

Recommendation: Conditional approval	
20251959	4 Burnaston Road
Proposal:	Construction of two storey extension at side and rear; single storey extension to rear of house (Class C3) (amended plans received 12 March 2026)
Applicant:	Mr T Mushambadope
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20251959
Expiry Date:	5 March 2026
JA1	WARD: Aylestone



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Summary

- The application is a householder application for the construction of a two storey extension at the side and rear, and ground floor extension to rear.
- The application is brought to committee as the application has received 7 objections from 6 addresses within the city, including an objection from Councillor Nigel Porter.
- The main considerations are design, neighbouring residential amenity, amenity of occupiers and protected species.
- The recommendation is to grant conditional approval.

The Site

The application site concerns a two-storey semi-detached dwelling within a suburban area of the city. The existing dwelling benefits from a garden of approximately 167sqm.

The site is within a surface flood warning area and a critical drainage area. Part of the site is also within 250 metres of a gas landfill buffer.

Background

The application site has no previous planning application history.

The Proposal

The application is for the construction of a two-storey extension to side and rear, and a ground floor extension to the rear of the dwelling. To the side, the extension would have a width of approximately 2.2 metres, and the first-floor aspect of the side extension would be setback by 1 metre. It would measure 5.1 metres at the eaves and 7.6 metres at the ridge of the roof. The side extension would accommodate a playroom, shower/toilet and utility room on the ground floor. On the first floor of the side extension, a study, ensuite and part of bedroom 3 would be accommodated.

To the rear of dwelling, the ground floor extension would measure 5.5 metres in depth, 7.8 metres in width, 2.5 metres at the eaves and 3.4 metres at the ridge. Whereas the first-floor rear extension would measure 3 metres in depth, 6 metres in width, 5.1 metres at the eaves and 7.1 metres at the ridge. The ground floor would accommodate a large kitchen/dining room area and the first-floor extension would extend bedroom 2 and 3.

The proposed materials would match those of the existing dwelling.

During the application process, a proposed outbuilding was removed from the application.

Policy Considerations

National Planning Policy Framework 2024

Paragraph 2 (Primacy of development plan)

Paragraph 11 (Sustainable development)

Paragraph 44 (Sufficient Information for good decision making)

Paragraph 57 (Six tests for planning conditions)

Paragraph 135 (Good Design and Amenity)

Paragraph 136 (Trees)

Paragraph 139 (Design Decisions)

Paragraph 140 (Clear and accurate Plans)

Paragraph 181 (Flood risk considerations and SuDS)

Paragraph 193 (Biodiversity in planning decisions)

Local Policies

Core Strategy Policy CS02 (Climate-change and drainage)

Core Strategy Policy CS03 (Well-designed developments)

Core Strategy Policy CS17 (Nature Conservation)

Local Plan Policy PS10 (amenity of existing or proposed residents)

Supplementary Guidance

Residential Amenity SPD (2008)

Emerging Local Plan

On the 26th of March 2026, the Council approved the new local plan for adoption. The adoption of the emerging Local Plan is intended to take place in May 2026. In accordance with paragraph 49 of the NPPF, weight can be given to the emerging Local Plan and as it progresses, more weight can be afforded to the policies in the emerging Local Plan. I consider that the emerging local plan can be afforded significant weight.

Emerging Policies

Policy DQP01 Design Principles

Policy DQP03 Inclusive Design

Policy DQP04 Landscape Design

Policy DQP06 Residential Amenity

Policy NE01 Protecting designated sites, legally protected and priority species, and priority habitats

Policy T07 Car Parking

Representations

Seven objections were received from 6 separate addresses within the city, including Councillor Porter. They comprised of the following concerns:

Character and Design

- The proposed two storey rear extension would project beyond the established building line across Burnaston Road. As a result, it would appear visually awkward and out of keeping, disrupting the consistent pattern of development and undermine the character of the area.
- The proposed two storey rear extension is excessive in scale in comparison to the host dwelling and surrounding properties.
- The depth and height of the rear projection would mean it no longer appears subordinate to the original house.
- The extension would introduce a visually dominant and intrusive structure into views that are currently open and consistent in character.
- The proposed two storey rear extension would also appear out of keeping with the established rear garden scene, where properties follow a broadly uniform and modest rear building line.
- The original footprint would be almost doubled and will be overbearing to neighbouring properties.
- The proposed extension by reason of its overall massing, scale and length is out of keeping with the character of the surrounding area.
- The size of the rear extension and especially second-floor element would appear excessive when viewed in context of neighbouring properties.
- Residents are concerned that the scale of the proposal goes beyond what is expected for a single residential dwelling and whether the proposal is genuinely proportionate to the site.
- The scale and siting and impact on neighbouring amenity would represent overdevelopment of the plot and would be harmful to the character of the area and living conditions neighbouring residents.
- The proposed two storey rear extension would look visually incongruous when viewed from surrounding properties.

- A two-storey extension to the of the property is not in keeping with other surrounding buildings.

Impact on amenity of neighbouring residents

- The two-storey rear extension would result in an unacceptable loss of daylight and an overbearing impact on neighbouring houses.
- The two-storey rear element would reduce natural light to an existing first floor bathroom window.
- The height and depth of the two-storey rear projection would have an enclosing and dominant effect that would be harmful to residential amenity, and a single storey extension would not have the same level of harm.
- The two-storey rear element would result in the unacceptable loss of privacy to neighbouring properties.
- The first-floor windows would enable direct overlooking into rear gardens and the level of overlooking would not arise from only being single storey.
- The two-storey extension to the side will restrict the light to the windows within the side elevation of 6 Burnaston Road and impact privacy to a landing window.
- The height and mass of the second storey rear element would have a significant and harmful impact on outlook.

Parking and Highways Concerns:

- There is no provision for any extra parking for a property this size and parking is already constrained.

Councillor Nigel Porter's Objection:

- The proposed extension by reason of its overall massing, scale and length is out of keeping with the character of the surrounding area.
- The size of the rear extension and especially second-floor element would appear excessive when viewed in context of neighbouring properties.
- Residents have expressed specific concerns about the proximity of the second-floor extension to their boundary. It would result in the substantial loss of outlook from their bedroom window.
- The extension would lead to a significant increase in overshadowing, leaving the bathroom in near permanent shade, affecting their amenity.
- The residents are concerned that the scale of the proposal goes beyond what is expected for a single residential dwelling and whether the proposal is genuinely proportionate to the site.
- The scale and siting and impact on neighbouring amenity would represent overdevelopment of the plot and would be harmful to the character of the area and living conditions neighbouring residents.

Councillor Porter's concerns are addressed in the relevant planning consideration sections of the main body of the report.

Concerns were received regarding a proposed outbuilding. However, this element of the proposal has now been removed from the application.

Consultations

No consultations were undertaken.

Considerations

Principle of development

This application is a proposed extension to a dwellinghouse. House extensions are acceptable in principle subject to the considerations detailed below.

Design and Character Considerations

NPPF paragraph 135 and Core Strategy policy CS03 require well-designed developments that do not detract from the appearance of the area. The Council's Residential Amenity SPD Appendix G provides a design guide for household extensions to ensure they appear proportionate and consistent with existing dwellings.

Within the objections, there are several residents who have raised concern over the scale of the rear extension. It has been stated that the rear extension would project beyond the established building line of Burnaston Road; it would be excessive in scale, massing and length, resulting in a proposal that would not be subordinate to the original house. The objections also stated there would be harm as a result of the two-storey element appearing out of the keeping with the local area, being visually dominant and awkward, and harming views from the gardens of neighbouring dwellings. The proposed rear extension would be two storeys in scale. Whilst the two storey element of the rear extension would introduce a new type of development within the surrounding area, I consider its harm on the character and design of the dwelling and locality would be very limited. The rear extension would not be visible from the public realm, significantly limiting its harm on the surrounding area and therefore not disrupting the established building line to the front. In addition, the proposal's scale and massing would be proportionate to the original dwelling. This is evidenced by the drop in the ridge height of the extension's roof, the depth of the rear first floor element being limited to three metres, and the rear extension also having a reduced width in comparison to the ground floor element. As a result, I do not consider the proposed first floor rear extension would appear visually awkward. Instead, the proposal would appear as a subordinate addition, ensuring it does not cause adverse harm to the design of the original dwelling.

Furthermore, there is also concern that the scale of the overall proposal would represent overdevelopment of the site, as the scale of the proposal would exceed what is expected for a single residential dwelling. It was also stated that the original footprint of the house will be almost doubled. However, the existing footprint of the house is approximately 78msq and the proposed extensions would increase the footprint to approximately 108msq. As the application site is approximately 291msq, I consider the proposal's footprint will be comfortably proportionate to the site and would not exceed what is considered a reasonable development for a plot of this size.

The proposed materials of the development would match those of the existing development. The proposed materials also include the provision of render to part of the first-floor side extension that faces Burnaston Road. In addition, quoins detailing will also be incorporated on the front elevation, replicating an appropriate architectural detailing within the street scene. I consider the addition of render and the incorporation of quoins detailing will help the proposal assimilate with the character of the development within the surrounding area.

Overall, the proposal would have an acceptable impact on the character and design of the existing dwelling and surrounding area. Whilst the proposed first floor rear extension would be visually different to other extensions in the area, as the scale and massing is modest and it is sited to the rear of the dwelling, it would have a very limited impact on the character and design of the locality whilst also having an acceptable impact on the design of the existing dwelling.

Impact on Neighbouring Amenity

NPPF paragraphs 135 & 198 and saved Local Plan policy PS10 require amenity to be protected for neighbouring residents from development.

Within the objections, concerns were raised with the two-storey rear extension's scale and massing having a harmful impact on the outlook and access to natural light of neighbouring houses. Furthermore, some residents also expressed specific concerns regarding the proposed first floor rear extension, stating it would result in the substantial loss of outlook from adjacent bedroom windows. However, the adjacent principal first floor rear windows (serving bedrooms) of 2 Burnaston Road and 6 Burnaston Road would not have their splay intersected by the proposed rear extension. Whilst the proposal would have an impact on these windows, the impact would be considered acceptable because of the proposal complying with the residential amenity SPD, by not intersecting the splay of adjacent principal first floor windows. In addition, specific reference was also made to the harmful impact of the proposal on the adjacent bathroom window of 2 Burnaston Road. The proposal would have an impact on the light and outlook of the bathroom window. However, as the bathroom window serves a non-principal room and is obscure glazed, I do not consider the impact would be significant on the living conditions of the occupants at 2 Burnaston Road.

Furthermore, objections were also received that argued the two-storey extension will restrict light to the windows within the side elevation of 6 Burnaston Road. The windows within the original side elevation of the house, serve either the kitchen or landing space of the dwelling, therefore the impact would be acceptable as the windows do not serve principal rooms. However, the first-floor rear extension would intersect the splay of the windows on the side elevation of the rear extension to 6 Burnaston Road. Nonetheless, on balance I consider the impact would be acceptable, as the rear extension has acceptable access to light and outlook to the rear, therefore the impacted windows would be considered a secondary aspect.

In addition, objector's have also highlighted that the height and depth of the proposal would have an enclosing and dominating impact on neighbouring sites. The first floor extension would be built to the boundary of 6 Burnaston Road and it would measure approximately 5 metres in depth from the start of the rear amenity space within 6 Burnaston Road's garden. As the garden boundary between 4 Burnaston Road and 6 Burnaston Road measures approximately 20 metres, I do not consider the first-floor extension would be significantly dominant or create an enclosure effect, in consideration of the overall context of the site.

Objections were also concerned with the harm that the proposal could cause to neighbouring privacy, referencing the two-storey aspect of the proposal that could enable direct overlooking. Objectors stated that these concerns would not arise if the proposal was single storey in scale. However, I do not consider that the proposal would

lead to an unacceptable impact on neighbouring privacy. All proposed windows within the proposal will directly face onto the street, or the rear garden of 4 Burnaston Road. As the proposed windows will not directly face neighbouring gardens or dwellings; except for the garden of 4 Bretby Road that would have a separation distance of approximately 18 metres, the windows would not cause adverse harm to neighbouring privacy or gardens or adjacent dwellings.

Following the assessment of material planning considerations in the previous paragraphs, I consider the application would have an acceptable impact on the amenity of neighbouring residents.

Living Conditions

The existing site is a semi-detached dwellinghouse. Saved Policy PS10 of the local plan (2010) applies to the amenity of future as well as existing residents.

The proposal would have an acceptable impact on the existing access to natural light, outlook and privacy. In addition, all proposed extensions would have acceptable living conditions with regard to natural light access, outlook and privacy.

Furthermore, following the proposed development, the rear garden amenity space would still exceed the recommended guidelines of 100msq within the residential amenity SPD, ensuring residents of the dwelling would have adequate private space for amenity.

Overall, I consider the proposal's impact would have an acceptable impact on living conditions for all existing and future residents of 4 Burnaston Road.

Parking and Highways Impact

An objection raised concerns with the proposal's impact on existing parking and highways, stating that, 'there is no provision for any extra parking for a property this size and parking is already constrained'. The existing house has 3 bedrooms and the application proposes 4 bedrooms with one study room. In the vehicle parking standards, maximum parking standards recommended that 3+ bedroom houses have 2 parking spaces which is also the number recommended for a 4/5 bedroom house. As the application proposes no alterations that would impact the existing parking provision of 1 space such, I consider the proposal would have an acceptable impact on the existing parking and highways situation of the site and surrounding area.

Nature Conservation

Core Strategy Policy CS17, sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.

As part of the application, a Preliminary Roost Assessment (PRA) was submitted in support of the proposal. The assessment determined that the existing site had no features that are suitable, or likely to be used by roosting bats, therefore the building has negligible suitability for roosting bats. It was recommended that no further surveys will need to be undertaken as a result of the findings of the PRA.

I am satisfied with the findings of the PRA report. However, a condition will be attached to the permission requiring a further PRA to be undertaken, if the work does not commence within 18 months of the original survey date.

Other Matters

Within the objections, concerns were raised about the future use of the premises as a Care Home (C2) or House of Multiple Occupation (Class C4). However, if the site was to be used as a care home (Class C2), a further planning application would be required for a change of use from Class C3. This would require and enable further assessment of material planning considerations that are not relevant to the assessment of this application. Notwithstanding this, the site is not within an area of the city that has an article 4 direction removing the permitted development rights to change from Class C3 to Class C4, therefore a change of use could occur lawfully, without permission. Nonetheless, there is no justification to remove the permitted development rights for C3 to C4 use at 4 Burnaston Road, as there is not considered to be an over-concentration of C4 use in the area.

As the application is within a gas landfill buffer zone, a note to applicant will be attached to the permission outlining that appropriate guidance should be sought to mitigate against the risk of landfill gas during development.

Conclusion

I recommend the application **for approval** subject to the following conditions:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. The proposed render as identified on 'Proposed Elevations' that were received by the local authority on the 12 March 2026, shall be finished in render to match the existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
4. Should the development not commence within 18 months of the date of the last protected species survey (15/12/2025), then a further protected species survey shall be carried out of all buildings by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and agreed in writing with the local planning authority and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey should be repeated every 18 months and any mitigation measures reviewed by the LPA until the development commences. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000), the Habitat & Species Regulations 2017 and CS 17 of the Core Strategy).

5. Development shall be carried out in full accordance with the following approved plans:
DRAWING NUMBER 2025/11/238/A, Page Number 2, received 12 March 2026
DRAWING NUMBER 2025/11/238/A, Page Number 4, received 12 March 2026
DRAWING NUMBER 2025/11/238/A, Page Number 5, received 12 March 2026
DRAWING NUMBER 2025/11/238/A, Page Number 6, received 12 March 2026
DRAWING NUMBER 2025/11/238/A, Page Number 7, received 12 March 2026
DRAWING NUMBER 2025/11/238/A, Page Number 11, received 12 March 2026
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption/transitional arrangement is considered to apply:

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

2. It is considered that there is a perceptible risk from landfill gas adversely affecting this site. It is therefore recommended that the advice of a suitable consultant should be sought and carried out in the design and development of any building at this site, or underground services associated with them. It is pointed out that it is the developer's responsibility for the safe development and secure occupancy of this site.
3. It is recommended that care is taken during works should any bats or birds or their roosts or nests be discovered on or adjacent to the building or rooftop. In such a case, it is recommended that advice from a qualified ecologist should be sought before proceeding with works, given environmental protection legislation. Bats can roost or be present in roof structures of buildings or in crevices of walls. Further information on bats and the law can be found by searching for Bats: protection and licences - GOV.UK (www.gov.uk). Further information on birds and the law can be found by searching for Wild birds: protection and licences - GOV.UK (www.gov.uk)
4. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations

that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process. The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2024 is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

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| 2006_PS10 | Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents. |
| 2014_CS02 | Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City. |
| 2014_CS03 | The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'. |
| 2014_CS17 | The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network. |