



**Development Control  
Committee**

**Thursday, 30 January  
2025**

**Matter for  
Information and  
Decision**

**Report Title:** **1 Orson Drive, Wigston, Leicestershire, LE18 2EL  
(Ref. No. 24/00426/FUL)**

**Case Officer(s):** **Eloise Whitehouse (Graduate Development Control Officer)**

<b>Site Address:</b>	1 Orson Drive, Wigston, Leicestershire, LE18 2EL
<b>Application Description:</b>	Replacement of existing outbuilding with a single storey side extension.
<b>Purpose of Report:</b>	To consider and determine the planning application accordingly.
<b>Recommendation(s):</b>	<b>That the application be PERMITTED planning permission in accordance with the submitted documents and plans subject to the prescribed conditions and informatives.</b>
<b>Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):</b>	<p>Teresa Neal (Strategic Director) (0116) 288 8961 <a href="mailto:teresa.neal@oadby-wigston.gov.uk">teresa.neal@oadby-wigston.gov.uk</a></p> <p>Adrian Thorpe (Head of the Built Environment) (0116) 0116 257 2645 <a href="mailto:adrian.thorpe@oadby-wigston.gov.uk">adrian.thorpe@oadby-wigston.gov.uk</a></p> <p>Jamie Carr (Planning Policy &amp; Development Manager) (0116) 257 2652 <a href="mailto:jamie.carr@oadby-wigston.gov.uk">jamie.carr@oadby-wigston.gov.uk</a></p> <p>Eloise Whitehouse (Graduate Development Control Officer) (0116) 257 2707 <a href="mailto:eloise.whitehouse@oadby-wigston.gov.uk">eloise.whitehouse@oadby-wigston.gov.uk</a></p>
<b>Consultees:</b>	<ul style="list-style-type: none"><li>• None</li></ul>
<b>Background Papers:</b>	Search application reference no. 24/00426/FUL via <a href="#">Public Access</a> to access all available documents (e.g. assessments, plans, forms etc.)
<b>Appendices:</b>	<b>1.</b> Case Officer's Presentation (Ref. No. 24/00426/FUL)

(Continued overleaf)

## 1. Site and Location



- 1.1 The site is located within a predominantly residential area comprising mostly semi-detached and terraced two storey properties of various styles. The application site comprises a two storey semi-detached property with an existing single storey 'store' attached at the side. A row of garages is located immediately to the northwest of the site.

## 2. Description of Proposal

- 2.1 The application is for a single storey side extension to replace the existing store (extending further to the front). The proposed side extension extends approximately 4.3m out from the side elevation with a depth of 6.7m set 3.0m back from the front elevation. The proposed extension will have a flat roof with a maximum height of 2.90m and will be constructed out of materials to match the existing dwelling. The proposed side extension will provide a new kitchen and dining area in order to create ground floor bathing facilities and wheelchair access within the existing dwelling.
- 2.2 The application proposes hard standing to the area in front of the extension to provide an off-road parking space.
- 2.3 The statutory determination period for this application expires on the 07 February 2025, and it is intended to issue a decision as soon as practicably possible after the committee meeting.
- 2.4 The application is presented to the Committee as the proposal is for a council-owned property.

## 3. Relevant Planning History

- 3.1 None

## 4. Key Consultations and Responses

- 4.1 None

## 5. Neighbour and Resident Responses

- 5.1 Site notices have been displayed with no letters of representation being received at the time of writing this report. The date for the receipt of comments expired on 10 January 2025.

## 6. Planning Policy Relevant to the Proposal

## 6.1 PPG/PPS

National Planning Policy Framework

Oadby and Wigston Local Plan

Policy 6 – High Quality Design and Materials

Policy 44 - Landscape and Character

Supplementary Planning Document/Other Guidance

Residential Development Supplementary Planning Document

## **7. Planning Considerations**

### 7.1 Impact of the Proposal on the Street Scene and Local Surroundings

7.1.1 The design and materials are mostly in keeping with the existing dwelling and the surrounding area. Whilst the proposed flat roof design does not reflect that of the main dwelling, the existing side element has a flat roof, and with the row of flat-roofed garages sited immediately adjacent to the site, the roof design would not appear incongruous within the street scene.

7.1.2 In addition, the proposal will be set back by approximately 3.00m from the front of the dwelling, and with the screening of the side elevation provided by the row of garages immediately adjacent to the site, it is not considered that the proposal will significantly impact the character and appearance of the existing dwelling or the street scene.

7.1.3 Amendments were sought to remove the additional access from the front of the extension in order to avoid the potential for future subdivision; however, the applicant has confirmed the additional wider access has been included in the proposal as the existing front door can't be widened enough to allow access for a wheelchair user. Instead, a condition has been imposed to ensure the extension remains ancillary to the dwelling.

### 7.2 Impact of the Proposal on Neighbouring Properties

7.2.4 With the siting of the extension to the side of the dwelling, the proposal does not breach the 45-degree code from the rear of the adjoining neighbour (No. 3).

7.2.5 No.7 Rutland Avenue is orientated at a 90-degree angle to the application site so that the extension will be located on the rear boundary. The proposal would not rise above the 25-degree angle when measured from No.7 and would be located over 15m from the rear of No.7 and does not encroach further along the boundary than the existing building.

7.2.6 In view of the above, it is not considered that the proposal will significantly impact the amenities of the neighbours.

### 7.3 Impact of the Proposal on the Local Highway

7.3.7 The proposal does not increase the number of bedrooms from those existing. The application does propose an additional parking space to the front of the extension and therefore the proposal raises no highways issues.

## 8. Conclusion

8.1 In summary, the proposed development is not considered to harm the character and appearance of the existing property or that of the surroundings, the amenity of the neighbouring properties or the safe and efficient use of the highway, it is therefore recommended for approval.

## 9. Recommendation, Proposed Conditions and Informatives

9.1 It is recommended that the application is **PERMITTED** subject to the suitable conditions set out below.

### 9.1.1 Recommended Conditions

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. 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.

3. The proposed extension shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 1 Orson Drive, Wigston.

**Reason:** To ensure that the proposed development is compatible with existing development in the locality and in accordance with Policies 6 and 44 of the Oadby and Wigston Local Plan

4. 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:

Block Plan showing proposed roof plan dwg. no. R4117 – 011 received 5 November 2024

Proposed Elevations dwg. no. R4117 – 005 received 25 October 2024

Proposed External Landscape dwg. no. R4117 – 009 received 25 October 2024

Option 2 Ground Floor Layout dwg. no. R4117-003-C Rev C received 25 October 2024

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

### 9.1.2 Proposed Informatives

1. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Leicestershire County Council's Southern Area Manager - (telephone 0116 3052202).
2. You are advised that this proposal may require separate consent under the Building Regulations and that no works should be undertaken until all necessary consents have been obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section.
3. If the proposal involves the carrying out of building work along or close to the boundary, you are advised that under the Party Wall Etc. Act 1996 you have a duty to give notice to the adjoining owner of your intentions before commencing this work.
4. For the avoidance of doubt this permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
5. You are advised that any amendments to the approved plans will require either a Non-Material amendment application, a Minor Material Amendment application or a new planning application. If this is the case then you should allow at least 8 weeks before the intended start date to gain approval for such amendments. Further advice can be obtained by contacting the Planning Section of the Council on any amendments (internal or external).
6. The Application as submitted was, on balance, considered to be acceptable and whilst discussions with the applicant were held to seek a higher quality of development the originally submitted development is not considered to be bad enough to warrant refusal of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
7. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-householder-planning-decision>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they

imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

### Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990