

Delegated Report

Planning Ref: 24/00784/FUL
Applicant: Mr James Clarke
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: 8 Wood Street, Earl Shilton

Proposal: Alteration to existing rear window to form door and internal alterations to improve accommodation

Recommendations

- 1.1. **Grant planning permission** subject to:
- Conditions outlined at the end of this report.

Planning application description

- 2.1. The application seeks full planning permission for alterations to existing rear window to form door and internal alterations to improve accommodation.
- 2.2. The new door would be 1.020m in width, 2m in height and lead to an internal stairs to the 1st floor flat. The ground floor would continue to be used as a retail unit with the 1st floor continuing to be residential.

Description of the site and surrounding area

- 3.1. The site is located within a row of 2 storey terraced properties along Wood Street, with retail on the ground floors and mostly residential above. No. 8 has a ground floor side passageway that leads to the rear. The first floor is finished in render, red bricks and white uPVC window frames with a ground floor wooden shopfront. The site is long and narrow with a rear pedestrian entrance from Kings Row.

Relevant planning history

None.

Publicity

- 5.1. Neighbours were notified of the application, no comments have been received.

Consultation

- Earl Shilton Town Council – No response.
- HBBC Waste – No response
- HBBC Pollution – No objection.

Policy

- 7.1. Core Strategy (2009)
- Policy 2: Development in Earl Shilton
- 7.2. Site Allocations and Development Management Policies DPD (SADMP) (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)

- Planning Practice Guidance (PPG)
 - Nationally Described Space Standards
- 7.4. Earl Shilton and Barwell Area Action Plan (ESBAAP)
- Policy 22
- 7.5. Other relevant guidance
- Good Design Guide (GDG) (2019)
 - National Design Guide (2019)

Appraisal

- 8.1. Earl Shilton is recognised as a sub-regional centre that supports Hinckley in paragraph 4.18 of the adopted Core Strategy. As stated in Policy 2 of the Core Strategy, development in Earl Shilton will be supported within the settlement boundary. The application is therefore in a sustainable location for new development and is acceptable in principle in accordance with Policy DM1 of the SADMP. Therefore, in respect of this application it is considered that the key issues are:
- Design and impact upon the character of the area
 - Impact upon residential amenity
 - Impact upon highway safety

Design and impact upon the character of the area

- 8.2 Policy DM10 of the SADMP indicates that development will be permitted providing it meets good standards of design including that it would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and would not have a significant adverse effect on the privacy and amenity of nearby residents.
- 8.3 Policy 22 of the ESBAAP states that developments will be permitted providing that it does not adversely affect the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion.
- 8.4 The proposed door will facilitate access and optimise internal space. It is of a suitable scale and material and would blend well with the existing building. At the rear it would also not be visible from a streetscene perspective. There will be no external changes apart from that and therefore no adverse impact on the street scene. The proposal complies with Policy 22 of the ESBAAP, Policy DM10 of the SADMP and the GDG.

Impact upon residential amenity

- 8.5 Policy DM10 of the SADMP states that proposals should not affect the occupiers of neighbouring properties and that the amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site.
- 8.6 Paragraph 135 of the NPPF requires that development should ensure that a high standard of amenity is provided for existing and future users.
- 8.7 The Nationally Described Space Standards set out government requirements for minimum floorspace in new dwellings. The 1st floor flat is in compliance with space standards for a 1 bed flat.

- 8.8 It is considered changing a window to a door on this rear elevation would have no adverse impact on neighbouring amenity. The proposal complies with Policy 22 of the ESBAAP, Policy DM10 of the SADMP, the GDG and the NPPF.

Impact upon highway safety

- 8.9 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Paragraph 111 of the Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.10 Due to the nature of the proposal LCC Highways were not consulted for this application. It is not considered changing this window on the rear elevation to a door would have any impact on highway safety. The proposal is therefore considered acceptable.

Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

- 9.3 There are no known equality implications arising directly from this development.

Conclusion

- 10.1. By virtue of the appropriate scale, layout, form, design and proposed construction materials, it is considered that the proposed development complies with Policies DM1, DM10 and DM17 of the SADMP, Policy 22 of the ESBAAP and the GDG.

Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

- 11.2 **Conditions and Reasons / Reasons**

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Block & Location Plan - Drg No. 817/03 (Received on: 12/08/2024)

Proposed Floor Plans & Elevations - Drg No. 817/02 (Received on: 12/08/2024)

Application Form (Received on: 12/08/2024)

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the proposed extension and alteration shall accord with the details submitted with the application form received 12.08.2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.