

Delegated Report

Planning Ref: 25/00035/HOU
Applicant: Mr And Mrs Martin
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: 18 Jubilee Drive Earl Shilton Leicester

Proposal: Two storey rear extension

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 a two-storey rear extension at 18 Jubilee Drive, Earl Shilton.
- 2.2. The proposed two-storey rear extension would project outwards from the existing rear elevation by 3.00 metres and would have a width of 8.08 metres. It would have a pitched roof form which would have a ridge height of 7.03 metres and an eaves height of 4.73 metres.
- 2.3. Additional alterations include the addition of a set of seven bi-fold doors to the ground floor of the rear elevation, the addition of two windows to the first floor of the rear elevation, the addition of one window to the first floor of the south-east side elevation and the demolition of the existing single storey conservatory to the rear.
- 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 Earl Shilton. The dwelling comprises a pitched form with a forward facing gable and has red brick/cream render to the walls with stone accents surrounding the white uPVC openings and brown tiles to the roof. A tarmacadam hardstanding and grassed amenity area sits to the sites frontage which is suitable to host a parking provision for up to two vehicles.
- 3.2. The application dwelling forms part of a residential development for the erection of 55 dwellings approved under 2000 application (00/01010/FUL). The development hosts a predominant two-storey nature, all which are of a fairly uniform design and finish.

4. Relevant planning history

97/00418/CLU

- Application for Certificate of Lawful Use for a class B8 (storage and distribution) use
- Certificate Of Proposed Lawful Use
- 03.09.1997

00/01010/FUL

- Erection of 55 dwellings with access off Stoneycroft Road
- Planning Permission
- 03.05.2001

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.
- 5.2. No comments have been received.

6. Consultation

6.1. Earl Shilton Town Council:

- No comments have been received.

6.2. LCC Ecology:

- *“The Preliminary Roost Assessment (PRA) carried out by Stefen Bodnar (March 2025) states the building has negligible bat roost potential and no evidence was found to indicate the presence of bats.*
- *Therefore, no further bat surveys are required, and we have no objection.*
- *The site falls within a Swift Alert area. However, the proposed development does not allow opportunities for swift boxes to be incorporated into the development.”*

7. Policy

7.1. Earl Shilton and Barwell Area Action Plan (AAP) 2006-2026

- Policy 22: Development and Design

7.2. Core Strategy (2009)

- Policy 2: Development in Earl Shilton

7.3. 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 DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

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

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- The 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 parking provision
- Impact upon ecology

Design and impact upon the character of the area

- 8.2 Policy DM10 of the Site Allocations and Development Management Policies DPD requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.3 Policy 22 of the Earl Shilton and Barwell AAP seeks to ensure that developments do not adversely affect the privacy and amenity of nearby residents and occupiers of adjacent buildings, do not have a detrimental impact upon the character or appearance of the host building or the surrounding area and respect the scale, proportions, height and materials of the existing building, neighbouring structures and overall street scene.
- 8.4 The application seeks full planning consent for a two-storey rear extension at 18 Jubilee Drive, Earl Shilton.
- 8.5 The Councils Good Design Guide states that *“Rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.”*
- 8.6 The proposed two-storey rear extension would have a depth of 3.50 metres and a width of 8.08 metres adding a substantial amount of additional floor space to the dwelling. It would not, however, appear over dominant when compared to the existing plot and as it would have a complementary gabled form with mirroring eaves and a ridge height that would be set well below that of the existing house appearing subordinate whilst also retaining an adequate 85.13 square metres of existing private amenity space to the rear.
- 8.7 The proposal would not extend past either side elevation being screened from the south-west of Jubilee Drive by the existing dwelling, however, due to the site’s openness and the adjacent dwellings single storey nature glimpses of the proposal would still be available to the north-west of 20 Jubilee Drive due to the mid of 21 and 23 Stoneycroft Road. Notwithstanding this, the extension would retain the character of the area and would not appear to be an incongruous addition especially given the similar extension that can be observed to 17 Norman Dagley Close, as approved under application 21/00917/HOU and therefore the resulting dwelling would not appear out of scale with neighbouring development.
- 8.8 Additional alterations include the addition of a set of seven bi-fold doors to the ground floor of the rear elevation, the addition of two windows to the first floor of the rear elevation, the addition of one window to the first floor of the south-east side elevation and the demolition of the existing single storey conservatory to the rear.
- 8.9 The proposed external materials would match those of the existing dwelling.
- 8.10 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 Site Allocations and Development Management Policies DPD and the general principles of the Councils Good Design Guide.

Impact upon neighbouring residential amenity

- 8.11 Policy DM10 of the Site Allocations and Development Management Policies DPD states that proposals should not adversely affect the occupiers of the neighboring properties.
- 8.12 Policy 22 of the Earl Shilton and Barwell AAP seeks to ensure that developments do not adversely affect the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.13 The Councils Good Design Guide states that *“Where there are no public views into a site, a fully integrated two storey rear extension may be acceptable unless there is a detrimental impact on the adjacent properties as assessed by the 45 degree rule.”*
“The 45 degree rule is applied for planning applications for new buildings and extensions to existing properties which might affect the outlook from or daylight to a neighbouring property. This rule ensures consistency and fairness between applicants and their neighbours.”
- 8.14 The two-storey addition would extend past the existing rear elevation of both 16 and 20 Jubilee Drive by 2.63 metres, therefore, to ensure compliance with the Councils Good Design Guide the 45 degree rule has been applied to the quarter point of the nearest ground floor habitable windows. The rule has concluded that the extension would not have an impact upon the outlook from or daylight to either no.16 or no.20. A window is proposed to the main dwellings existing south-east elevation to provide daylight into bedroom three. The side elevation of no.20 hosts a window to first floor level, it is, however, obscure glazed and positioned away from the proposed opening not bearing any adverse impacts in terms of loss of privacy.
- 8.15 The Councils Good Design Guide states that *“A habitable room within a rear elevation should ideally not be less than 8m from the blank side of a single storey neighbouring property, rising to 12m for a two storey property.”* and that;
“Habitable rooms within rear elevations of neighbouring properties should not be less than 21m apart.”
- 8.16 The proposed rear elevation of the proposal would be situated approximately 30.33 metres from the nearest neighbouring dwelling to the south-west of the site, complying with the requirements of Councils Good Design Guide. By virtue of this, the proposal would not be overly dominant, would not result in the loss of light and would retain the privacy of 23 Stoneycroft Road, Earl Shilton.
- 8.17 By virtue of the above, the proposals would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring properties or result in any significant adverse impacts from overlooking or loss of privacy to the occupiers of any neighbouring properties and are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the Councils Good Design Guide.

Impact upon parking provision

- 8.18 Policy DM18 of the Site Allocations and Development Management Policies DPD seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.19 The Leicestershire Highways Design Guide (2024) seeks to ensure that a dwelling hosting four or more bedrooms provides a minimum off-street parking provision for three vehicles.
- 8.20 The scheme of extensions proposed would see the addition of a further bedroom, increasing the dwelling to host five bedrooms instead of the existing four. The

existing parking provision at the site currently hosts a parking provision for a minimum of three vehicles and would not be impacted. Therefore, the proposal is not considered to have any adverse impacts upon the parking provision at the site and in turn complies with Policy DM18 of the adopted SADMP and the Leicestershire Highways Design Guide (2024).

Impact upon ecology

- 8.21 Policy DM6 of the Site Allocations and Development Management Policies DPD 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.

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 not is feasible.

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

- 8.22 The site is situated within an urban area, however is surrounded by a vast amount of landscaping providing a good connectivity and foraging opportunity's for bats and is also situated within a "Swift Alert" zone as it is within 250 metres of recorded nest sites. A Preliminary Roost Assessment (PRA) was, therefore requested by LCC Ecology upon first consultation.
- 8.23 The requested Preliminary Roost Assessment was submitted to the Local Planning Authority on the 31st March 2025 stating that the building has negligible bat roosting potential and no evidence was found to indicate the presence of bats. The site neither allows for opportunities for swift boxes to be incorporated into the development. By virtue of this, and the support of LCC Ecology the proposal would comply with Policy DM6 of the Site Allocations and Development Management Policies DPD and is acceptable in this aspect.

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 Earl Shilton. 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.
- 10.2. 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, would not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of occupants surrounding the application site or upon the existing parking provision.
- 10.3. On this basis, the proposal is therefore considered to be in accordance with Policy DM1, DM6, DM10 and DM18 of the Site Allocations and Development Management Policies DPD, Policy 22 of the Earl Shilton and Barwell AAP and the general principles of the Councils Good Design Guide. The proposal and is 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 20th January 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, Drg No. 1671/SL
- Block Plan, Drg No. 1671/BP
- Existing, Proposed Floor Plans, Elevations, Drg No. 1671/1 as received by the Local Planning Authority on the 20th January 2025.

Reason: To ensure a satisfactory form of development in accordance with Policy DM10 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy 22 of the Earl Shilton and Barwell Area Action Plan (AAP) 2006-2026 and the general principles of the Councils Good Design Guide.

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.