable windows should be a minimum of 21m. As the rear extension element maintains a 45m distance from the rear of the neighbouring dwellings along Sandringham Avenue, this is seen as sufficient and will not cause a loss of amenity for these occupiers.
- 8.25 Notwithstanding this, these separation distances are the minimum standards that are required, and every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size, and shape.

- 8.26 To comply with the Good Design Guide, dwellings with three or more bedrooms should also provide a minimum of 80m² of private outdoor amenity space with a minimum length of 7m. The proposals maintain private outdoor amenity space that exceeds 13m in length and 128m² in total area, which is compliant with the Good Design Guide.
- 8.27 By virtue of these factors the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.28 Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 8.29 Ultimately, 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, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.
- 8.30 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.
- 8.31 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)) (2024).
- 8.32 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.33 Table 28 (Residential Parking Standards) of the LHDG requires dwellings with four or more bedrooms should provide a minimum of three off-street parking spaces. Any reduction below minimum standards will require robust justification.
- 8.34 Figure 44 (Dimensions) of the LHDG requires minimum parking sizes to be 2.4m in width by 5.5m in depth, and an additional 0.5m in width is required the parking space is bounded by a wall, fence, hedge, line of trees or other similar obstructions

on one side. This width increases to 1m if the parking space is bounded on both sides.

- 8.35 The scheme creates two new bedrooms and makes the property a four-bedroom dwelling. Due to the long driveway, it is considered that there is adequate off-street tandem parking for the dwelling (to fit three standard vehicles) and that the proposal does not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as 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.

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 - received by the Local Planning Authority on 20/06/25
- Proposed Block, Site Location Plan, Drg No. 004 - received by the Local Planning Authority on 20/06/25
- Proposed Ground, Upper Floor Plan, Drg No. 002 - received by the Local Planning Authority on 20/06/25
- Proposed Elevations, Drg No. 003 Rev A - received by the Local Planning Authority on 22/08/25

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).

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.