

Delegated Report

Planning Ref: 25/00806/HOU

Applicant: Mr Paul Howard

Ward: Ratby, Bagworth and Thornton

Site: 57 Markfield Road, Ratby



Hinckley & Bosworth
Borough Council

Proposal: Erection of temporary storage unit (retrospective)

1. Recommendations

1.1. Refuse planning permission subject to:

- Planning reasons detailed at the end of this report.

2. Planning application description

- 2.1. The application seeks retrospective householder planning permission for the siting of a storage unit within the front garden area of 57 Markfield Road, Ratby. The unit itself consists of steel construction and composite cladding, and measures approx. 8.49m in length, 3m in width and 2.4m in height.
- 2.2. The applicant has confirmed the use of the container is for secure storage of tools and associated office space.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey end terrace property located on Markfield Road. The application site has received various extensions, include a dual pitched two storey gable extension to the front of the site. The dwelling itself is set back from the highway with properties along Markfield Road, benefitting from front gardens, often utilised as off-street parking.
- 3.2. The dwellings front garden has a modest boundary treatment consisting of a low-level brick wall, with brick pillars and associated metal rail fencing. The site also has a number of mature trees and shrubbery located between the site and the neighbouring property providing a degree of a natural barrier.

4. Relevant planning history

08/00668/FUL

Proposed extensions and alterations to dwelling
Planning permission
27.08.2008

5. Publicity

- 5.1. Neighbours were notified of the application via letter.
- 5.2. One letter of objection has been received which raised the following concerns:
- Commercial use within a residential area
 - Visual harm to the area
 - Inappropriate structure/materials
 - Retrospective nature of the application
 - Visual harm to neighbouring amenity
 - Highway safety, and lack of vehicular parking

6. Consultation

- 6.1. Ratby Parish Council: No comments received.

7. Policy

- 7.1. 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

- 7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

- 7.3. Other relevant guidance

- Hinckley and Bosworth Good Design Guide (GDG) (2019)
- National Design Guide (2019)

8. Appraisal

- 8.1. The application site is within a sustainable location in the identified boundary of Ratby. Therefore, the development of the storage container for residential use (as is proposed by the applicant) is acceptable in principle, subject to the assessment of all other material considerations. The key issues in respect of this application therefore are:

- Design and impact upon the character of the area
- Impact upon neighbouring 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. Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beauty, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.4. Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.5. The application is for retrospective planning permission for a temporary storage unit to the front of the dwelling, located within the front garden of the development site. The unit itself consists of a storage container, measuring approximately 8.49m in

length, 3m in width and 2.4m in height. The unit is located close to the front boundary wall/railings of the property.

- 8.6. The container itself is highly visible within the streetscene, when approaching from the east, and appears incongruous to its surroundings. The surrounding property frontages are open and devoid of development and this is a key character of the street scene. The introduction of a steel storage container, of this scale and design and in this location is not considered to be appropriate in a residential setting and would be more akin to an industrial use, as opposed to residential.
- 8.7. It is acknowledged that the existing boundary treatment to the west of the unit does provide a small degree of screening however, this does not sufficiently screen the container and it would appear unduly prominent in the streetscene. Furthermore the trees appear to be sited on the neighbouring property and therefore are outside of the applicants control and it would not be possible to condition their retention.
- 8.8. The location and design of the unit is considered inappropriate and not synonymous with the wider street scene, creating an incongruous form of development, and as such would not be considered in accordance with Policy DM10 of the adopted SADMP, chapter 12 and paragraph 139 of the NPPF.

Impact upon neighbouring residential amenity

- 8.9. Policy DM10 of the SADMP confirms the requirements of which permitted developments must achieve. DM10 (a) and (b) confirm that any development must not have a significant adverse effect on 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.
- 8.10. The location of the unit is to the front elevation of the dwelling, adjacent to the front boundary wall of the site. The unit is distanced from the front elevation of neighbouring properties and is well screened on the northwestern elevation by a row of mature trees and hedgerow.
- 8.11. The development itself would not cause detrimental impacts to neighbouring residents in terms of loss of privacy, loss of light or overbearing impacts owing to the location of the development.
- 8.12. The use of the unit is for the storage of tools and office space for the applicant, as such, the nature of the use of the unit would not create significant amenity impact in terms of noise or odour pollution.
- 8.13. As such the proposal is considered to be acceptable in terms of impact on residential amenity and would be in accordance with Policy DM10 of the adopted SADMP.

Impact upon highway safety

- 8.14. Policy DM17 of the SADMP states that the development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual and cumulative impacts of the development on the transport network are not severe.
- 8.15. Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.

- 8.16. The site has an area to the front of the dwelling which would often be considered to be afforded to off-street car parking. As part of the assessment made under planning application 08/00668/FUL, it was considered that the extensions to turn the dwelling from 3no. bedrooms to 4no. bedrooms was acceptable given the sufficient off-street parking afforded to the front of the dwelling.
- 8.17. By way of location of the unit this would reduce the levels of off-street car parking provision to the front of the dwelling to an unacceptable level for 4no. bedroom dwelling, which requires 3no. car parking spaces. Notwithstanding this, in this site specific circumstance it is unlikely that additional on-street car parking (should it occur as a result) would give rise to an unacceptable or unsafe highways situation. Therefore despite the lack of policy compliant parking spaces, the development is judged to be acceptable on highway grounds.

9. 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.

10. Conclusion

- 10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission is refused. This is based on the following reasons for refusal, which relates to the detrimental impact to the design and character of the area confirming that the proposal is not in accordance with Policy DM10 and DM18 of the SADMP, the Good Design Guide, and paragraphs 135, 139 and Chapter 12 of the NPPF.

11. Recommendation

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

- Planning reasons outlined at the end of this report

11.2 Reasons

1. The location and design of the storage unit is considered inappropriate and not synonymous with the wider street scene, creating an incongruous form of development which is out of keeping with the character of the area in conflict with Policy DM10 of the adopted Site Allocations and Development Management

Policies DPD (SADMP) (2016), Hinckley and Bosworth Good Design Guide (2019), Chapter 12 and paragraph 139 of the National Planning Policy Framework (2024).