

Delegated Report

Planning Ref: 25/01211/CLP

Applicant: Mr & Mrs Spencer

Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: 37 Sharpless Road Burbage Leicestershire

Proposal: Certificate of proposed lawful development for the erection of a single storey rear extension.

Case Officer(s): Zahra Jam Rotbeh (Planning Officer)

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 development for a single storey rear extension at 37 Sharpless Road Burbage.
- 2.2. The proposed single storey rear extension would project from the original rear elevation of the dwelling by 1.35 metres and would host a width of 6.55 metres. It would feature a mono-pitched roof which would measure 2.06 metres to the eaves and 3.50 metres to the ridge.
- 2.3. The proposed external materials would match those of the existing dwelling.
- 2.4. The proposed single-storey rear extension would be approximately within 1 metre of the boundary treatment.

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 Burbage.
- 3.2. It comprises a gabled roof form, and it is constructed of white render to the front elevation walls and red facing brick to the rest of elevations and white uPVC windows. There are a front garden area and a hardstanding area surrounded by hedges boundary treatment.
- 3.3. The estate comprises one and two storey detached dwellings of a variety of designs and appearances.

4. Relevant planning history

None-relevance

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 A.

7.2 The dwelling has the appearance as though it was extended to the side and rear by virtue of an uncharacteristic flat roof two storey projection to the rear and differing roof tiles to the side of the property. However, there is no planning/building control history suggesting extensions have occurred nor are there original plans of the property available. The applicant was asked to comment and they too had no records of any extensions occurring at the property through sales documentation. Therefore in the absence of evidence other than visual differences, the dwelling two storey side and rear extension of the dwelling as it exists today is considered on the balance of probabilities to be original.

7.3 Development is not permitted if:-

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

Permission to use the dwellinghouse as a dwellinghouse has not been granted by Class M, N, P or Q of Part 3 of this Schedule.

- b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The total area of ground covered by buildings within the curtilage, including the proposed rear extension would not exceed the 50% of the total area of curtilage.

- c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

The proposed rear extension would not exceed the height of the existing dwellinghouse.

- d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The proposed height of the eaves of the rear extension would not exceed the height of the existing eaves of the dwellinghouse.

- e) The enlarged part of the dwellinghouse would extend beyond a wall which:-
 - (i) Forms the principal elevation of the original dwellinghouse; or
 - (ii) Fronts a highway and forms a side elevation of the original dwellinghouse

The extension does not extend beyond the principal or side elevation of the original dwellinghouse.

- f) The enlarged part of the dwellinghouse would have a single storey and:-
- (i) Extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) Exceed 4 metres in height;

The extension would not extend further than 3.00 metres from the rear elevation or be more than 4.00 metres in height.

- g) For a dwellinghouse not on article 2(3) land nor on a site of specific scientific interest the enlarged part of the dwellinghouse would have a single storey and-
- (i) Extend beyond the rear wall of the dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) Exceed four metres in height;

Not applicable

- h) The enlarged part of the dwellinghouse would have more than one storey and:-
- (i) Extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) Be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

The extension would be single storey.

- i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

The extension would be within 2m of the boundary of the curtilage but the height of the eaves would not exceed 3.00 metres.

- j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would :-
- (i) Exceed 4 metres in height
 - (ii) Have more than one storey, or
 - (iii) Have a width greater than half the width of the original dwellinghouse

Not applicable.

- ja) Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

Based on the evidence before the LPA, not applicable

- k) It would consist of or include:-
- (i) The construction or provision of a veranda, balcony or raised platform,
 - (ii) The installation, alteration or replacement of a microwave antenna,
 - (iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) An alteration to any part of the roof of the dwellinghouse

The proposed extension would not include any of the above.

- l) The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

Not applicable

Conditions

Development is permitted by Class A subject to the following conditions—

- a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must 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) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must 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; and

Not applicable.

- c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Not applicable.

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 single storey rear development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Class A 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
- Block Plan, Site Location Plan
- Proposed Elevations, 3D Views, Floor Plans, Drg No. 003C
All as received by the Local Planning Authority on the 17th December 2025.

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 or call 0116 272 7533.