

Delegated Report

Planning Ref: 25/00213/FUL
Applicant: Mr Thatcher
Ward: Burbage Sketchley & Stretton

Site: 26 Coventry Road, Burbage

Proposal: Conversion of an existing garage and increase in roof height to create a one bedroom dwelling



Hinckley & Bosworth
Borough Council

1. Recommendations

- 1.1. **Refuse planning permission** for the reasons set out at the end of this report.

2. Planning Application Description

- 2.1. The applicant seeks full planning permission for the conversion of an existing garage and increase in roof height to create a one-bedroom dwelling.
- 2.2. The existing garage would have its roof raised by 0.8m at the ridge and would measure 5.08m. Windows would be added to all elevations apart from the side elevation facing the garden of 26 Coventry Road, with a first-floor windows and Juliet balcony on the side elevation facing Victoria Road to the west. The dwelling would include a lounge, kitchen, and bathroom on the ground floor, with one bedroom on the first/mezzanine floor, with a gross internal floor area of 48m².
- 2.3. The proposal includes splitting the site at the rear of the existing garden of 26 Coventry Road to create a resultant parking area for one car, and a small garden area measuring 36m². The garden would be bound by a new 2m brick wall and 1.8m close boarded fence.

3. Description of the Site and Surrounding Area

- 3.1. The site is within the settlement boundary and contains a detached garage at the rear of 26 Coventry Road, and fronts Victoria Road to the north and has dropped kerb access. The street scene is characterised by a mix of detached and semi-detached dwellings and varying styles, as well as detached garages. There is a footpath on the northern side of Victoria Road, and a mix of hedgerow and tree planting on the southern side which primarily forms the rear boundary of gardens serving dwellings on Coventry Road.
- 3.2. The site measures approximately 13m in length and 9.5m in depth (max) and 6.4m (minimum) and is bound Victoria Road to the north and west, the garden of No. 26 to the south, and the rear garden of 24 Coventry Road to the east. The existing garage has a pitched roof and square plan form and measures 6.3m in width, 6.1m in depth, with an eaves height of 2.1m and a ridge height of 4.29m.

4. Relevant Planning History

89/00786/4

- Alterations and extensions to existing dwelling including new vehicular access
- Permission
- 09.09.1989

5. Publicity

5.1. The application has been publicised by sending out letters to local residents and a site notice was erected on Victoria Road next to the site.

5.2. 12 objections have been received from neighbours making the following comments:

- Highway safety
- Reduction in parking provision
- Out of character with the street scene
- Dwelling is too small
- Approval would set a precedent for similar development
- Overdevelopment of a small site
- Loss of light/overbearing impacts

6. Consultation

- Burbage Parish Council – No objection
- LCC Highways - standing advice
- HBBC Pollution - No objection.
- HBBC Drainage – No objection
- LCC Ecology – No objection.

7. Policy

7.1. Core Strategy (2009)

- Policy 4: Development in Burbage

7.2. Site Allocations and Development Management Policies DPD (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)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.4. Burbage Neighbourhood Plan (2021)

- Policy 2: Design and Layout
- Policy 4: Parking

7.5. Other relevant guidance

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (2024)
- Technical Housing Standards – Nationally Described Space Standards (2015)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Planning balance

Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.3. The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP). In accordance with Paragraph 232 of the NPPF, due weight should be given to existing policies according to their degree of consistency with the NPPF.
- 8.4. The Planning Policy team are currently reviewing the revised NPPF and implications for the Council's Five-Year Housing Land Supply. A revised position will be published by May 2025 once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings per annum from the Dec 2024 NPPF (649dpa + 5% buffer as per Para 78a), that the Council will be unable to demonstrate a Five-Year Housing Land Supply once the revised position is published.
- 8.5. Therefore, the application should be determined against Paragraph 11(d) of the Framework whereby permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.6. The provision of a dwelling within the identified settlement boundary of Burbage and is considered to represent sustainable development in principle, subject to the assessment of all other material considerations. Other material considerations are set out within the next sections of the report.

Design and impact upon the character of the area

- 8.7. Section 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, 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.
- 8.8. 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.

- 8.9. Policy DM10(c), (d) and (e) of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.
- 8.10. Policy 2 of the Burbage Neighbourhood Plan (BNP) states that any future residential development must respect its surroundings and, where appropriate, should follow the existing pattern of development and should retain existing important natural features on the site, such as trees, hedgerows and streams.
- 8.11. The garage occupies a small parcel of land which would be extended slightly into the garden of No. 26 Coventry Road. The south side of Victoria Road where the garage lies is characterised by a mix of smaller single storey garages, boundaries to rear gardens (fencing and hedgerows, and a row of dwellings starting approximately 60m to the east. There is a linear row of dwellings directly opposite on the north side of Victoria Road.
- 8.12. The garage is orientated so that the gable is perpendicular to Victoria Road, and the hipped part of the roof lies parallel. The proposal includes the raising of the ridge height by 0.8m, which would increase the scale and massing of what is already the largest garage on the street scene. Other alterations would include the addition of a window/Juliet balcony on the western gable elevation, additional windows and doors at ground floor level, solar panels on the south side of the roof, and a porch on the north street facing elevation as well as a small roof light on this elevation. Boundary treatments would be a combination of curved 2m brick wall where the current hardstanding lies to the west of the building, as well as a 1.8m close boarded fence separating the site from 26 Coventry Road to the south. The existing hedgerow and grass verge fronting Victoria Road to the north would be removed and replaced with hardstanding and a 0.9m metal fence.
- 8.13. It is considered that the alterations to the garage would create a prominent structure within the street scene which would not relate well to the existing design and character of the area. Additionally, the removal of existing boundary treatments and introduction of additional hardstanding, brick wall and boundary fencing would also have a significant harmful impact on the character of the street scene, resulting in an incongruous relationship which would fail to complement or enhance the character of the area with regard to scale, layout, and design.
- 8.14. Furthermore, the proposed dwelling would appear cramped and contrived within the plot, standing as a small, detached dwelling with a form and design which is not complementary to the size of the plot or the wider street scene.
- 8.15. Overall, it is considered that the proposed dwelling would appear out of character and represent poor design, therefore resulting in a cramped and contrived form of development which would have a significantly adverse impact on the character of the street scene. The proposal is therefore in conflict with Policy DM10 of the SADMP, Policy 2 of the Burbage Neighbourhood Plan, and Paragraph 139 of the NPPF.

Impact upon residential amenity

- 8.16. Policy DM10 of the SADMP states that development should be permitted providing that the development would 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, noise, vibration and visual intrusion.

- 8.17. Paragraph 135 of the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.18. Objections have been received highlighting concerns regarding loss of light and loss of privacy for dwellings opposite the site. Whilst the building would be more prominent, it is not considered that the increase in scale would result in unacceptable overbearing impacts, and the positioning of the windows at first floor level ensures that neighbouring amenity would be protected. Similarly, whilst the building would appear more prominent from 26 Coventry Road to the south, the impacts would not be unacceptable and there are no windows proposed on the elevation facing this property.
- 8.19. Regarding the internal layout of the proposed dwelling, Officers refer to the national described space standard in the absence of specific local policies on this matter. The proposed dwelling is considered to be a 2-storey dwelling and therefore the minimum internal floor area should be 58m². The internal floor area for the proposed dwelling is 48m².
- 8.20. The garden area for the proposed dwelling would be 36.5m. The Council's Good Design Guide suggests that dwellings should have a minimum garden size of 60m² and a minimum length of 7m, however there is no specific guidance for 1-bedroom dwellings. Whilst the garden area may be sufficient in specific circumstances, the combination of the shortfall in internal floorspace and insufficient garden area in combination result in an unacceptable provision of amenity for future occupiers of the proposed dwelling and would not comply with DM10 of the SADMP and paragraph 135 of the NPPF. Notwithstanding this, the resultant garden area for 26 Coventry Road would be sufficient for occupiers of the existing dwelling.
- 8.21. Whilst the Good Design Guide states that these figures can vary and should not preclude innovation, the combination of these shortfalls provides further evidence that the site is not capable of accommodating the proposed dwelling both in terms of its proposed design, but also the impact it would have on prospective and existing residents.
- 8.22. In summary, it is considered that the proposed development would provide insufficient indoor and private outdoor amenity space for the proposed dwelling and would therefore conflict with Policy DM10(b) of the Site Allocations and Development Management Policies DPD paragraph 135 of the NPPF.

Impact upon highway safety

- 8.23. Policy DM17 and DM18 of the SADMP require development to accord with the adopted highway design and vehicle parking standards to ensure that there is adequate highway visibility for road users and adequate provision of off-street parking and manoeuvring facilities. Paragraph 32 of the NPPF states that development should only be refused on highway grounds where the cumulative impact of the development is severe.
- 8.24. Policy 4 (Parking) of the Burbage Neighbourhood Plan requires at least two off-street, car parking spaces within the curtilage of each new 2 bed or larger dwelling

developed within the Parish unless it is unachievable, for example in an infill plot in a row of terraces, where such a parking space would disrupt the frontage pattern of the terrace.

- 8.25. The LHA have no objection and refer to standing advice. The proposed parking arrangement would utilise the existing dropped kerb and would result in the loss of the use of the garage and part of the hardstanding, which in combination would be a loss of two off street parking spaces. Notwithstanding this, 26 Coventry Road has sufficient parking provision at the front of the property, and the provision of one off-street parking space for a one-bedroom dwelling is considered sufficient in this case.
- 8.26. As such the proposal satisfies the requirements of Policy DM17 & DM18 in regard to appropriate levels of parking provision & highway safety.

Planning Balance

- 8.27. The Council cannot demonstrate a 5-year housing land supply and the housing policies in the adopted Core Strategy and the housing policies of the adopted SADMP are considered to be out of date as they focused on delivery of a lower housing requirement than is now required. It is necessary therefore to consider that the 'tilted' balance in paragraph 11(d) of the NPPF applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.28. Policy DM10 of the SADMP is considered to be broadly consistent with the overall aims of the NPPF, and therefore significant weight should be attached to the fact that the proposal is contrary to the Development Plan and undermines the plan led approach endorsed by the Framework.
- 8.29. The development would result in a permanent significant harmful impact on character of the street scene by virtue of the increased scale of the building and the cramped and contrived design of the proposal which would appear incongruous and out of character. This is contrary to Policy DM10(c) of the SADMP, and paragraph 139 of the NPPF. Therefore, this harm is considered to attract significant weight in the planning balance.
- 8.30. Additionally, the proposed development would provide insufficient garden and internal amenity space for the proposed dwelling. The combination of these shortfalls result in a development which would cause unacceptable harm to the amenity of prospective residents and would therefore be in conflict with Policy DM10(b) of the SADMP, Paragraph 135 of the NPPF and the aims of the Council's Good Design Guide.
- 8.31. Despite this, it is acknowledged that there are potential social and economic benefits from the scheme such as providing a dwelling for a small household, as well as the future occupiers opportunity to act as new customers and employees for local businesses and services and the economic gains during construction. The proposal would also make a minor contribution towards the LPAs identified 5YHLS shortfall. Notwithstanding this, as the application proposal is for the provision of a single dwelling, these social and economic benefits are afforded limited weight.
- 8.32. In summary, it is considered that the proposed dwelling would result in a development which would cause significant and permanent harm to the character

and appearance of the street scene, whilst also resulting in unacceptable levels of amenity for future occupiers. Whilst the provision of one dwelling would help towards the Council's housing land supply shortfall, the adverse impacts of this proposal are considered to significantly and demonstrably outweigh its benefits.

- 8.33. As a result, it is considered that the development conflicts with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraphs 135 and 139 of the National Planning Policy Framework (December 2024) and should be refused.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. The proposed development would result in a cramped and contrived design which fails to complement or enhance the character of the area. Additionally, the proposal would not provide sufficient private amenity space for the proposed dwelling.
- 10.2. There are social benefits associated with the proposal, such as providing housing for specific needs/smaller families. The proposal would also make a minor contribution towards the LPAs identified 5YHLS shortfall. Notwithstanding this, as the application proposal is for the provision of a single dwelling, these social and economic benefits are afforded limited weight.
- 10.3. The proposal is therefore in conflict with Policy DM10 of the SADMP, Paragraphs 135 and 139 of the NPPF, Policy 2 of the Burbage Neighbourhood Plan, and the aims of the Council's Good Design Guide. The conflict identified with these Policies is considered to significantly and demonstrably outweigh the benefits, and the application is therefore recommended for refusal.

11. Recommendation

- 11.1. **Refuse planning permission** for the following reasons:
1. By virtue of the design, scale and layout of the proposed dwelling, it is considered that the proposed development would result in a cramped and contrived relationship within the existing street scene and would therefore represent poor design, failing to

complement or enhance the character of the street scene. The proposed development would therefore cause significant harm to the character and appearance of the area and would therefore conflict with Policy DM10(c) of the SADMP, Policy 2 of the Burbage Neighbourhood Plan, and Paragraph 139 of the NPPF.

2. By virtue of the design and layout of the proposed dwelling, the proposal would fail to provide sufficient private internal and outdoor amenity space for prospective residents. The proposed development is therefore in conflict with Policy DM10(b) of the SADMP, Paragraph 135 of the NPPF and the aims of the Council's Good Design Guide.