

Delegated Report

Planning Reference 25/01153/FUL
Applicant Mr Jagtar Gill
Ward Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Application Site 19 Druid Street, Hinckley

Proposal Proposed rear dormer and change of use of two-bedroom dwellinghouse (Use Class C3) to six-bedroom House in Multiple Occupation (Use Class C4)

Case Officer Sullivan Archer (Senior Planning Officer)

1. Recommendations

- 1.1. **Grant planning permission** subject to planning reasons detailed at the end of this Report.

2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the provision of a rear dormer and the conversion of a two-bedroom dwellinghouse (Use Class C3) to a six-bedroom House in Multiple Occupation ('HMO') (Use Class C4) at 19 Druid Street, Hinckley. The flat-roofed rear dormer would be constructed with tile cladding to match that of the existing roof and the structure would externally measure 4.5m in width by 3.6m in depth and would have a total height of 2.6m. No further amendments would be proposed to the external elevations of the property to facilitate the change of use of the site.
- 2.2. This is a retrospective planning application and the rear dormer was constructed in September 2025, and the change of use was undertaken in December 2025.
- 2.3. Originally, this application was for the conversion of the property as a six-bedroom House in Multiple Occupation to a seven-bedroom House in Multiple Occupation ('HMO'). The proposal was revised following concerns raised by the Case Officer and the Council's Private Sector Housing Department regarding the scheme's impact on the residential amenity of the future occupiers of the scheme.

3. Description of the Site and the Surrounding Area

- 3.1. The application site consists of a two-storey terraced residential property that is located to the east of Druid Street in the centre of Hinckley. To the west of the site is the North Warwickshire and South Leicestershire College. To the north, east and south of the site are further terraced residential properties. Beyond 13 Druid Street to the south is Hollier's Walk Car Park and a variety of commercial uses including the Hinckley Function Room and Everest Dine restaurant.
- 3.2. As of 01 May 2026, the application site is now within an area under an Article 4 Direction, which removes permitted development rights for a dwellinghouse to change into a small house in multiple occupation under Class L of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

4. Relevant Planning History

- 4.1 **25/00878/CLP** Refused (determined: 12.19.2025)
Certificate of Proposed Lawful Development for the change of use from a dwellinghouse (C3) to HMO (C4)

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents. A further re-consultation process was undertaken following amendments to the proposal.
- 5.2 Two responses have been received from members of the public, including one Borough Councillor who both objected to the application. A summary for the reasons of objection to the proposal include harm to neighbouring residential amenity, highway safety concerns, noise pollution, and waste management concerns.
- 5.3 No further responses have been received.

6. Consultation

- 6.1 No objections have been raised by the Council's Drainage, Environmental Health or Private Sector Housing Departments. Leicestershire County Council as the Local Highway Authority referred to standing advice.
- 6.2 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 1: Development in Hinckley

7.2 Site Allocations and Development Management Policies Development Plan Document ('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') (2024)
- National Design Guide ('NDG') (2019)
- Planning Practice Guidance ('PPG')

7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide ('LHDG') (2024)

8. Appraisal

8.1. The application site is within a sustainable location in Hinckley. As a result, the key issues in respect of this application would therefore be:

- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2 Usually, planning permission is not required to change a house (Use Class C3) into a small House in Multiple Occupation ('HMO') for up to six people (Use Class C4). This is allowed automatically under national planning rules.

8.3 From 01 May 2026, the application site was within an area that has become subject to an Article 4 Direction whereby planning permission is now required to create a new small HMO within the defined area.

- 8.4 The Article 4 Direction does not ban HMOs but allows the Council to assess each proposal on its individual merits. The Article 4 Direction is not retrospective and therefore does not affect lawful HMOs, which were in place prior to the 01 May 2026.
- 8.5 The Applicant has stated that the application property has been utilised as a Use Class C4 property since December 2025 and the Council's Private Sector Housing Department confirmed that the property benefits from an existing HMO licence.
- 8.6 The proposed change of use would still maintain a residential use and the intensification of the use of the site for this purpose would not be considered in itself to result in any material impact upon the character of the surrounding area.
- 8.7 The only proposed external alterations to the property as part of this development would be the rear dormer. The rear dormer would not be visible from public views along Druid Street. Although the dormer may be visible from public views along Hollier's Walk to the south, these would be the context of the existing terraced residential properties and be limited to views beyond an existing car park. As such the proposed dormer on the rear elevation of the application property would have limited public visibility and by virtue of its size, scale, and design would not be considered to result in any significant adverse impacts to the character of the surrounding area.
- 8.8 Given the above, the scheme would not be considered to result in any significant adverse impacts on the character of the site and the surrounding area. Therefore, the proposal would be considered to comply with Policy DM10 of the SADMP.

Impact upon Residential Amenity

- 8.9 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings. Paragraph 14.2 of the SADMP states that new development should be located and designed in such a way that the amenity of both existing residents and occupiers is fully considered when assessing planning applications.
- 8.10 The development would create a new bedroom at the rear and the front of the first-floor level and two further bedrooms to the rear of the property at the second floor. The proposal would not extend any further to the rear of the property and therefore would not be considered to result in any loss of light or overbearing impacts to neighbouring residential properties.

- 8.11 The principal elevation of the application property is opposite a car park and there are no neighbouring dwellings immediately to the rear of the site. Therefore, the scheme would not result in any loss of privacy or overlooking impacts into neighbouring properties.
- 8.12 Whilst two additional principal habitable windows at second floor level may increase the degree of potential overlooking into the wider gardens of the neighbouring properties on either side of 19 Druid Street, this would not be considered to result in such a degree of harm that would cause a significant adverse effect to neighbouring residential amenity in these site-specific circumstances.
- 8.13 To support the residential amenity of future occupiers of the scheme, Regulation 2 of The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018 within the amended Schedule 4 of the Housing Act 2004 requires the floor area of any room in a HMO used as sleeping accommodation by one person to be a minimum of 6.51sqm, which increases to 10.22sqm used as sleeping accommodation by two persons. Hinckley and Bosworth Borough Council's HMO Licencing Rules require all bedrooms to have a ceiling height of at least 2.14m for over a minimum of 75% of the room area, and any floor area where the ceiling height is less than 1.53m should be disregarded when calculating the room size.
- 8.14 All proposed bedrooms would be considered to meet the conditions of Regulation 2 of The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018 (as amended), and the Council's Houses in Multiple Occupation Licencing Rules.
- 8.15 Although concerns have been raised by members of the public regarding noise and waste management caused by the proposed development, no concerns or objections have been raised by the Council's Environmental Health or Private Sector Housing Departments. Ultimately, such concerns could be appropriately addressed through the property's licencing conditions with the Council or via the Environmental Health Department outside of the planning process.
- 8.16 By virtue of these factors, the proposal would not be considered to result in any significant adverse impacts to the residential amenity of neighbouring residential properties or the amenity of the future occupiers of the scheme in these site-specific circumstances. Therefore, the scheme would be considered to comply with Policy DM10 of the SADMP.

Impact upon Parking Provision and Highway Safety

- 8.17 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.18 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.
- 8.19 Whilst no details have been provided in relation to the property's provision of off-street vehicle parking, it is clear that the development would rely upon on-street vehicle parking. However, it is noted that the application site is within a sustainable location in the centre of Hinckley, there are on-street parking restrictions in the immediate vicinity of the site to prevent inappropriate off-street vehicle parking, there is a car park to the south of the site, and there are bus stops along Lower Bond Street to the west and on Hollier's Walk to the southeast that are within 200m of the application site.
- 8.20 Given the above, whilst the application site would not provide an adequate amount of off-street vehicle parking for the site, given the sustainable location of the site and the presence of on-street parking restrictions near the site, the proposal's increase to the capacity of the property would not be considered to result in any significant adverse impacts to highway safety or the road network in these site-specific circumstances. As a result, the proposal would be considered to comply with Policies DM17 and DM18 of the SADMP.

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.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1 To conclude, taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission is granted, subject to the imposition of appropriate conditions.

11. Recommendation

- 11.1 **Grant planning permission** subject to planning reasons detailed at the end of this Report.

11.2 Conditions and Reasons

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- Existing & Proposed Plans (106 P02C) (submitted: 30.06.2026)

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).

2. The materials to be used on the external elevations of the proposed rear dormer shall match the corresponding materials of the existing property.

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

3. Prior to installation, the details of any external lighting to be provided in association with the development hereby permitted shall be submitted in writing to, and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles), and shall demonstrate that the lighting will not cause harm to bat or their habitats. The details shall be installed, maintained, and operated as approved.

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory light pollution in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. Notes to Applicant(s)

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. Hinckley & Bosworth Borough Council's recycling and refuse collection services are from the boundary to the adopted highway and do not travel along, nor collect from private roads or driveways. Please refer to the policies within the Wheeled Bin and Container Policy (updated March 2018). It would be advisable to include an area near the roadside for the safe placement of the various containers on collection day. This will then keep the access clear to allow vehicular access. It will be the responsibility of the occupiers to ensure that all containers/wheeled bins are brought to the collection point.