

## Delegated Report

**Planning Reference** 26/00239/HOU  
**Applicant(s)** Mr and Mrs Igoe  
**Ward** Cadeby, Carlton, M Bosworth & Shackerstone



**Application Site** 39 Main Street, Carlton

**Proposal** Two storey rear extension and demolition of existing outbuilding

**Case Officer** Sullivan Archer (Senior Planning Officer)

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### 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 full planning permission for a two-storey rear extension at 39 Main Street, Carlton. To facilitate this development, the existing rear extensions and the existing outbuilding to the northeast of the property would be demolished. The proposed extension would extend the entire width of the property and be 5.6m in depth, and feature two gable-ended pitched roofs that have a ridge height of 8.3m. The scheme would be constructed in materials to match those of the existing property.

### 3. Description of the Site and the Surrounding Area

- 3.1. The application site features a prominent two-storey detached late-Victorian dwelling and a detached single storey garage on the northern side of Main Street in the centre of the historic core of the rural hamlet, Carlton. Public Footpath S69 runs north-to-south along the eastern boundary of the site. Other than 37 Main Street to the west of the site, 39 Main Street sits within a street scene characterised by historic buildings of various ages and forms including Grade II Listed Buildings Manor Farmhouse and St. Andrews Church to the east, the Grade II Listed Building Stone House Farmhouse and Cheese Barn Cottage to the south, and the various cottages between 27 and 35 Main Street to the west beyond the modern dwelling.
- 3.2. The application dwelling was identified as a non-designated heritage during the determination of 24/00544/FUL due to its historic value (due to its illustrative interest) and aesthetic value (due to its architectural interest) and landmark quality within the local, predominantly historic, street scene. In light of this, an Article 4 Direction was made on the application site to remove Permitted Development Rights which enable the demolition of the property.

#### **4. Relevant Planning History**

- 4.1 **25/00326/DGDO** Prior Approval Refused (determined: 17.04.2025)  
Prior notification for the demolition of existing building
- 4.2 **24/00544/FUL** Refused (determined: 13.09.2025)  
Proposed replacement dwelling (resubmission of 23/00526/FUL) (Self Build)
- 4.3 **23/00526/FUL** Withdrawn (withdrawn: 12.10.2023)  
Outline Application for partial demolition and erection of replacement dwelling  
(Access, Layout and Scale only)
- 4.4 **23/00186/CLP** Lawful Development Certificate (determined: 27.04.2024)  
Erection of ancillary outbuilding
- 4.5 **22/00675/OUT** Permitted (determined: 23.12.2022)  
Outline Application for partial demolition and erection of replacement dwelling  
(Access, Layout and Scale only)

#### **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 Leicestershire County Council as the Local Highway Authority ('LHA') referred to standing advice. The Council's Conservation Officer raised no concerns with the proposed development.
- 6.2 Carlton Parish Council raised no objections to the proposal but requested planning conditions to ensure that the window to Bedroom 2's dressing room was obscure glazed, and that the roof above the kitchen/living/dining area to the rear of the property was not used as a balcony.
- 6.3 No further responses have been received.

#### **7. Policy**

- 7.1 Core Strategy (2009):
- Policy 13: Rural Hamlets

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 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)
- National Design Guide ('NDG') (2019)
- Planning Practice Guidance ('PPG')

7.4 Other Relevant Guidance:

- 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 would therefore be:

- Design and impact upon the character of the area and the historic environment
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area and the Historic Environment

8.2 The development would be to the rear of and have no material impact on the principal elevation of the existing dwelling and or Main Street within the setting of the nearby Listed Buildings. The proposed rear extension would also be considered to be an appropriate height, width, depth to be subordinate to, and to complement the character of the existing property. As a result, by virtue of its location, size and scale, the development would not be considered to result in any adverse impacts upon the character and significance of the non-designated heritage, nor the nearby Grade II Listed Buildings St. Andrews Church, Manor Farmhouse, or Stone House Farm, or Cheese Barn Cottage or their settings. In light of the above, the development would be considered to comply with Policies DM10, DM11 and DM12 of the SADMP, and the Council's Good Design Guide.

### Impact upon Residential Amenity

- 8.3 The only neighbouring property adjacent to the application site is 37 Main Street to the west. No principal habitable windows would be proposed on the western side elevation of the development and all other windows on this elevation could be secured via planning condition to be obscure glazed. Whilst not shown as such on the proposed plans, a planning condition could restrict the use of the proposed canopy from being utilised as a balcony to prevent any overlooking or loss of privacy to this neighbouring property. On this basis, the proposal would not be considered to result in any loss of privacy or overlooking impacts to the detriment of neighbouring residential amenity.
- 8.4 The development would be separated from the blank side elevation of 37 Main Street by 1.5m and would extend beyond the rear elevation of 37 Main Street by 2.9m. The depth of the proposal would ensure that the scheme would not contravene the 45-degree line of the closest principal habitable window of this neighbouring property. Whilst the proposed two-storey blank side elevation would result in a degree of overbearing impact on the neighbouring residential property, by virtue of the proposed depth of the development, this would not be considered to result in any significant adverse impacts to the occupants of 37 Main Street in these site-specific circumstances.
- 8.5 In summary, the proposal would not be considered to result in any significant adverse impacts to neighbouring residential amenity or the residential amenity of the future occupants of the scheme in accordance with Policy DM10 of the SADMP and the Good Design Guide.

### Impact upon Parking Provision and Highway Safety

- 8.6 The scheme would include four off-street vehicle parking spaces, which would comply with the minimum parking requirements of Table 28 of the Leicestershire Highway Design Guide ('LHDG').
- 8.7 The proposal would retain the existing access from Main Street, and no additional bedrooms are provided within the development. As such, the development would not be considered to intensify the use of the site, and the development would not be considered to create an unacceptable impact on highway safety or the road network.
- 8.8 However, the existing outbuilding proposed for demolition is adjacent to Public Footpath S69 for 10m. To protect the users of the Public Footpath, Leicestershire County Council as the Local Highway Authority requested a planning condition that ensured a scheme for the treatment of this Public Footpath was submitted and approved by the Local Planning Authority prior to the demolition of the existing outbuilding.
- 8.9 In light of the above, the proposal would be considered to comply 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.

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 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:

- Proposed Plans (25 121 02D) (submitted: 24.04.2026)
- Proposed Site Plan (25 121 05D) (submitted: 28.04.2026)
- Site Location Plan 25 121 03C (submitted: 17.03.2026)

**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).

3. Prior to the demolition of the existing outbuilding, a scheme for the treatment of the Public Right of Way S69 during the demolition of the outbuilding shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include management during demolition and construction (including proposed temporary route(s)); and the specification for the future timber boundary fencing, in accordance with the principles set out in the Leicestershire County Council's adopted guidance on Development and Public Rights of Way. Thereafter the development shall be carried out in accordance with the agreed scheme and timetable.

**Reason:** To protect and enhance Public Rights of Way and access in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 105 of the National Planning Policy Framework (2024).

4. Prior to the first occupation of the development hereby permitted, the parking and turning facilities shall be implemented in accordance with the Proposed Site Plan (25 121 05D) (submitted: 28.04.2026). Thereafter the onsite parking (and turning) provision shall be kept available for such uses in perpetuity.

**Reason:** To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

5. The windows on the side elevations of the dwelling that are utilised for Bedroom 2's dressing room and en-suite on the first floor, and the office and pantry room on the ground floor shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below 1.7m above the floor of the room. Once so provided the window(s) shall be permanently maintained as such at all times thereafter.

**Reason:** To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. The canopy within the development hereby permitted shall not at any time be used as a balcony or sitting out area, neither shall any balustrade, railings, wall or other means of enclosure be erected on any part of this canopy.

**Reason:** To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling.

**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).

**a. Notes to Applicant(s)**

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at [building.control@leics.gov.uk](mailto:building.control@leics.gov.uk) or call 0116 272 7533.
2. Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
3. The Public Right(s) of Way must not be re-routed, encroached upon, or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980. The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
4. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk) at least 12 weeks before the temporary diversion is required.

5. If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
6. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
7. No new gates, stiles, fences, or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way, and the County Council may be obliged to require its immediate removal.
8. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc., and the minimisation of paved areas, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone, or in combination with infiltration systems and/or rainwater harvesting systems.