

Delegated Report

Planning Ref: 25/00650/CONDIT
Applicant: Mr And Mrs Forster-Smith
Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: 3 Cambourne Road Burbage Hinckley

Proposal: Application to vary condition 2 of planning permission 24/00758/HOU.
Amendments to the projection of the first floor extension

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition previously imposed on a planning permission. In this case, planning permission reference 24/00758/HOU granted full planning permission for extensions and alterations at 3 Cambourne Road, Burbage which included a first floor extension over existing garage, front porch and canopy, two storey front bay windows, single storey rear extension and alteration to dwelling. Condition 2 of the planning permission required that the development shall be implemented in accordance with the approved plans submitted with that application.
- 2.2. This application seeks planning permission for the variation of condition 2 (Plans) of that planning permission. The application proposes to increase the projection of the first floor extension by 1.08 metres, the width by 1.18 metres and the ridge by 0.47 metres. Alterations are also proposed to the design of the fenestration.

3. Description of the site and surrounding area

- 3.1. The application site relates to an early/mid 1980s two-storey semi-detached dwelling situated within the settlement boundary of Burbage. The application dwelling has a predominant hipped form and is finished in red brick to the walls, brown interlocking tiles to the roof and white uPVC to the openings. The site frontage is characterised by a mix of tarmacadam hardstanding and vegetation.
- 3.2. The host dwelling is located within a row (staggered) of detached dwellings of a similar age, size and character; furthermore, the dwelling is located within a wider housing development containing similar dwellings. Open countryside adjoins the rear site boundary of the proposal site and the dwellings sited within the same row of properties.

4. Relevant planning history

82/00453/4

- Erection of house and garage
- Planning Permission
- 25.05.1982

24/00758/HOU

- First floor extension over existing garage, front porch and canopy, two storey front bay windows, single storey rear extension and alteration to dwelling
- Planning Permission
- 30.09.2024

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. Following the publication no comments have been received.

6. Consultation

- 6.1. Burbage Parish Council:

'Burbage Parish Council has no objections to this application.'

7. Policy

- 7.1. Burbage Neighbourhood Plan 2015-2026
- Policy 1: Settlement Boundary
 - Policy 2: Design and Layout
- 7.2. Core Strategy (2009)
- Policy 4: Development in Burbage.
- 7.3. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)
 - Leicestershire Highways Design Guide (2024)

8. Appraisal

- 8.1. Key Issues
- Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision
 - Conditions

Design and impact upon the character of the area

- 8.2. Policy DM10 of the Site Allocations and Development Management Policies DPD (SADMP) requires new development to complement or enhance the character of

the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally.

- 8.3 Policy 1 of the Burbage Neighbourhood Plan (BNP) seeks to ensure that any future residential development within or adjacent to the settlement boundary is supported subject to complying with the other development plan policies.
- 8.4 Policy 2 of the BNP seeks to ensure any future residential development respects its surroundings, follows the existing pattern of development and retains existing important natural features on the site.
- 8.5 This application proposes to increase the projection of the first floor extension by 1.08 metres, the width by 1.18 metres and the ridge by 0.47 metres. Alterations are also proposed to the design of the fenestration. The proposed amendments are considered to be minor bearing no significant adverse impact on the character of the dwelling or surrounding area in accordance with Policy DM10 of the SADMP and Policy 1 and 2 of the BNP.

Impact upon neighbouring residential amenity

- 8.6 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally.
- 8.7 To the north-east of the site sits 1 Cambourne Road, a two-storey detached dwelling. The first floor extension would remain to be set back from the principle elevation of no.1 by approximately 4.79 metres whilst retaining the set away distance from the shared boundary and hosting no openings to the immediate side elevation. As such the proposed enlargement of the extant permitted first floor addition would not bear no impacts upon the owners/occupiers of no.1 in regard to loss of light or loss of privacy.
- 8.8 By virtue of the above, the amendments would not result in any further significant adverse overbearing or overshadowing impacts on any neighbouring properties or result in any significant adverse impacts from overlooking or loss of privacy to the occupiers of any neighbouring properties. The proposal is therefore considered to be in accordance with Policy DM10 of the SADMP.

Impact upon parking provision

- 8.9 Policy DM18 of the SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.10 The Leicestershire Highways Design Guide (2024) seeks to ensure that a dwelling hosting four or more bedrooms provides an off-street parking provision for a minimum of three vehicles.
- 8.11 The proposal would create an additional bedroom space, resulting in a four bedroomed dwelling. Despite the amendments the application site would remain to host a provision for at least three off-street parking spaces and therefore accords with Policy DM10 of the SADMP and the Leicestershire Highway Design Guide.

Conditions

- 8.12 The previously approved planning permission 24/00758/HOU was subject to 3 conditions. The development has been implemented and therefore Condition 1 is no

longer necessary. Condition 2 (plans) would need to be amended to refer to the plans submitted and approved under this application to define the new permission. Condition 3 (external materials) would remain necessary to ensure that the development has a satisfactory external appearance.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the;

- Site Location Plan, , Drg No. Forster-Smith-003 Rev A
 - Proposed Ground Floor Plan, Drg No. Forster-Smith-011 Rev F
 - Proposed First Floor Plan, Drg No. Forster-Smith-013 Rev F
 - Proposed Elevations, Drg No. Forster-Smith-020 Rev F
- as received by the Local Planning Authority on the 2nd July 2025.

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).

8.13 No other conditions are considered to be necessary to ensure satisfactory development.

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. The proposals are for variations to a previously approved planning permission for an extension to an existing dwelling within the settlement boundary of Burbage where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted Site Allocations and Development Management Policies and the overarching principles of the NPPF.

10.2. The variations to the previously approved extension are considered to continue to respect and complement the scale, character and appearance of the existing dwelling and wider street scene and do not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties or impact the parking provision at the site. The development is therefore considered to remain in accordance with the existing dwelling and the wider countryside. The proposal would adhere to Policies DM1, DM10 and DM18 of the adopted Site Allocations and Development Management Policies, the Councils Good Design

Guide and the Leicestershire Highways Design Guide and is recommended for approval subject to amended condition 2 (Plans) to define the new planning permission.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the;
 - Site Location Plan, , Drg No. Forster-Smith-003 Rev A
 - Proposed Ground Floor Plan, Drg No. Forster-Smith-011 Rev F
 - Proposed First Floor Plan, Drg No. Forster-Smith-013 Rev F
 - Proposed Elevations, Drg No. Forster-Smith-020 Rev F as received by the Local Planning Authority on the 2nd July 2025.

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).

2. The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling except those materials to be used in the construction of the proposed single storey rear extension where they are stated within the proposed materials schedule stated within the application form submitted to the local planning authority (05.08.2024) as part of this approval.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 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 or call 0116 272 7533.
- a) The property may be suitable for roosting bats, which are protected by law from harm. It is the applicant's responsibility to ensure that bat legislation is not breached and therefore may need to consult with a licenced bat ecologist prior to commencement to ensure that bats will not be impacted by the works. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst advice from a bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls.