

Delegated Report

Planning Ref: 25/00327/HOU

Applicant: Mr Paul Miles

Ward: Ratby Bagworth And Thornton



Hinckley & Bosworth
Borough Council

Site: 21 Stamford Street Ratby Leicester

Proposal: Demolition of existing garage and outbuilding and erection of two/single storey side extension to dwelling.

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for the demolition of an existing garage and outbuilding and erection of a two-storey side extension at 21 Stamford Street, Ratby.
- 2.2. The proposed two-storey side extension would project outwards from the existing side elevation by 2.92 metres for a depth of 8.33 metres to ground floor level and 7.81 metres to first floor level. It would have a dual pitched roof form with an eaves height of 2.78 metres and a ridge height of 3.48 metres to ground floor level and a dual-pitched form with an eaves height of 5.23 metres and a ridge height of 8.79 metres to first floor level. The proposed single-storey element would project outwards from the proposed rear elevation of the two-storey extension by 2.26 metres and would have an eaves height of 2.31 metres and a ridge height of 3.56 metres.
- 2.3. A bay window is proposed to the ground floor front elevation with a two pane window to the first floor. A single panel half glazed door and single pane window are proposed to the ground floor side elevation. A Velux window, a set of French doors, and a set of six bi-fold doors (in replacement of the existing French doors and sidelights) are proposed to the ground floor rear elevation with a two pane window to the first floor.
- 2.4. The proposed external materials would match those of the existing dwelling.

3. Description of the site and surrounding area

- 3.1. The application site comprises a two-storey detached residential dwelling situated within the settlement boundary of Ratby and within the constraints of the National Forest and Charnwood Forest. The site is also a recognised swift nesting site.
- 3.2. The application dwelling has a predominant dual-pitched form with a feature forward fronting gable, along with mono-pitched elements to the pre-existing single storey extension and outbuilding and flat roof to the detached single garage. It is characterised by a mix of red brick and off white render to the walls, brown interlocking tiles to the roof and white uPVC to the openings. The porch is surrounded by arched brick detailing, alongside which sits a bay window. The sites frontage consists of a mix of grass/vegetation and a strip of tarmacadam hardstanding enclosed by a red brick wall varying from 1.00 – 1.50 metres in height.

- 3.3. The dwelling is sited 9.88 metres from the highway and the land slopes steeply down from the road to the application dwelling. The dwelling is located approximately 40 metres from Ratby Conservation area.
- 3.4. Within the street scene there are a mixture of semi-detached dwellings, detached dwellings and bungalows. These are of varying styles and designs and therefore there is no uniform character within the surrounding area. The building lines of the application site, 23 and 25 Stamford Street are, however consistent with one another.

4. Relevant planning history

77/01010/4M

- Extensions and alterations to dwelling
- Planning Permission
- 12.09.1977

78/00345/4M

- Extension to lounge and erection of lobby and garage
- Planning Permission
- 05.04.1978

01/00012/FUL

- Erection of one dwelling
- Planning Permission
- 01.03.2001

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. Ratby Parish Council;

- No comments have been received.

6.2. LCC Ecology;

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

REASON FOR RECOMMENDATION:

- *The submission of supporting photographs supplied are acceptable. The current dwelling/roof and garage appear to remain in good condition. Therefore, the additional photographs suitability addresses our comments. As such, no further ecological surveys are required.*
- *Please see the below recommended informative regarding bats and a condition regarding swifts.*
- *The site is located within a 'Swift Alert' zone as it is within 250m of recorded nest sites. Swifts are a declining species, and a priority species in our Local*

Biodiversity Action Plan, therefore ecological enhancements in the form of swift boxes should be installed on the proposed building. These should be integrated into the building where possible, located at least 5m above the ground, in a shaded area, and with a clear approach.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- *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 integrated/woodcrete nest boxes, in a suitable location on the building. All works are to proceed strictly in accordance with the approved scheme.*

OFFICIAL ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

- *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.'*

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester
- Policy 21: National Forest
- Policy 22: Charnwood Forest

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- 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)
- 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 highway safety and parking provision
- Impact upon ecology

Design and impact upon the character of the area

- 8.2 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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions.
- 8.3 The application seeks full planning consent for the demolition of an existing garage and outbuilding and erection of a two-storey side extension at 21 Stamford Street, Ratby.
- 8.4 In respect of side extensions, the Council's Good Design Guide states that *"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)."*
- 8.5 The proposed two-storey side extension would host a depth of 2.92 metres, less than half of the width of the existing dwelling and would be set back from the principle elevation by 0.50 metres by way of the proposed mono-pitched roof addition sitting to its frontage. It would host a similar pitched roof form which would host replicating eaves and a ridge height that would be set down from the existing dwelling appearing subordinate to the existing dwelling with respect to scale and mass complying with the Council's Good Design Guide.
- 8.6 The proposed single-storey side extension would project outwards from the proposed rear elevation of the two-storey extension by 2.26 metres to sit flush with the pre-existing single-storey extension, whilst hosting a mono-pitched roof with a replicating eaves and ridge height, appearing to be a unified addition, by way of its siting behind the two-storey element, subordinate single storey scale and modest depth complying with the Council's Good Design Guide.
- 8.7 The proposed external materials would match those of the existing dwelling with modest alterations being made to the fenestration.
- 8.8 For the above reasons the proposals would not have an impact upon the character and appearance area. Consequently, the proposal complies with Policies DM1 and DM10 of the SADMP and the general principles of the Council's Good Design Guide.

Impact upon neighbouring residential amenity

- 8.9 Policy DM10 of the SADMP and the Council's Good Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.10 To the west of the application dwelling sits 23 Stamford Street, a two-storey detached dwelling. The proposed side extensions would not protrude past the existing building line of no.23 and would have a separation distance to its immediate boundary of 0.94 metres, more generous than the existing garage which abuts the boundary. A window is proposed to the immediate side elevation, nevertheless it would face directly onto a blank elevation. A door is also proposed to the immediate side elevation which would potentially result in some overlooking implications upon the occupiers due to its situation adjacent to no.23's kitchen

window. The kitchen window is, however, secondary and subject to the obscure glazing of the glazed half of the door, the overlooking implications are considered to be minimal.

- 8.11 To the east of the application dwelling sits 19 Stamford Street, a two-storey detached dwelling. The proposed two-storey element would not protrude past the existing dwellings building line with the single-storey element being screened from view by the pre-existing single storey element. No additional windows are proposed. There would therefore be no adverse impacts upon the enjoyment of no.19.
- 8.12 In light of the above, the proposals would be in accordance with Policy DM10 of the SADMP in this respect.

Impact upon highway safety and parking provision

- 8.13 Policy DM17 of the SADMP supports development where there would be no significant impact upon highway safety. Policy DM18 of the SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.14 The Leicestershire Highways Design Guide (LHGD) seeks to ensure that a dwelling hosting four or more bedrooms provides an off-street parking provision for a minimum of three vehicles.
- 8.15 The application dwelling would see the addition of a fourth bedroom, along with the demolition of the existing single garage. The sites frontage would retain the strip of tarmac hardstanding which is suitable to host a provision for two vehicles. Whilst there would be a shortfall of one space not meeting the requirement of the LHGD, given the abundance of space to the sites frontage to create additional hardstanding should the need increase alongside the adequate presence of on road parking the proposal is on balance considered to be in accordance with Policies DM17 and DM18 of the SADMP and the LHGD.

Impact upon ecology

- 8.16 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.

- 8.17 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.”

- 8.18 The proposed development consists of the demolition of an existing garage/outbuilding as well as alterations to the existing dwellings roof, along with being situated within a 'Swift Alert' zone as it is within 250m of recorded nest sites and being surrounded by good habitat connectivity. As such, this habitat could provide suitable foraging and good connectivity routes for bats/swifts, and the submission of a Preliminary Roost Assessment (PRA) was requested by LCC Ecology.
- 8.19 Whilst a PRA was not submitted, on the 21st July supporting photographs were supplied by the agent and subsequently forwarded over to LCC Ecology for their review. On the 30th July LCC Ecology confirmed that the photographs demonstrated that the current dwelling and garage appear to be in a good condition providing limited suitability for protected species and as a result the original holding objection was removed, subject to a swift enhancement scheme condition being imposed. An informative has also been added regarding roosting bats.
- 8.20 The justification provided for the pre-commencement condition is as follows *'Swifts are a declining species, and a priority species in our Local Biodiversity Action Plan, therefore ecological enhancements in the form of swift boxes should be installed on the proposed building. These should be integrated into the building where possible, located at least 5m above the ground, in a shaded area, and with a clear approach.'*
- 8.21 By virtue of the above, subject to conditions, the development would accord with Policy DM6 of the SADMP.

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 Ratby. 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 area, the neighbouring amenity of occupants surrounding the application site or the parking provision. On this basis, the proposal is therefore considered to be in accordance with DM1 and DM10 of the SADMP, the LHDG and the general principles of the Councils Good Design Guide. 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 26th March 2025.

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).

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Location Plan, Existing Site Plans, Drg No. 001 as received by the Local Planning Authority on the 26th March 2025.
- Proposed Floor Plans, Elevations, Site Plan, Drg No 003B as received by the Local Planning Authority on the 20th May 2025.

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

4. The window to the door to the ground floor side elevation hosting the utility shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale. Once so provided the windows shall be permanently maintained 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 Plan Document (2016).

5. Prior to any above ground work a swift (Apus apus) enhancement scheme is required to be submitted to and approved in writing by the Local Planning Authority. This is to detail the provision of a minimum of 2

integrated/woodcrete nest boxes, in a suitable location on the building. Thereafter, all works are to proceed strictly in accordance with the approved scheme and the nest boxes shall be retained and maintained in perpetuity.

Reason: In order to enhance the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the adopted Site Allocations and Development Management 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.
- b) 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.