

25/Delegated Report

Planning Ref: 25/01038/HOU
Applicant: Mr Thomas Rocks
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 9 Chapel Hill Groby Leicester

Proposal: Erection of a two storey side extension, including the conversion of garage to a habitable room.

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. This application seeks full planning permission for a two-storey side extension, including the conversion of garage to a habitable room at 9 Chapel Hill, Groby.
- 2.2. The proposed two-storey side extension would project outwards from the existing south-west (side) elevation by 2.76 metres for a width of 8.32 metres to ground-floor level and 7.88 metres to first-floor level. The single storey element would have a mono-pitched roof form with an eaves height of 2.72 metres and a ridge height of 3.35 metres and the two-storey element would have a hipped roof form with an eaves height of 5.19 metres and a ridge height of 7.43 metres.
- 2.3. One three panel opening would sit to the ground-floor front elevation of the extension with a further three panel opening atop of to the first-floor. A set of three bi-fold doors would sit to the ground-floor rear elevation of the extension with a two pane opening atop of to the first-floor.
- 2.4. The proposed external materials would correspond to those of the existing dwelling.

3. Description of the site and surrounding area

- 3.1. The application site is located within the settlement boundary of Groby and the Groby Conservation Area.
- 3.2. The application dwelling forms part of the collection of similarly designed detached post-war dwellings located on the eastern side of Chapel Lane. The dwellings are identified as a neutral area in the Groby Conservation Area Appraisal (2011) as they do not follow the traditional building form, scale and characteristics of the conservation area and are of no special historical or architectural interest. It is noted that the two flanking dwellings on Chapel Hill have in the relatively recent past also been subject to two storey extension of a similar scale, form and appearance as this proposal.
- 3.3. A grade II listed building, 20 Chapel Hill, is also located to the north-west of the application site on the opposite side of the road.

4. Relevant planning history

- None relevant.

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. Following the publications, no comments have been received.

6. Consultation

6.1. Groby Parish Council:

- No comments have been received.

6.2. HBBC Conservation Officer:

'In my opinion there will be no particular material changes resulting from the proposal that would impact upon any key characteristics of conservation area, and as such its significance would be preserved. Additionally, there are no particular opportunities arising from the proposed development to enhance the character and appearance of the area. The proposal would also result in a negligible and not adverse change within the setting of the grade II listed building 20 Chapel Hill so its heritage significance would be preserved. Overall, the proposal would therefore comply with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duties of sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.'

6.3. LCC Ecology:

'No objection (for recommended conditions or informatives - see below)

REASON FOR RECOMMENDATION:

- *The proposal is for the erection of a double- and single-story extension including conversion of the garage. The application site is situated in an urban setting within Groby surrounded by vegetated gardens, trees and other houses.*
- *The site is currently a well-maintained house with no missing or slipped tiles. The proposal will have limited ecological effects and therefore no objections and no further action is required.*
- *It must be noted; the application site is situated in a swift alert area where known populations of swifts are recorded breeding.*
- **Biodiversity Enhancements** – *In accordance with the NPPF (2024) there should be a net gain for biodiversity and NERC Act 2006 a duty for public authorities to conserve and enhance biodiversity. It is therefore, recommended that 2 x swift bricks are incorporated within the development. Please see recommended Conditions.*

BNG Specific

- *Mandatory BNG does not apply as the application is a 'householder application'*

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- *Swift Boxes - No development shall take place until a swift (*Apus apus*) enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. This is to detail the provision of a minimum of 2*

woodcrete nest boxes, the make/model and location on building. All works are to proceed strictly in accordance with the approved scheme.'

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

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

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area, conservation area and surrounding heritage assets
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Impact upon ecology

Design and impact upon the character of the area, conservation area and surrounding heritage assets

8.2 Section 66 of the Act places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses.

8.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

8.4 Section 16 of the NPPF provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.

8.5 Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass,

design and for building material to respect existing/neighbouring buildings and the local area generally.

- 8.6 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.7 The Councils Good Design Guide seeks to ensure that *'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main building. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions).'*
- 8.8 The proposed two-storey extension would span the entire width of the side elevation sitting in line with both the front and rear elevations and would have a modest width of 2.76 metres. It would be set in 0.44 metres to first-floor level and set down 0.40 metres from the main dwellings ridge. Whilst the LPA note that the set back and set down distances fall short of the Councils Good Design Guide, it would only be to a small percentage and would still achieve a subordinate appearance which would not over dominate the existing dwelling. The hipped and mono-pitched form would be similar to that present to 7 Chapel Hill.
- 8.9 The proposed external materials would correspond to those of the existing dwelling ensuring a unified appearance, with the fenestration additions being minor and sympathetic.
- 8.10 There will be no particular material changes resulting from the proposal that would impact upon any key characteristics of conservation area, and as such its significance would be preserved. Additionally, there are no particular opportunities arising from the proposed development to enhance the character and appearance of the area. The proposal would also result in a negligible and not adverse change within the setting of the grade II listed building 20 Chapel Hill so its heritage significance would be preserved.
- 8.11 Overall, the proposal would therefore comply with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duties of sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.12 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.13 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.
- 8.14 The proposed extension would be screened from the view of 7 Chapel Hill by the existing built form bearing no adverse impacts upon the occupiers of no.7 in regard to loss of light or loss of privacy. It would sit within the confinements of the existing building line, featuring no side openings and would face onto the blank side elevation of 11 Chapel Hill bearing no adverse impacts upon the occupiers of no.11 in regard to loss of light or loss of privacy.
- 8.15 In light of the above, the proposal would accord with Policy DM10 of the SADMP and the overarching principles of the NPPF.

Impact upon highway safety

- 8.16 Section 9 of the NPPF promotes sustainable transport. Paragraph 115 of the NPPF states that planning decisions should ensure that developments provide appropriate opportunities to promote sustainable transport modes, given the type of development and its location and a safe and suitable access to the site for all users. 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.
- 8.17 Ultimately, development should not 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 would be severe, in accordance with Paragraph 116 of the NPPF.
- 8.18 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.19 The LHDG seeks to ensure that a dwelling hosting four bedrooms provides a minimum off-street parking provision for three vehicles and requires that parking spaces have minimum dimensions of 2.40m in width by 5.50m in depth, and an additional 0.50 metres in width is required if the parking space is bounded by a wall, fence, hedge, line of trees or other similar obstruction on one side and an additional 1.00m in width where the space is bounded on both sides.
- 8.20 The proposed extension would see the addition of a further bedroom resulting in the dwelling hosting four bedrooms instead of the existing three. Nonetheless, the submitted parking provision demonstrates that there is sufficient parking space to the sites frontage to accommodate a maximum of three vehicles to the minimum dimensions as set out in the LHDG.
- 8.21 In light of the above, the proposal would accord with Policies DM17 and DM18 of the SADMP, the LHDG and the overarching principles of the NPPF.

Impact upon ecology

- 8.22 Policy DM6 of the SADMP states that proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management.

On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.

Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat would only be acceptable where:

- e) The need and benefits of the development in that location clearly
- f) It has been adequately demonstrated that the irreplaceable habitat
- g) Appropriate compensation measures are provided on site wherever possible and off site where this is not feasible.

If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.

- 8.23 In reference to Paragraph 99 of Part IV of the ODPM Circular 06/2005 *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may have not been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances."*
- 8.24 Paragraph 192 (b) of the NPPF seeks to promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.
- 8.25 The application site is situated in a swift alert area where known populations of swifts are recorded breeding. The LPA therefore carried out a consultation with LCC Ecology.
- 8.26 The application site is situated in an urban setting within Groby surrounded by vegetated gardens, trees and other houses. The site is currently a well-maintained house with no missing or slipped tiles. The proposal will therefore have limited ecological effects and therefore LCC Ecology have no objections. It is, however, recommended that 2 x swift bricks are incorporated within the development to support Paragraph 192 (b) of the NPPF. Agreement from the applicant has been obtained.
- 8.27 By virtue of the above, subject to the pre-commencement condition, the development would accord with Policy DM6 of the SADMP, Paragraph 99 of Part IV of the ODPM Circular 06/2005 and the overarching principles of the NPPF.

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 proposed development is for a property located within the settlement boundary of Groby. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.
- 10.1 The proposed development has been assessed and the Local Planning Authority can conclude that the proposed development would complement the character and

appearance of the host dwelling and would not cause any adverse impacts upon the visual amenity of the surrounding Conservation Area or the setting of the grade II listed building 20 Chapel Hill. The proposed would further have no adverse impacts upon the residential neighbouring amenity of occupants surrounding the application site, highway safety, parking provision and ecology. On this basis, the proposal is therefore considered to be in accordance with Policies DM1, DM6, DM10, DM11, DM12, DM17 and DM18 of the Site Allocations and Development Management Policies DPD, the statutory duties of sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, the Councils Good Design Guide, the Leicestershire Highways Design Guide and the overarching principles of the NPPF. The proposal is, therefore, recommended for approval subject to conditions.

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 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, as follows:

- Proposed Ground Floor Plan, Drg No.2025/03/TRj/1;
 - Proposed First Floor Plan, Drg No.2025/04/TRj/1;
 - Street Scene, Drg No.2025/05/TRj/1;
 - Front Elevation, Drg No.2025/06/TRj/1;
 - Rear Elevation, Drg No.2025/07/TRj/1;
 - Side Elevation, Drg No.2025/07/TRj/1;
 - Floor Areas, Drg No.2025/09/TRj/1;
 - Proposed Materials, Drg No. 2025/10/TRj/1;
 - Block Plan, Drg No. 2025/12/TRj/1;
 - Parking Provision, Drg No. 2025/13/TRj/1; and
 - Location Plan, Drg No. 2025/14/TRj/1;
- all as received by the Local Planning Authority on the 27th October 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM10, DM11, DM12, DM17 and DM18 of the Site Allocations and Development Management Policies DPD, the statutory duties of sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, the Councils Good Design Guide, the Leicestershire Highways Design Guide and the overarching principles of the NPPF.

3. No development shall take place until a swift (*Apus apus*) enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. This is to detail the provision of a minimum of 2 woodcrete nest

boxes, the make/model and location on building. All works are to proceed strictly in accordance with the approved scheme and shall be installed prior to first occupation of the extension hereby approved, thereafter the enhancements shall be retained and maintained in perpetuity.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 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.