

Delegated Report

Planning Ref: 25/00366/CLP

Applicant: Mr M Wallis

Ward: Burbage Sketchley & Stretton

**Site: 225 Sketchley Road, Burbage, Hinckley, Leicestershire,
LE10 2DY**



**Hinckley & Bosworth
Borough Council**

Proposal: Loft conversion including addition of dormer

1. Recommendations

- 1.1. Grant Certificate of Lawful Proposed Development

2. Planning application description

- 2.1 This application seeks to obtain a certificate of proposed lawful development for a loft conversion and the construction of a rear dormer at 225 Sketchley Road, Burbage, Hinckley, Leicestershire, LE10 2DY

3. Description of the site and the surrounding Area

- 3.1. The application site relates to a two storey semi-detached property situated in the settlement boundary of Burbage. The property is brick built with white UPVC windows and a large driveway offering off street parking. The dwelling is not listed nor is it situated within a conservation area.

4. Relevant Planning History

- None relevant

5. Publicity

- 5.1. Not required for this type of application

6. Consultation

- 6.1. Not required for this type of application

7. Policy

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

8. Appraisal

- 8.1. 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.
- 8.2. The proposed rear dormer would measure **5.31** metres in width and **3.86** metres in depth. It would compromise a flat to pitched roof form which would have a

maximum ridge height of **2.35** metres

- 8.3. The cubic content of the resulting roof space would be 24.08 cubic metres.
- 8.4. The proposed external materials would match those of the existing dwelling.
- 8.5. Please note Class B covers enlargements consisting of an addition or alteration to the roof of a dwellinghouse. The use of the roof.space as habitable accommodation is not considered to be development.

For the purpose of Class B, the following criteria are acceptable:

Development is not permitted 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 by virtue of Class G, M, MA, N, P, PA 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 proposed works would not result in any part of the dwellinghouse exceeding the highest part of the existing roof.

- c) Any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

The proposed enlargement would not extend beyond the plane of any existing roof slope forming the principal elevation fronting a 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 in the case of a terrace house, or
 - (ii) 50 cubic metres in any other case;

For the purposes of Class B “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

The cubic content of the resulting roof space would not exceed the cubic content of the original roof space by 50 cubic metres.

- e) it would consist of or include
 - (i) the construction or provision of a verandah, balcony or raised platform, or
 - (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe

The proposed enlargement would not include i, or ii

- f) the dwellinghouse is on article 2(3) land

The dwellinghouse is not on article 2(3) land

- g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

Not Relevant

- 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).

Not Relevant

Conditions

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;

The materials used would match those 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

The eaves of the original roof are to be maintained and the edge of the enlargement closest to the eaves of the original roof shall not be less than 0.20 metres from the eaves. No part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse.

- 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.

There are no windows to be installed in a side elevation

9. Equality Implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

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. Based on the submission the proposed enlargement would comply with the relevant provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

11. Recommendation

11.1. Grant Certificate of Lawful Proposed Development

11.2. This application has been determined having regard to the following documents and plans submitted with the application:

- Application form
- Existing Elevations, Floor Plans, Site Location Plan, Block Plan, Drg No. 2255/2025 1/2
- Proposed Elevations, Section A-A, Floor Plans, Floor Joist Plan, Site Location Plan, Block Plan, Drg No. 2255/2025 2/2

Notes to Applicant:

- This permission does not grant approval under the Building Act 1984 and the Building Regulations 2010 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.