

## Delegated Report

**Planning Ref: 24/01107/CLP**  
**Applicant: Samatha Frances**  
**Ward: Hinckley Clarendon**



Hinckley & Bosworth  
Borough Council

**Site: 2 Caldon Close Hinckley Leicestershire**

**Proposal: Certificate of proposed lawful development for erection of a rear dormer**

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### **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 use for the erection of a rear dormer at 2 Caldon Close, Hinckley.
- 2.2. The proposed rear dormer would measure 2.35 metres in depth to the north-east (side) elevation, 6.79 metres in depth to the north-west (side) elevation and would host a width of 10.21 metres. It would compromise a flat roof form which would host a height of 2.94 metres.
- 2.3. The cubic content of the resulting roof space would be 50 cubic metres.
- 2.4. Additional alterations include the addition of two windows.
- 2.5. The proposed external materials would match those of the existing dwelling.

### **3. Description of the site and surrounding area**

- 3.1. The application site relates to a two storey detached dwelling constructed in the late 1980's and situated within the settlement boundary of Hinckley. The dwelling compromises the use of brown brick to the external walls (part white rendered to the front), brown concrete roof tiles to the dual pitched roof, and brown uPVC windows. A garage is integrated into the existing dwelling, forward of which sits a generous block paved hardstanding, along with a narrow strip of grassed amenity space.
- 3.2. The site is located within a cul-de-sac, approximately 50.00 metres north-east of the junction of Brookdale and Caldon Close. The design of development within Caldon Close varies with most dwellings having forward facing gables. Properties opposite the application site have plane gables whilst others incorporate mock timber detailing to the gable. The bungalows are of a much simpler design and the street contains a mixture of render and brickwork. Therefore, there is a variety in design and appearance of the properties within the street. Directly adjacent to the north-east of the site sits Clarendon Park, and open space and recreational facility.
- 3.3. Planning permission was granted in 2015 to add a single storey sun lounge/family room extension to the rear of the dwelling (15/00507/HOU).

### **4. Relevant planning history**

#### **15/00507/HOU**

- Single storey rear extension
- PER

- 10.06.2015

## 5. **Publicity/Consultation**

- 5.1 This is an application for a certificate of proposed lawful use and no publicity or consultation is required.

## 6. **Policy**

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

## 7. **Appraisal**

- 7.1 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.

- 7.2 Please note Class B covers enlargements consisting of an addition or alteration to the roof of a dwellinghouse.

Development is not permitted if:-

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use)

**Permission to use the dwellinghouse as a dwellinghouse has not been granted by virtue of Class M, 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 works would not result in the construction or provision of a verandah, balcony or raised platform or the installation, alteration or replacement of a chimney, flue or soil and vent pipe.**

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

**The dwellinghouse is not on article 2(3) land.**

B.2 Development is permitted by Class B subject to the following conditions –

- a) the materials used in any exterior work shall 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 shall 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 shall, so far as practicable, be 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 enlargement is a hipped to gable enlargement. 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 shall 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

**The window to the south-west slope forming the side elevation of the dwellinghouse shall be obscure-glazed and non-opening.**

## **8. Equality implications**

8.1 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.

8.2 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.

8.3 There are no known equality implications arising directly from this development.

## **9. Conclusion**

9.1 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

## **10. Recommendation**

### **10.1 Grant Certificate of Lawful Proposed Development**

10.2 The application has been determined with consideration to the following submitted documents:

- Application Form
- Existing Floor, Roof Plan, Elevations, Sections, Site Location Block Plan, Drg No. 1357-01 as received by the Local Planning Authority on the 4<sup>th</sup> December 2024.
- Proposed Floor, Roof Plan, Elevations, Sections, Site Location Block Plan, Drg No. 1357-30 Rev B as received by the Local Planning Authority on the 11<sup>th</sup> December 2024.

### **11.1 Notes to applicant**

- 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](mailto:building.control@blaby.gov.uk) or call 0116 272 7533.
- Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the

works the works must be suspended and the local office of Natural England contacted for advice.