



Oadby & Wigston

BOROUGH COUNCIL

Law & Democracy
Democratic Services

TO COUNCILLOR:

L A Bentley (Chair)
G A Boulter
J K Chohan
J K Ford
C S Gore

S Z Haq
G G Hunt
P Joshi
R V Joshi
J Kaufman (Vice-Chair)

C D Kozlowski
C J R Martin
R E R Morris
I K Ridley

I summon you to attend the following meeting for the transaction of the business in the agenda below.

Meeting: Development Control Committee
Date & Time: Thursday, 28 August 2025, 7.00 pm
Venue: Civic Suite 2, Brocks Hill Council Offices, Washbrook Lane, Oadby, Leicester, LE2 5JJ
Contact: Democratic Services
t: (0116) 257 2775
e: democratic.services@oadby-wigston.gov.uk

Yours faithfully

Council Offices
Oadby
19 August 2025

Anne E Court
Chief Executive



Meeting ID: 2903

ITEM NO.

AGENDA

PAGE NO'S

Member Briefing on Oadby Grange S106

There will be a briefing for Members on the now agreed position on the S106 Agreement for the Oadby Grange planning application (reference 22/00448/OUT), that was approved (subject to signing of the S106 Agreement) by Development Control Committee on 28th November 2024.

The Member Briefing will begin at 6.30pm and take place in person in the Civic Suite before Development Control Committee on 28th August.

Meeting Live Broadcast | Information and Link

This meeting will be broadcast live.

Press & Public Access:



Postal Address: Brocks Hill Council Offices, Washbrook Lane, Oadby, Leicester, LE2 5JJ

Refuse & Recycling Centre: The Depot, Wigston Road, Oadby, Leicester, LE2 5JE

Telephone: (0116) 288 8961 **Email:** customer.services@oadby-wigston.gov.uk



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OadbyWigstonBC



@Oadby_Wigston

A direct link to the live broadcast of the meeting's proceedings on the Council's Civico platform is below.

<https://civico.net/oadby-wigston/22563-Development-Control-Committee>

1. Apologies for Absence

To receive apologies for absence from Members to determine the quorum of the meeting in accordance with Rule 7 of Part 4 of the Constitution.

2. Appointment of Substitutes

To appoint substitute Members in accordance with Rule 26 of Part 4 of the Constitution and the Substitution Procedure Rules.

3. Declarations of Interest

Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'.

4. Minutes of the Previous Meeting

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To read, confirm and approve the minutes of the previous meeting in accordance with Rule 19 of Part 4 of the Constitution.

5. No. 26 Lynmouth Drive, Wigston – Application reference 25/00091/FUL

5 - 22

Report of the Senior Development Control Officer

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Our **Civico** platform at **civico.net/oadby-wigston**



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**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD AT
CIVIC SUITE 2, BROCKS HILL COUNCIL OFFICES, WASHBROOK LANE, OADBY,
LEICESTER, LE2 5JJ ON THURSDAY, 31 JULY 2025 COMMENCING AT 7.00 PM**

PRESENT

J Kaufman Vice-Chair



Meeting ID: 2902

COUNCILLORS

G A Boulter
F S Ghattoraya
C S Gore
S Z Haq
C D Kozlowski
R E R Morris

OFFICERS IN ATTENDANCE

S J Ball	Legal & Democratic Services Manager / Monitoring Officer (Solicitor)
J Carr	Planning Policy & Development Manager
M Heagin	Senior Development Control Officer
S Wheeliker	Senior Democratic & Electoral Services Officer

OTHERS IN ATTENDANCE

L A Bentley	Councillor (Remote)
P Joshi	Councillor (Remote)
R V Joshi	Councillor (Remote)

13. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors J K Chohan, J K Ford, G G Hunt, C J R Martin and I K Ridley.

Councillors L A Bentley, P Joshi and R V Joshi attended the meeting remotely and so were not considered present for voting purposes according to the 1972 Act.

14. APPOINTMENT OF SUBSTITUTES

Councillor F S Ghattoraya substituted for Councillor J K Ford.

15. DECLARATIONS OF INTEREST

None.

16. MINUTES OF THE PREVIOUS MEETING

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting held on 26 June 2025 be taken as read, confirmed and approved.

17. NO. 66 BOULTER CRESCENT, WIGSTON – APPLICATION REFERENCE 25/00199/FUL

Councillor P Joshi entered the meeting remotely at 7:02 pm.

The Committee gave consideration to the report and appendix (as set out at pages 5 – 26 of the agenda reports pack), which sought planning permission approval for the change of use from a community flat (office) into a 2-bed flat, and the removal of the front canopy and replacement of the front door to window.

It was moved by the Vice-Chair, seconded by Councillor C D Kozlowski and

UNANIMOUSLY RESOLVED THAT:

The application be PERMITTED planning permission in accordance with the submitted documents and plans subject to the prescribed conditions and informatives.

THE MEETING CLOSED AT 7.15 pm

Agenda Item 5



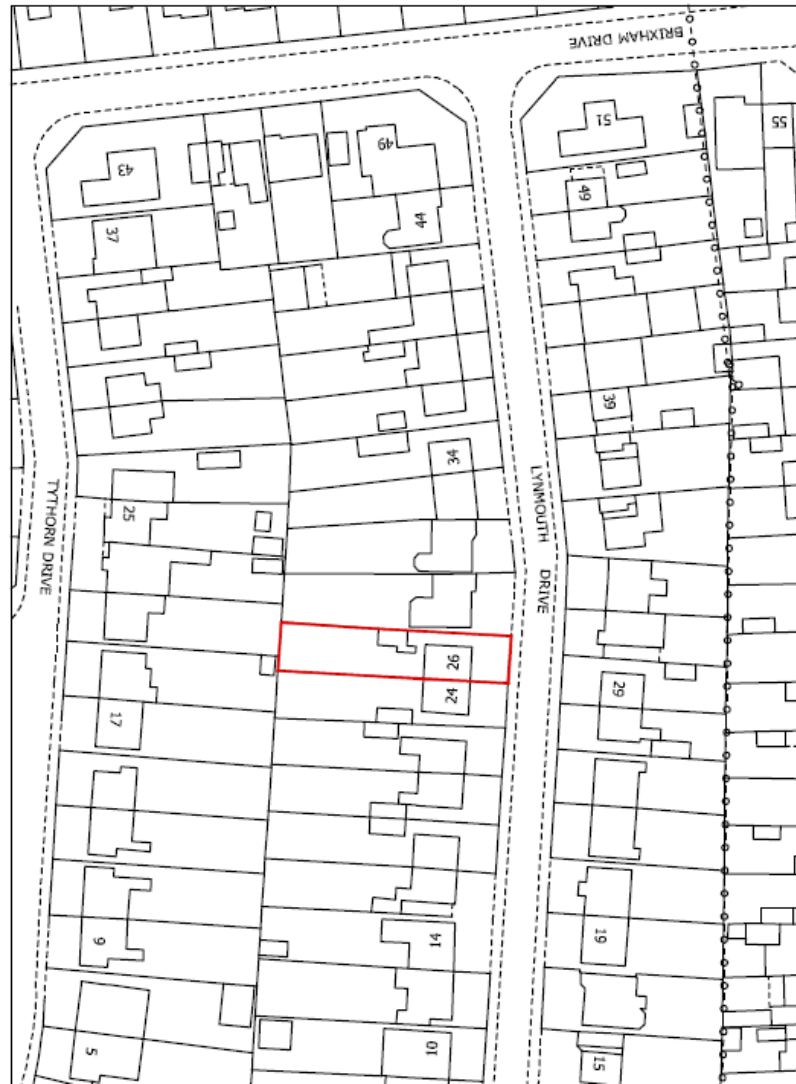
Development Control Committee	Thursday, 28 August 2025	Matter for Decision
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Report Title: **26 Lynmouth Drive, Wigston, Leicestershire, LE18 1BP (Ref. No. 25/00091/FUL)**

Case Officer(s): **Max Heagin (Senior Development Control Officer)**

Site Address:	26 Lynmouth Drive, Wigston, Leicestershire, LE18 1BP
Application Description:	Two storey side and single storey front and rear extensions plus new brick wall.
Purpose of Report:	To consider and determine the planning application accordingly. The application is brought before committee following a member call in.
Recommendation(s):	That the application be PERMITTED planning permission in accordance with the submitted documents and plans subject to the prescribed conditions and informatives (if any).
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Teresa Neal (Strategic Director) (0116) 288 8961 teresa.neal@oadby-wigston.gov.uk Adrian Thorpe (Head of the Built Environment) (0116) 257 2645 adrian.thorpe@oadby-wigston.gov.uk Jamie Carr (Planning Policy & Development Manager) (0116) 257 2652 jamie.carr@oadby-wigston.gov.uk Max Heagin (Senior Development Control Officer) (0116) 257 2716 max.heagin@oadby-wigston.gov.uk
Consultees:	LCC Highways: <i>The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.</i> <i>From drawing number PL26 A203, in order to facilitate the Applicants parking proposal to the front of the site, the Applicant may need to extend the dropped kerb provision.</i>
Background Papers:	Search application reference no. 25/00091/FUL via Public Access to access all available documents (e.g. assessments, plans, forms etc.)
Appendices:	1. Case Officer's Presentation (Ref. No. 25/00091/FUL)

1. Site and Location



- 1.1 The site is located within the settlement of Wigston and is accessed off Lynmouth Drive. The area is characterised by two storey detached and semi-detached properties of a few distinct house types though a number of properties have been previously extended at both ground and first floor level contributing to a mixed built form on the street scene.
- 1.2 For context the properties known as 6, 7, 8, 10, 11, 14, 16, 28, 32, 33, 35, 37, 38, 41, 42, 43 & 44 Lynmouth Drive feature side extensions of varying heights and designs whilst some house types feature single storey side garages attached to the main dwelling. Where these properties have been extended at two storey level they vary in appearance but are generally set down and subservient in appearance to the main dwelling. Other properties also feature single storey front extensions of varying scale and design. Most recently a scheme was approved for 'Two storey side and single storey front and rear extensions' at No. 15 Lynmouth Drive under application number 23/00255/FUL.
- 1.3 The development site constitutes a previously unaltered two storey semi-detached dwelling located to the south side of Lynmouth Drive. The dwelling forms part of a matching pair of semi-detached dwellings consistent with the original house type on the street scene though other comparable pairs have been previously extended. The site also includes a detached garage set to the rear of the main dwelling though the access down the side of the main dwelling is not wide enough to accommodate modern vehicles, so vehicular parking is accommodated on the hard stood site frontage.

2. Description of Proposal

- 2.1 The application seeks planning permission for a two-storey side extension, single storey front & rear extensions incorporating the existing detached garage to the rear which is to be converted to a habitable room and a 1.8 metre high brick wall along the east side boundary.
- 2.2 The proposed two storey side extension features a pitched roof set down from the ridge of the existing dwelling at a height of approximately 7.2m whilst being set back from the principal elevation so as to be subordinate in design to the original dwelling. The extension is to be hipped on the side matching the pitch of the original dwelling.
- 2.3 The front extension would project approximately 1m from the front of the principal elevation and run across the front of the proposed two storey side extension on the west side boundary. Due to the set back nature of the two-storey side extension the single storey front extension would run approximately 2.2m along the side boundary though would only project 1m forward of the principal elevation.
- 2.4 The single storey rear extension would project approximately 3m from the rear of the existing dwelling and two storey side extension with a pitched roof at a height of approximately 3.5m where it adjoins the main dwelling down to an eaves height of 2.6m. The rear extension would also see partial demolition of the existing detached garage to adjoin the rear extension, approximately 5.3m of the garage would be retained to adjoin the rear extension though this would not be further extended to the rear.
- 2.5 All materials are proposed to match the existing dwelling whilst the window fenestration is to match the existing windows in respect of scale and design.

3. Relevant Planning History

- 3.1 N/A

4. Key Consultations and Responses

- 4.1 LCC Highways-

The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.

From drawing number PL26 A203, in order to facilitate the Applicants parking proposal to the front of the site, the Applicant may need to extend the dropped kerb provision.

5. Neighbour and Resident Responses

- 5.1 Two letters of objection were received into the Council with regards to:
- Proposal being in close proximity to the neighbours' gas boiler preventing access and causing safety issues.
 - Proposal overshadowing and overbearing onto the lounge area to the neighbouring property.
 - Planning Notices being removed.
 - Proposed hip roof extension potentially bringing the Party Wall Act 1996 into effect, with the proposed guttering potentially overhanging onto the neighbouring property.
 - Proposed downstairs bathroom window potentially leading to causing damp to the neighbouring property.
 - Not in keeping with the character of the area.

6. Planning Policy Relevant to the Proposal

National Planning Policy Framework

- 6.1 The National Planning Policy Framework (NPPF) establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 6.2 Paragraph 2 of the NPPF states that '*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*'.
- 6.3 Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:
- An economic objective
 - A social objective
 - An environmental objective
- 6.4 Paragraph 11 states that '*Plans and decisions should apply a presumption in favour of sustainable development...For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay*'.

Oadby & Wigston Local Plan

- Local Plan Policy 1 – Presumption in Favour of Sustainable Development
- Local Plan Policy 6 – High Quality Design and Materials
- Local Plan Policy 34 – Car Parking
- Local Plan Policy 44 – Landscape and Character

Residential Development Supplementary Planning Document (2019)

- 6.5 This Supplementary Planning Document (SPD) is a planning policy document that focuses on the design, character and use of materials of all new residential related development within the borough. All new residential related development should have a relationship with its surroundings in terms of massing, height, balance, use of materials, roof shape and architectural detailing.
- 6.6 Paragraph 3.2 states that: '*All new residential related development should have a relationship with its surroundings in terms of massing, height, balance, use of materials, roof shape and architectural detailing. The character and appearance of residential related development and how this fits with the local street scene are important considerations when deciding if proposed development is acceptable. All new residential related development should fit with the existing street scene and retain and / or enhance locally distinctive character.*'
- 6.7 Paragraph 3.3 states that: '*Residential extensions and enlargements should be in keeping with the character and appearance of the dwelling to be extended as well as the wider local area. There is a limit to the number of extensions which can be added to a property or to a site. What constitutes overdevelopment will vary from site to site, as each set of*

circumstances is unique. If extensions are beginning to overwhelm a property or if there is a large number of outbuildings in close proximity to each other, site boundaries or the main house, it may be that a site is already overdeveloped. In such circumstances additional development may not be appropriate. A key point of note, is that any extensions or enlargements should be visually subordinate to the existing dwelling that is to be extended.'

- 6.8 Paragraph 3.4 states that: *'Whilst variety in design through changes in roof form or storey height will not be discouraged, new development should not be over-dominant or otherwise harmful to the locally distinctive appearance of the surroundings. Large dominant extensions are rarely satisfactory and particular care is needed in the case of front extensions to semi-detached or terraced properties.'*
- 6.9 Paragraph 3.5 states that: *'In order to improve the architectural quality of the built environment, a high standard of design will be required in all forms of development and external materials and finishes should be chosen to give a high quality appearance and identity to the scheme. Consideration should also be given to the boundaries (walls, railings, fences, hedges) and trees and vegetation within the area. Reference may also be made to the Council's non-statutory publication – 'OWBC Tree Strategy 2018 – 2023, Trees for Life' which is available via the Council's website.'*
- 6.10 Paragraph 3.6 states that: *'Roof form and style often contribute significantly to the appearance and character of a residential dwelling. A Victorian villa and a post war suburban semi-detached property are both residential dwellings which can be built out of red brick but the differences in their roof form helps define their character. Roof form also has an important part to play in ensuring an extension is appropriately designed.'*
- 6.11 Paragraph 3.7 states that: *'In order to ensure an extension is sympathetic to the original dwelling its roof should replicate the proportions, pitch, shape and materials of the main house. This is just as important for single storey extensions as those at two storey level.'*
- 6.12 Paragraph 3.17 states that: *'Residential dwelling extensions and enlargements should not only be designed to match and complement the existing dwelling style, but should also be constructed in matching, similar and / or complementary materials, where the existing materials are of an acceptable quality and standard. It should be noted that the use of matching materials is relevant to the extension in its entirety, for example the façade, the side(s) and the rear.'*
- 6.13 Paragraph 3.22 states that: *'All new windows and doors should respect the character and appearance of the local area, and extensions or enlargements should respect the character and the appearance of the existing residential dwelling that is to be extended.'*
- 6.14 Paragraph 3.34 states that: *'All new residential development, including extensions and alterations, should be designed so that adequate levels of amenity for future and existing residents of the property and neighbouring properties are provided and maintained.'*
- 6.15 Paragraph 3.84 states that: *'Individual plots should fit in with the existing street scene and should have an area, frontage and depth which are comparable with adjoining properties. New residential homes should not be out of character or do harm to the locally distinctive character of the locality in which it is situated.'*
- 6.16 Paragraph 3.87 states that: *'The design of the new dwelling(s) should not have a detrimental impact on the amenities of existing properties through the loss of light or privacy and should normally provide sufficient off street car parking and garden space to meet the needs of the new development.'*

Supplementary Planning Document/Other Guidance

- Landscape Character Assessment (2018)
- Leicestershire Highways Design Guide (latest version)

7. Planning Considerations

Impact of the Proposal on the Street Scene and Local Surroundings

- 7.1 Policies 8 and 12 of the NPPF require development to be well-designed and promote safe, healthy and inclusive environments.
- 7.2 Policy 6 of the Local Plan states regarding all new development: *'The Council will require the highest standards of inclusive design and use of the highest quality materials for all new development in the Borough. Proposals for new development must create a distinctive environment by respecting the existing local and historic character.'* This is further highlighted in the policies supporting text as follows:
- 7.3 5.3.1 – *'High quality design, and the use of high-quality materials is paramount in ensuring that new development creates attractive, buildings and spaces that are sustainable, well connected, and are in character within the locale they are set. It is imperative that new development provides buildings and spaces that people enjoy now and in the future'*.
- 7.4 5.3.4 – *'Any development proposal should deliver the highest possible quality of design and use of materials'*.
- 7.5 5.3.14 – *'Development should have regards to and enhance local character and history by ensuring that it responds to its landscape setting and history of the area, topography and wider context, within which it is located, as well as the local streetscape and local building materials'*.
- 7.6 Furthermore, Policy 44 of the Local Plan indicates that *'Development proposals will only be permitted where it is in keeping with the area in which it is situated.'*
- 7.7 The site is located along Lynmouth Drive with properties dominated by two storey detached and semi-detached dwellings of similar character to one another though with a significant proportion having been previously extended. It can therefore be considered that the precedent for extensions including two storey side extensions is already established on the street scene.
- 7.8 The proposed two storey side extension would measure approximately 4.6 metres in width, 7.1 metres in depth, 7.2 metres in height and 4.9 metres to the eaves. This two-storey side extension would be set down from the top of the roof by approximately 0.4 metres and would be set in from the principal elevation by approximately 1 metre. Due to the set down and set back nature of the two-storey side extension it would blend in with the existing dwelling and would exhibit a subservient addition to the property. It is noted that other two storey side extensions, though varying in design are similarly set down and subservient to the existing dwelling. Furthermore, the hipped roof design would match the pitch of the existing hipped roof and is considered to represent an appropriate design for the proposal. As such this part of the proposal is considered to be consistent with the existing pattern of development on the street scene and in conjunction with the use of matching materials and window fenestration conforms to relevant requirements of the Residential SPD.
- 7.9 The proposed front extension would measure approximately 4.8m in width to attach to the proposed side extension and project approximately 1m from the principal elevation. This element would also be visible from the public street scene however it constitutes a limited visual form and would include a pitched roof which is considered to constitute appropriate design that blends in appropriately with the existing dwelling. Whilst this would project past the established building line of the pair of semi-detached dwellings it is not considered to

be to the extent that it would be incongruous on the street scene. It is also noted that many other dwellings on the street scene feature front extensions including a similar 1.25m front extension approved at 37 Lynmouth Drive under application 22/00344/FUL. As such the proposed front extension is considered to represent a suitable design and does not unduly harm the character and appearance of the street scene.

- 7.10 The proposed single storey rear extension would not be visible from the public street scene given it is located to the rear and given the use of a pitched roof design is considered to represent appropriate design. Whilst the portion of the garage retained to adjoin the extension would feature a flat roof which is generally not supported under the Residential SPD as this is an existing situation and introduction of a pitched roof would represent a greater degree of harm to neighbouring amenity it is not considered reasonable to resist or amend this aspect of the proposal.
- 7.11 Though the proposals would increase the overall footprint of the dwelling it is not considered to be to the extent that it would represent overdevelopment of the site. In context nearby approved developments at 37, 42 & 43 Lynmouth Drive are considered to represent greater degree of development relative to the plot than the development and as such it is considered that it cannot be substantiated that the proposal represents overdevelopment.
- 7.12 Overall, the area is characterised with two storey semi-detached and detached dwellings of a similar character though extensions are prevalent on the street scene with a variety of two storey side, single storey side and single storey front extensions being a consistent feature. The design and scale of the proposal is considered to be suitable and in keeping with the pattern of development observed on the street scene. Further to this the proposals are proposed to be in matching materials to the existing dwelling which would be ensured by condition. As such it is considered that the application would have accord with Policies 6 and 44 of the Oadby and Wigston Local Plan and Residential Development Supplementary Planning Document (2019).

Impact of the Proposal on Neighbouring Properties

- 7.13 Policy 6 of the OWBC Local Plan, in conjunction with the Residential Development Supplementary Planning Document (2019), seeks to protect quality of life by ensuring new development does not result in an unacceptable impact on local amenity in terms of air quality, noise, vibration, smell, light or other pollution, loss of light, overlooking or visual intrusion.
- 7.14 The neighbouring properties are 24 Lynmouth Drive to east of the application site, 28 Lynmouth Drive to the west and 19 & 21 Tythorn Drive to the south.
- 7.15 The proposed single storey rear extension would measure approximately 3 metres from the rear of the existing dwelling across the width of the dwelling and proposed side extension to adjoin the detached garage. Due to the single storey nature of the proposal along with the adequate separation to 19 and 21 Tythorn Drive, it is considered that the proposed single storey rear extension would not harm these properties. Likewise with the proposed 2 storey side extension and single storey front extension, due to the adequate separation distance, along with the proposed 2 storey side extension extending no further to the rear than the existing two storey dwelling, it is considered that these elements would not unduly harm 19 & 21 Tythorn Drive.
- 7.16 The proposed single storey rear extension would impact the neighbouring property at 24 the most as it would be built directly up to the boundary line with such neighbour and would protrude out from the rear elevation by approximately 3 metres, which would break 45 degrees with the nearest French doors that serve the ground floor. Despite this it should

be noted that under the general permitted development order, semi-detached houses can build single storey rear extensions of up to three metres without the need for planning permission from the rear elevation. In this instance the applicant would only need to detach the proposed rear extension from the existing garage to then be able to build a 3m deep extension without the need for planning permission up to the boundary with 24 Lynmouth Drive and do so at a height in excess of that proposed. Further the Council's own Residential Development Supplementary Planning Document (SPD) allows for rear extensions up to 3.5 metres in depth even if the 45 degree line is broken.

- 7.17 As such it is considered that proposal represents harm to the amenity of 24 Lynmouth Drive however taking into account the Council's own relevant SPD, and the fallback position of permitted development rights along with the single storey nature of the proposal it is considered that the application would not warrant refusal on these grounds. Furthermore, the rear French doors appear to serve an open plan dining room adjoining the front living room which itself is served by a larger window on the front of the property offering an alternate natural light source. The erection of a 1.8m brick wall along the side boundary is also within the 2m allowed for boundary treatments not fronting a highway and as such is not considered to represent demonstrable harm.
- 7.18 The proposed single storey rear extension would protrude up to the neighbouring side boundaries of 24 & 28 Lynmouth Drive. With regards to 28 Lynmouth Drive, the proposed single storey rear extension would attach to the existing garage (which is sited on the boundary with number 28, within close proximity) though this is an existing feature which is not being otherwise extended or raised in height. As such the impact of the rear extension is limited to the extension itself as it could not be substantiated that an existing structure represents an unacceptable degree of harm. The proposed extension is set next to the rear conservatory of 28 Lynmouth Drive though would not project past the rear of the conservatory beyond adjoining the existing garage. Though the neighbouring structure is a conservatory it can only be considered in line with other forms of rear extension in terms of breach of 45 degrees from the rear which would only be breached by the existing garage which as an existing structure that is not being altered cannot be substantiated to cause harm beyond the existing situation in this regard. Though of less relevance in planning terms it is noted that the introduction of the rear extension alongside the conservatory represents some increased impact where the height of the development would be greater than the existing boundary fence which could be observed from the conservatory. This impact would be limited however as due to its single storey nature it could not be substantiated that it represented a significant impact in terms of overbearing or loss of light given its south facing aperture.
- 7.19 The objections in relation to the proposal overbearing and overshadowing onto the neighbouring property of 28 Lynmouth Drive was primarily in respect of the proposed front extension. Due to the orientation of both properties following the curvature of Lynmouth Drive the main dwelling of the development site is set slightly forward of 28 Lynmouth Drive, so the proposed front extension projecting approximately 1m from the principal elevation would be approximately 1.7m forward of the front of the neighbouring property. Despite this, given the limited forward projection of this part of the proposal and the oblique angle at which the neighbouring dwelling is set to the development site the front extension would not breach 45 degrees of the neighbouring living room window. As such it is considered that it could not be substantiated that the front extension would represent impact to neighbouring amenity in respect of overbearing or loss of light to the extent that it would justify refusal of the application.
- 7.20 The proposal would include two west side elevation windows (one on the ground floor and one on the first floor), which would serve a bathroom on the ground floor and a hallway on the first floor. A condition will be imposed ensuring that these are obscurely glazed and top

opening only. Additionally, 28 Lynmouth Drive does not feature any ground floor or first floor side elevation windows and as such there is no associated impact.

- 7.21 With regards to objections relating to the west side boundary of the site, the proposed two storey side extension is set in from the edge of the existing garage to allow for overhang of the eaves and guttering. Concerns were raised within the objections received regarding the potential of guttering and open window to overhang the shared boundary and access being required onto the applicants' land for development. This in of itself is a civil matter outside of the remit of the planning system as the Council cannot arbitrate on matters relating to property boundaries. Given the set in footprint of the extension relative to existing garage it is considered reasonable to expect the applicant can accommodate such overhang within their property boundary however any disputes would be a legal matter for the courts. It is intended however to condition the side facing windows of the application to be top opening which would limit the potential for overhang of the shared boundary. Similarly, the objection raised in respect of the potential for blocking access to the neighbouring properties boiler extraction system is a civil matter falling outside of the planning remit. In respect of the Party Wall Act 1996 a note to applicant reminding them of their responsibilities under the act would be included at the end of the decision notice.
- 7.22 Given the above assessment it is considered that the application would accord with Policy 6 of the Oadby and Wigston Local Plan and does not unduly harm the amenity of neighbouring residents to the extent that refusal of the application could be justified.

Impact of the Proposal on the Local Highway

- 7.23 Policy 34 of the OWBC Local Plan seeks to ensure that there is adequate provision of car parking spaces and facilities across the Borough.
- 7.24 The proposal seeks to add an additional bedroom bringing the total number of bedrooms to 4 for which Leicestershire Highways Design Guidance requires provision of 3 off street parking spaces whilst the along the proposed front extension would reduce the site frontage.
- 7.25 The applicant has shown a ground floor plan including the proposed parking spaces. When measuring these parking spaces, they measure at approximately 5.5 metres in depth by approximately 2.3 metres in width. As such these proposed parking spaces do not measure up to the Leicestershire Highways Design Guidance which stipulate that parking spaces need to measure at least 5.5 metres in depth by 2.5 metres in width. After measuring the proposed parking spaces, is considered that only 2 off street parking spaces could be accommodated on the site frontage representing a shortfall of 1 parking space against the requirements of Leicestershire Highways Design Guidance.
- 7.26 Leicestershire County Council Highways were consulted as part of the application who have not objected to the proposal or shortfall in parking provision. In the absence of an objection from County Highways as the statutory consultee of highways matters it is considered that a reason for refusal on the grounds of parking could not be substantiated in this instance and as such the proposal cannot be demonstrated to be contrary to Policy 34 of the Oadby & Wigston Local Plan.

Other Matters

- 7.27 Objections were received in regard to the proposed side elevation window serving the bathroom causing damp to the neighbouring dwelling and with the planning site notices being removed.

- 7.28 The potential damp arising from the proposed bathroom of the proposal onto no. 28 is a civil matter which cannot be assessed as part of this application.
- 7.29 The site notices were posted on the 3rd of April 2025 in line with the councils' statutory obligations. Where this function is discharged the Council is not responsible for the retention or removal of notices nor is the Council obligated to replace notices where they have been damaged or removed.

8. Conclusion

- 8.1 In summary it is concluded that the application would blend in well with the existing dwelling in terms of its design and not significantly harm than neighbouring properties in terms of overshadowing, overbearing and overlooking. Additionally, it is considered that the proposal would not significantly harm the parking provision as well. As such is considered that the application be approved planning permission subject to conditions below.

9. Recommendation, Proposed Conditions and Informatives

- 9.1 Approve planning permission

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. Unless otherwise first approved in writing (by means of a Non-material Amendment/Minor Material Amendment or a new Planning Permission) by the Local Planning Authority the development hereby permitted shall be carried out in accordance with the approved plans and particulars listed in the schedule below:

Proposed Plans – Dwg. No. PL26 A200 Rev A, received 11 March 2025

Proposed Roof Plan – Dwg. No. PL26 A201 Rev A, received 11 March 2025

Proposed Elevations – Dwg. No. PL26 A202 Rev A, received 11 March 2025

Proposed Block Plan – Dwg. No. PL26 A203 Rev A, received 11 March 2025

Location Plan – Dwg. No. PL26 A204 Rev A, received 11 March 2025

Reason: For the avoidance of doubt as to what is permitted by this permission and in the interests of proper planning.

3. All external materials used in the development shall match those of the existing building in colour, size, coursing and texture unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the character and appearance of the building and its surroundings and in accordance with the aims and objectives of the National Planning Policy Framework, Policies 6 and 44 of the Oadby and Wigston Local Plan.

4. The first-floor front elevation window serving the "bath" room shall be fitted with obscure glass and shall be top opening only. The window shall not be replaced or altered without the prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy of occupiers of the adjoining property and in accordance with Policy 6 of the Oadby and Wigston Local Plan.

5. The ground floor side elevation window serving the “bath” room and first floor side elevation window serving the hallway shall be fitted with obscure glass and shall be top opening only. The window shall not be replaced or altered without the prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy of occupiers of the adjoining property and in accordance with Policy 6 of the Oadby and Wigston Local Plan.

Application Ref. No. 25/00091/FUL

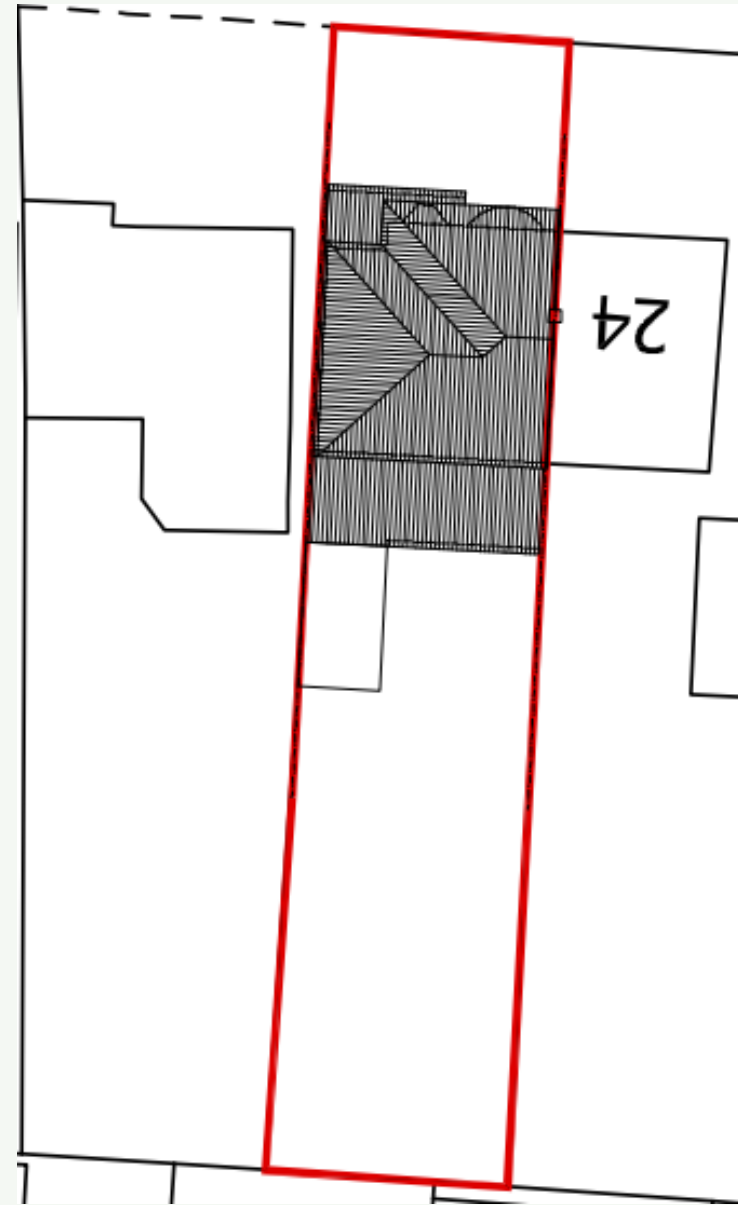
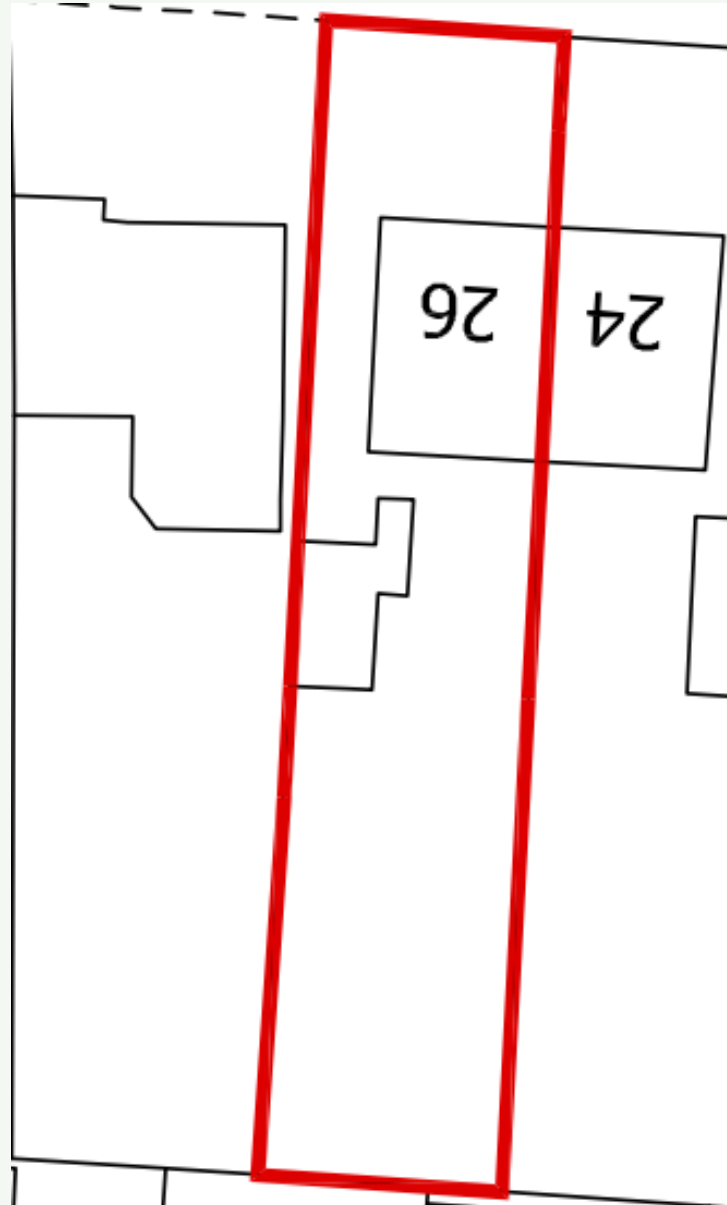
26 Lynmouth Drive, Wigston, Leicestershire, LE18 1BP

Two storey side and single storey front and rear extensions plus
new brick wall

Site Location



Site Plans



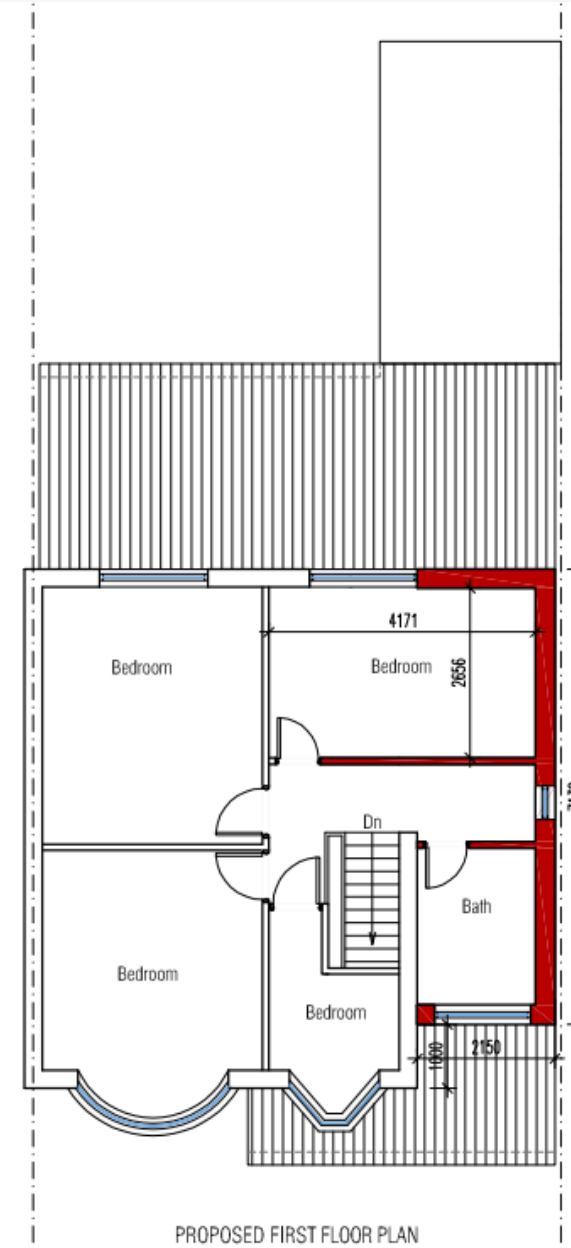
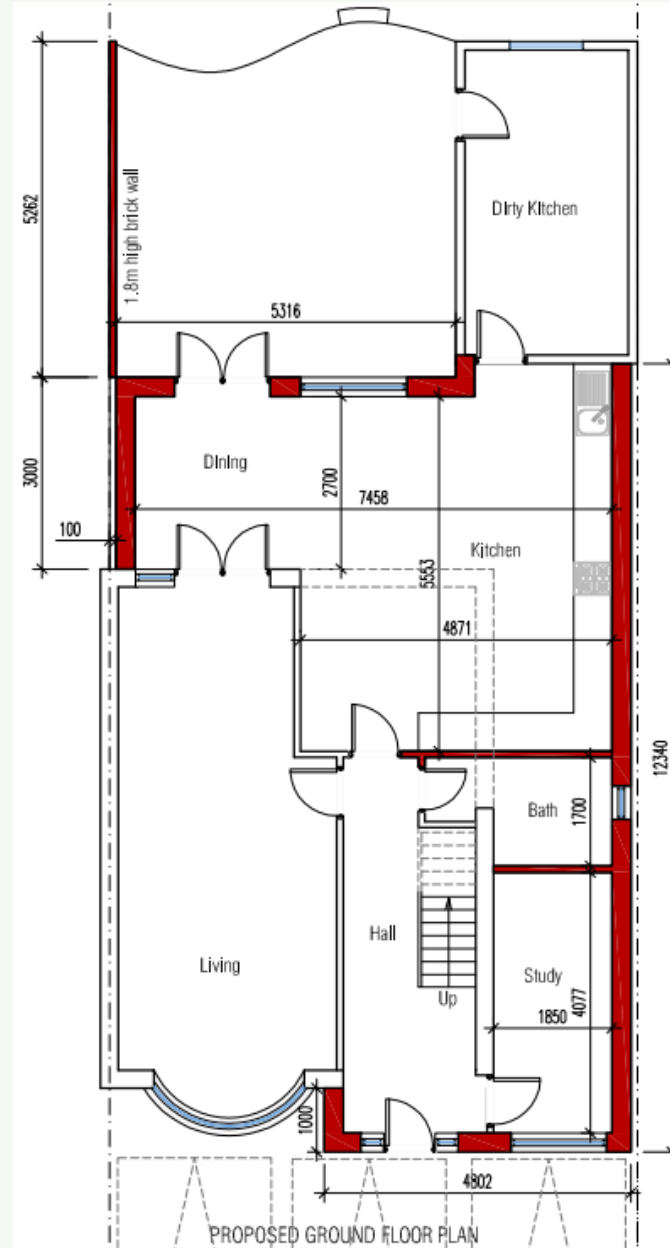
Existing Floor Plans



Existing Elevations



Proposed Floor Plans



Proposed Elevations

