



Development Control Committee	Thursday, 28 November 2024	Matter for Information and Decision
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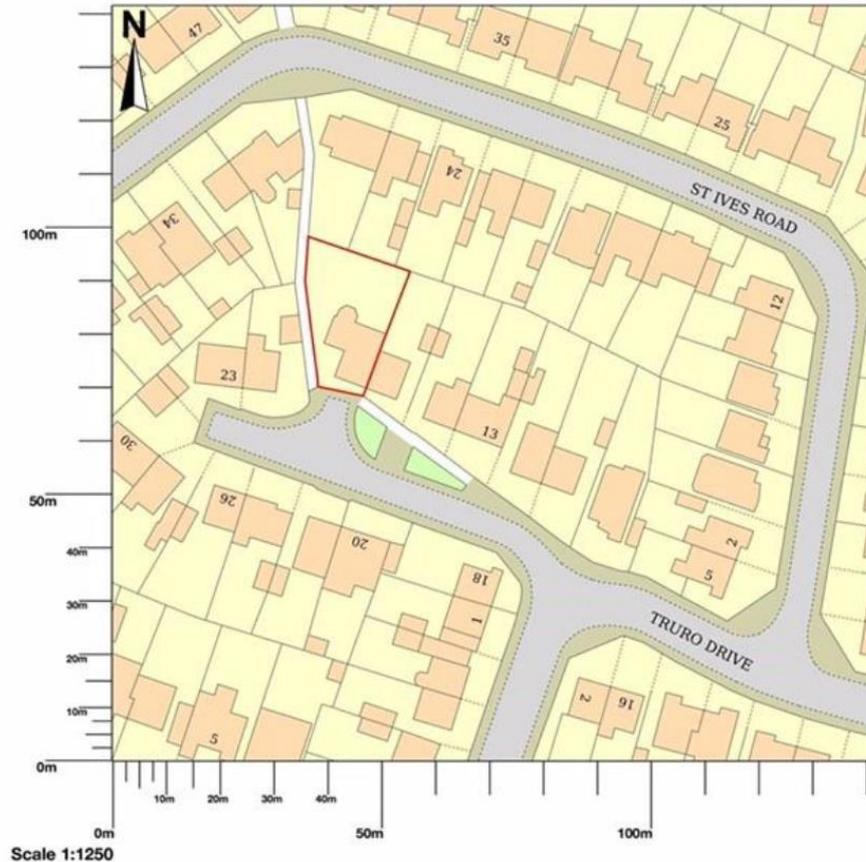
Report Title: **19 Truro Drive, Wigston, Leicestershire, LE18 2JD (Ref. No. 24/00414/FUL)**

Case Officers: **Tom White (Senior Development Control Officer)**

Site Address:	19 Truro Drive, Wigston, Leicestershire, LE18 2JD
Application Description:	Proposed single storey rear extension to replace an existing conservatory, along with the internal alterations to the existing garage.
Purpose of Report:	To consider and determine the application accordingly.
Recommendation(s):	That the application be PERMITTED planning permission in accordance with the submitted documents and plans subject to the prescribed conditions and informatives.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	<p>Teresa Neal (Strategic Director) (0116) 288 8961 teresa.neal@oadby-wigston.gov.uk</p> <p>Adrian Thorpe (Head of the Built Environment) (0116) 0116 257 2645 adrian.thorpe@oadby-wigston.gov.uk</p> <p>Jamie Carr (Planning Policy & Development Manager) (0116) 257 2652 jamie.carr@oadby-wigston.gov.uk</p> <p>Tom White (Senior Development Control Officer) (0116) 257 2750 tom.white@oadby-wigston.gov.uk</p>
Consultees:	<ul style="list-style-type: none">LCC Highways - Referred to Standing Advice 2011 – see paragraph 4.1 of this report.
Background Papers:	Search application reference no. 24/00414/FUL via Public Access to access all available documents (e.g. assessments, plans, forms etc.)
Appendices:	1. Case Officer's Presentation (Ref. No. 24/00414/FUL)

(Continued overleaf)

1. Site and Location



- 1.1 The site is located within the settlement of Wigston, accessed off the end of a cul-de-sac on Truro Road. The application site consist of a two storey semi-detached property which has a public footpath running adjacent to the side of the property.

2. Description of Proposal

- 2.1 The application seeks planning permission for the demolition of the existing conservatory to make way for a new single storey rear extension. In addition to this, the proposal would include the internal alterations to the existing garage as well as to make way for a utility room, and a store.
- 2.2 The proposed rear extension would measure approximately 3.5 metres in width, 3.3 metres to the tip of the roof, 2.3 metres to the eaves and 2.5 metres in depth.
- 2.3 This application is being considered by Committee as the applicant is a Member of the Council.

3. Relevant Planning History

- 3.1 89/00699/8M- Garage extension- Approved
09/00262/FUL- Erection of conservatory to rear- Approved 14.10.2009

4. Key Consultations and Reponses

- 4.1 LCC Highways- Referred to Standing Advice 2011 in terms of parking provision, but would raise no objection when standing advice could not be adhered to in terms of parking.

5. Neighbour and Resident Responses

- 5.1 Site Notices were posted within the vicinity and adjacent to the site with no representations being received as of 7/11/2024. However, as the public consultation is still live as of writing this report, any updates will be brought before committee on the 28th of November. The public consultation period ends on the 20th of November.

6. Planning Policy Relevant to the Proposal

6.1 PPG/PPS

National Planning Policy Framework

OWBC Local Plan

Policy 1 – Presumption in Favour of Sustainable Development

Policy 6 – High Quality Design and Materials

Policy 34- Car Parking

Policy 44 – Landscape and Character

SPG/SPD/Other

Residential Development SPD (2019)

Landscape Character Assessment (2018)

Leicestershire Highways Design Guide (2018)

7. Planning Considerations

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

- 7.1.1 Paragraphs 8 and 12 of the NPPF require development to be well-designed and promote safe, healthy and inclusive environments. Policy 6 of the OWBC Local Plan, in conjunction with the OWBC Residential Development SPD 2019, reflects the NPPF in requiring new development to be high quality and of inclusive design reflecting local character and distinctiveness in having a relationship with its surroundings in terms of massing, height, balance, use of materials, roof shape and architectural detailing to form the basis for balanced, safe, healthy and integrated communities.
- 7.1.2 Policy 44 of the Local Plan states that all development proposals within the Borough will be considered against the need to conserve and enhance the distinctive landscapes in the Borough. The Council will seek to ensure that all development proposals reflect the prevailing quality, character and features such as settlement patterns, important views, open spaces and significant natural habitats.
- 7.1.3 The proposed application would result in the demolition of the existing conservatory to make way for a single storey rear extension. Due to the orientation of the dwelling house with a public footpath running alongside the boundary with the dwelling, the rear elevation is visible from the public footpath. Furthermore, due to the siting of the proposal to the rear elevation, along with the proposal to be sited on the raised patio, this would also be visible from the public footpath.

- 7.1.4 However, notwithstanding the above, the proposed single storey rear extension is considered to be de minimus in relation to the existing dwelling house. It is also proposed to be built on a very similar footprint to the previous conservatory. The use of matching materials would also ensure that the proposal would be in visual harmony with the host dwelling, more so than the previous conservatory.
- 7.1.5 In regard to the proposed internal alterations, the majority of this work would be internal and would not be visible from the street scene. However, as part of the internal alterations the existing garage door would be removed to make way for a new window which would be visible from the front. A section of brick wall to the side elevation of the garage would also be removed to make way for a new side entrance door and small window which would be visible from the public footpath as well. However again this is considered to be de minimis in nature and would not harm the character of the application dwelling or the area as a whole. In addition, the proposed front window for the ground floor would match the other ground floor windows as well therefore appearing in harmony with the host dwelling.
- 7.1.6 The proposed new ensuite to the first-floor bedroom is also considered to be de minimus with the majority of the works being internal. The first-floor rear elevation window would be split to incorporate a window for the en-suite and as such, would be obscurely glazed via a condition. However, this is considered to be de minimus with no impact upon the dwelling or the area as a whole.
- 7.1.7 As such it is considered that the proposal would not harm the character of the area or the host dwelling and would be in accordance with policies 6 and 44 of the Oadby and Wigston Local Plan and the Residential Development SPD (2019).

7.2 Impact of the Proposal on Neighbouring Properties

- 7.2.8 Policy 6 of the OWBC Local plan, in conjunction with the OWBC Residential Development SPD 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.
- 7.2.9 The neighbouring properties are no's 17 & 21 Truro Road to the southeast and southwest respectively, along with no's 24, 26, 28 & 30 St Ives Road to the northeast, north and northwest respectively.
- 7.2.10 Due to the proposed single storey rear extension being on a similar building footprint and of a similar size to the previous conservatory along with the de minimus nature of the internal alterations it is considered that the proposal would not harm any of the neighbouring residential properties in terms of overbearing overshadowing, overlooking or general disturbance.
- 7.2.11 The minor alterations to the first-floor bedroom over the existing garage would include a new en-suite and the alteration to the rear elevation window. This rear elevation window will be conditioned to be obscurely glazed and top opening only to protect neighbouring and future occupier amenity.
- 7.2.12 As such, it is considered that the proposal would not cause harm to the nearby adjoining neighbouring and is considered to be in accordance with Policy 6 of the OWBC Local plan and the OWBC Residential Development SPD 2019.

Impact of the Proposal on the Local Highway

7.2.13 Policy 34 of the OWBC Local plan states that proposals will have to accord with the standards set out in the Leicestershire Highways Design Guide.

7.2.14 As part of the application the internal alterations to the garage would result in the loss of this garage for parking. Whilst the applicant has shown 3 off street parking spaces for the drive it is considered that this would more likely be for two vehicles.

7.2.15 However, the existing garage measures approximately 2.25 metres in width and 5 metres in depth internally which would not measure to highways standing advice. In addition to this the proposal wouldn't include any additional bedrooms and there is ample parking within the cul de sac for an additional vehicle parking. As such, it is considered that there is sufficient parking provision for the site and as such, would be in accordance with Policy 34 of the OWBC Local Plan.

8. Conclusion

8.1 In conclusion, due to the single storey, de minimis nature of the proposal it is considered that the application would be in accordance with policies 6, 34 and 44 of the Oadby and Wigston Borough Council Local Plan.

9. Recommendation, Proposed Conditions and Informatives

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

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. 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:

Site Location Plan

Proposed Block Plan, Dwg. No. A6 Rev 1

Proposed Front Elevation, Dwg. No. A7 Rev 1

Proposed Side Elevation, Dwg. No. A9 Rev 1

Proposed Side Elevation, Dwg. No. A10 Rev 1

Proposed Roof Plan, Dwg. No. A11 Rev 1

Proposed Plan View, Dwg. No. A14 Rev 1

Received by the Local Planning Authority on the 21 October 2024

Proposed Rear Elevation, Dwg. No. A8 Rev 2,

Received by the Local Planning Authority on the 28 October 2024

Proposed Bedroom Alteration, Dwg. No. Rev 2

Received by the Local Planning Authority on the 8 November 2024

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. Prior to first use of the approved rear extension, the existing garden gate and existing shed as shown on the Existing Block Plan, Dwg no A1 Rev 1, shall be removed and all debris removed from site.

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

5. The window serving the proposed new en-suite as shown on the approved plan "Proposed Bedroom Alteration, Dwg No Rev 2" received by the Local Planning Authority on the 8 November 2024 shall be obscurely glazed and top opening only and shall be maintained in perpetuity.

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

Proposed Informatives

- (i) 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.
- (ii) 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.
- (iii) 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.
- (iv) 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) 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.

- (v) The Application as submitted was considered to be acceptable and therefore discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. 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.