

Delegated Report

Planning Ref: 25/00074/HOU
Applicant: Stephen Marlow
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: 30 Candle Lane Earl Shilton Leicester

Proposal: First floor side extension above existing garage

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 first floor side extension above an existing garage at 30 Candle Lane, Earl Shilton.
- 2.2. The proposed first floor side extension would project outwards from the existing first floor side elevation by 2.84 metres and would host a width of 8.69 metres. It would host a pitched roof which would measure 8.19 metres to the ridge and 2.32 metres to the eaves to the front and 4.72 metres to the eaves to the rear.
- 2.3. Additional alterations include the addition of a new opening to the rear elevation and a flat roof dormer to the front elevation which would project outwards from the front roof line by a maximum of 2.32 metres and would host a height of 1.51 metres.
- 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 relates to a semi-detached one ½ to two-storey residential dwelling situated within the settlement boundary of Earl Shilton. The application dwelling hosts a pitched roof form to the main dwelling with a replicating pitched roof form (of a smaller ridge height) to the adjoining single garage. The front elevation of the dwelling hosts a bungalow aspect with a flat roof dormer feature whilst the rear hosts a standard two-storey aspect. It comprises red brick to the walls, brown interlocking tiles to the pitched roof and single ply/GRP to the flat roof and white uPVC to the windows. A block paved hardstanding is present to the site's frontage suitable to host parking provision for three vehicles which is surrounded by a grassed area and enclosed by a 1.00 metre high timber fence.
- 3.2. The street scene is relatively uniform in finish, however, it hosts a mixture of single storey, two-storey and three storey residential dwellings all which comprise a varied design. Despite this it is observed that a handful of dwellings to the west of site have a replicating design to that of the application dwelling with the exception of the adjoining single mono-pitched garage due to their restricted plot size.

4. Relevant planning history

05/00440/FUL

- Extensions and alterations to dwelling and relocation of boundary fence
- Refused

- 01.07.2005

05/00780/FUL

- Extensions and alterations to dwelling (Amended scheme)
- Planning Permission
- 05.09.2005

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No comments have been received.

6. Consultation

6.1. Earl Shilton Town Council:

- No comments received.

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 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)
- Leicestershire Highways Design Guide (2023)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

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 regards 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 first floor side extension above the existing garage at 30 Candle Lane, Earl Shilton.
- 8.5 The Councils Good Design Guide states that *“Two storey 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)”*; and that *“Two storey side extensions on corner plots should not be over bearing and should have an active frontage. They should be set at least 2m away from the highway.”*
- 8.6 The proposed first floor extension would be situated above the existing ground floor garage and would host replicating dimensions, preserving its separation distance of 3.21 metres from the adjacent highway, Peggs Close. The enlargement would be mainly noticeable from the west of Peggs Close as the proposal would see a 1.90 metre enlargement to the rear elevations eaves to match those of the existing two storey element of the dwelling, nevertheless, due to the existing two storey form to the application dwelling and the dwellings surrounding the site along with its subordinate scale the development is not considered to be an overbearing or an uncharacteristic addition to the area. Existing vegetation can also be observed to the eastern boundary which would moderately soften the proposal from a public view.
- 8.7 The existing roof form, slope and eaves to the front elevation would be retained with an increase to the overall ridge height of 2.00 metres. The enlargement to the ridge height would, however, be positioned 0.50 metres below the ridge of the main dwelling whilst retaining its existing 0.74 metre set back distance from the principle elevation complying with the Councils Good Design Guide and appearing to be a subordinate addition which discreetly adds an additional storey whilst retaining its single storey view which is a prevalent feature to the north of Candle Lane.
- 8.8 The Councils Good Design Guide states that *“Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building”*; and that *“Material selection, and scale of window opening and position within the roof scape is critical in the success of dormers. Dormers to fronts of properties will only be acceptable where this is a prevailing feature of the surrounding context.”*; and that *“Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.”*
- 8.9 A flat roof dormer is proposed to the front elevation of the proposal. A flat roof, isn't usually a welcomed addition within the borough especially when a flat roof does not

form part of the existing dwellings form. However, as dormers of a matching material, scale, design and position can be observed to the frontages of the application dwelling along with 25, 26 and 29 Candle Lane the proposed addition of an additional flat roof dormer to the site frontage would not be uncharacteristic.

- 8.10 Additional alterations include the addition of a new opening to the rear elevation. The opening would, however, replicate the design, scale and finish of the existing openings currently present at the site whilst being appropriately placed bearing no significant impact.
- 8.11 The proposed external materials would match those of the existing dwelling.
- 8.12 As a result, it is considered that the proposed first floor front extension and garage conversion would preserve the character and appearance and thus the significance of the area and be in accordance with Policy DM10 of the adopted SADMP, Policy 22 of the Earl Shilton and Barwell AAP and the general principles of the Council's Good Design Guide.

Impact upon neighbouring residential amenity

- 8.13 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighboring properties.
- 8.14 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.
- 8.15 To the west of the site sits, 29 Candle Lane, a one ½ to two-storey terraced residential dwelling. The proposal would not extend beyond the building line of the application dwelling and would be in a position where it would be screened entirely by the application dwelling. By virtue of this, the proposal would not bear any adverse impacts upon the neighbouring occupiers of no.29.
- 8.16 To the north of the site sits 1 Peggs Close, a two-storey semi-detached residential dwelling. The proposal would be situated 11.41 metres from no.1 retaining the existing separation distance between the two plots and would face directly on to a blank elevation due to no.1's eastern orientation. By virtue of this, there is not considered to be any impacts upon the residential amenity of 1 Peggs Close.
- 8.17 To the south of the site sits, 31 Candle Lane, a two-storey semi-detached residential dwelling. The proposal would be situated 34.44 metres away from no.31 and would be orientated away facing directly onto an area of green space. Therefore, by way of the retaining separation distance and orientation the proposal would bear no impact upon the residential amenity of 31 Candle Lane.
- 8.18 To the east of the site sits, two blocks of flats (21-41 Peggs Close). The proposal would be situated 20.21 metres from the flats and due to the proposals sitting within the confinements of the existing dwellings building line, the sites corner plot location and the fact that no additional windows are proposed to this elevation the proposal would bear no impact upon the residential amenity of the occupiers to the flats to the east of the site.
- 8.19 By virtue of its siting, scale, design and separation distances it is considered that the proposal 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. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP, Policy 22 of the Earl Shilton and Barwell AAP.

Impact upon parking provision

- 8.20 Policy DM18 of the SADMP seeks to ensure that development would provide an appropriate level of parking provision, and that there would not be a significant adverse impact upon highway safety.
- 8.21 The Leicestershire Highways Design Guide (2023) seeks to ensure that a dwelling hosting four or more bedrooms provides a minimum off-street parking provision for three vehicles.
- 8.22 The proposal would sit upon an existing structure not encroaching onto the existing hardstanding hosting the parking provision at the site, however, as an additional bedroom is to be created increasing the dwelling to host four bedrooms it is required to be assessed whether an additional off-street spaces could be achieved to meet the requirements as set out within the Leicestershire Highways Design Guide.
- 8.23 The existing single garage at the site is to be retained, along with a parking provision for a minimum of three further vehicles to the block paved hardstanding forward of the dwelling. By virtue of this, the proposed development would satisfy Policy DM18 of the SADMP and the Leicestershire Highways Design Guide (2023).

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.
- 10.1 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, would not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of occupants surrounding the application site, and would not have any impacts upon the existing parking provision. On this basis, the proposal is therefore considered to be in accordance with Policy DM1, DM10 and DM18 of the Site Allocations and

Development Management Policies DPD, Policy 22 of the Earl Shilton and Barwell AAP, the Leicestershire Highways Design Guide and the general principles of the Councils Good Design Guide. The proposal 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 30th January 2025.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM1 and DM10 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.

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. 1673/SL and Block Plan, Drg No. 1673/BLP as received by the Local Planning Authority on the 30th January 2025.
- Existing and Proposed Plans and Elevations, Drg No. 1673/1 as received by the Local Planning Authority on the 20th March 2025.

Reason: To ensure a satisfactory form of development in accordance with Policy DM1, DM10 and DM18 of the Site Allocations and Development Management Policies DPD, Policy 22 of the Earl Shilton and Barwell AAP, the Leicestershire Highways Design Guide 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.