

## Delegated Report

Planning Reference	25/01103/FUL	 Hinckley & Bosworth Borough Council
Applicant(s)	Luisa Quinney	
Ward	Ambien	
Application Site	1A St Margaret Road, Stoke Golding	
Proposal	<b>Demolition of existing garage and erection of ancillary timber building for mixed use comprising of sports massage therapy services and residential use.</b>	
Case Officer	<b>Joe Fleetwood (Planning Officer)</b>	

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### 1. Recommendations

#### 1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

### 2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the demolition of the existing garage, and the erection of a timber building, for a mixed use of both sports massage therapy and residential ancillary use; at 1A St Margaret Road, Stoke Golding. The application has been accompanied by a full suite of plans confirming the design, appearance and location of the building.
- 2.2. The proposal externally measures 6.2m in width, 3.3m in depth, and 2.47m in height, with a slope roof from front to rear, lowering to a height of 2.21m. The development is proposed to be constructed of timber and is located within the footings of the existing garage structure.

### 3. Description of the Site and the Surrounding Area

- 3.1. The application site is located within the settlement boundary of Stoke Golding. The site is located on the corner of St Margaret Road and Hinckley Road. The site consists of a 1.5 storey bungalow. The building itself benefits from a large dormer facing onto St Margaret Road, and a conservatory and detached garage located between the building itself and the neighbouring property of 43 Hinckley Road. The site has a modest garden located to the south of the dwelling.
- 3.2. The surrounding area is predominantly characterised by residential uses, consisting of a mix of two storey detached and semi-detached dwellings, alongside bungalows. Stoke Golding Club is also located within proximity to the development site.

#### 4. Relevant Planning History

4.1 No recorded planning history.

#### 5. Publicity

5.1 The application has been publicised by posting letters to neighbouring residents.

5.2 One letter of objection has been received, which related the lack of off-street car parking provision at the property, and concerns relating to highway safety as a result of the development.

5.3 The above concerns have been addressed within the Highways section of this report.

#### 6. Consultation

##### Stoke Golding Parish Council

6.1 Stoke Golding Parish Council have not commented on the application.

##### Leicestershire County Council (LCC) Highways

6.2 LCC Highways have confirmed the following:

*"The Local Highway Authority Advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework (2024)."*

*The Applicants are proposing to demolish the detached garage and erect an ancillary timber building for mixed use comprising of sports massage therapy services and residential use.*

*The Applicant has stated that the existing access and parking arrangements will be utilised. Given the Applicant lives at the host property there is no staff car parking associated with the use.*

*The Applicant states on the 'Applicant Form' that the dwelling currently has two off-street parking spaces which will remain the same.*

*The Applicant states within the 'Design and Access Statement' that there will be a maximum of four clients a day, this equates to eight two-way trips a day.*

*Given the small-scale nature of the proposals and the evidence of on-street parking in and around the area, it would be difficult to demonstrate the proposals would lead*

*to a severe impact on the public highway contrary to paragraphs 115 and 116 of the National Planning Policy Framework (2024).*

*For the reasons set out above, the LHA would not seek to resist the proposals in these site-specific circumstances".*

#### Leicestershire County Council (LCC) Drainage

6.3 LCC Drainage have confirmed the following:

*"The development site is located within a mineral safeguarding area for sand and gravel. However, given the scale and context of the proposal it is not considered to raise significant mineral safeguarding concern. Accordingly, the Mineral Planning Authority does not require a Minerals Assessment for this application and would have no objections.*

*Furthermore, there are no concerns from a waste safeguarding perspective".*

#### Hinckley & Bosworth Borough Council (HBBC)

6.4 HBBC Environmental Health commented on the application with no objections.

6.5 HBBC Drainage commented on the application to include a note to applicant, which has been included at the bottom of this report.

6.6 HBBC Waste Management have not commented on the application.

## **7. Policy**

7.1 Core Strategy (2009):

- N/A.

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- 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 (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 the identified settlement boundary of Stoke Golding. Therefore, the development of the demolition and erection of a timber building, alongside the mixed use as a sports massage therapy business and residential ancillary use is acceptable in principle, subject to the assessment of all other material considerations. The key issues in respect of this application are therefore:

- 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 Chapter 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.

8.3 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.4 The development site is located on the corner of St Margaret Road and Hinckley Road. The area is predominantly defined by residential dwellings, with detached bungalows along St Margaret Road, and larger two storey detached and semi-detached dwellings located on Hinckley Road. The dwellings in the area often benefit from a garage/outbuilding, with a range of designs and materials. The area is also defined by dwellings set back from the highway, often with low level boundary treatments, consisting of 1m high brick walls, fencing or hedgerow/planting.

8.5 The existing outbuilding subject to this planning application is a single storey detached garage, consisting of painted white brickwork, with the main opening facing onto Hinckley Road.

8.6 The proposed outbuilding is a timber structure, measuring a total of 2.47m in height, 3.3m in depth and 6.2m in length, with openings consisting of a patio door and two large windows facing onto the rear elevation of the existing dwelling. Along Hinckley Road, and St Margaret Road, there are a mix out outbuilding designs, including a

range of frontages including windows, garage doors and blank elevations, as such it is considered that the outbuilding would not appear significantly out of character, nor detrimental to the character of the area.

- 8.7 It is noted that due to the size of the proposed replacement outbuilding, the building itself could be built under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015. The applicants' fallback position is therefore a factor which should be considered.
- 8.8 It is considered that the use of the outbuilding, specifically the intensity of the use would not have a material impact on the character of the area, and as such would be acceptable.
- 8.9 The development would have no detrimental impact on the character of the area and would therefore be in compliance with Policy DM10 of the adopted SADMP.

#### Impact upon Residential Amenity

- 8.10 Policy DM10(a) and (b) of the SADMP states that 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, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.11 The proposed replacement outbuilding itself is not considered to cause detrimental impacts to neighbouring residential amenity in terms of loss of light, loss of privacy, overbearing or overshadowing impacts, owing to the building's single storey nature, and the location of the development. The proposed replacement outbuilding is similar in size to the existing garage and will be located within the same footings. There are no principal ground floor windows within the side elevation of the neighbouring property and as such the impact of the development would be negligible, especially in the context of the existing development.
- 8.12 With regard to the use of the outbuilding for the purposes of operating a sports massage therapy business, given the proposed intensity of the use, the impacts on neighbouring properties would be limited, through limited and restricted customer visits each day, alongside restricting the operation hours of the business via planning condition, which is outlined at the end of this report. The proposed hours of operation are outlined below, and it is confirmed in the applicants Design and Access Statement that there would be a 30-minute change over between each customer session, reducing the number of customers on the premises at any given time to one.

**Monday 12:30 – 15:00**

**Tuesday 14:00 – 19:00**

**Wednesday 14:00 – 19:00**

**Thursday 14:00 – 18:00**

**Friday 14:00 – 18:00**

**No hours permitted for Saturday, Sundays or Bank Holidays**

8.13 Whilst it is acknowledged that there may be some minor impact on neighbours from customers visiting the site, the use itself is not considered to be a use which would create noise and disturbance. The number of visitors per day and the limited number of customers on site would not be considered to cause significant detrimental impacts on neighbouring amenity as such the scale of operation is considered to be of an appropriate level for a residential area.

8.14 As such the proposal is considered to be in accordance with Policy DM10 of the adopted SADMP.

#### Impact upon Parking Provision and Highway Safety

8.15 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.

8.16 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.

8.17 The proposal for the use of the replacement outbuilding relates to a sports massage therapy business. It is confirmed and is conditioned at the end of this report that there shall be no more than one customer at the site at any one time, and the proposal includes confirmation that there would be a 30-minute allocated change over time, to ensure that customers can park safely at the property.

8.18 The site benefits from off-street car parking, which will serve the owner of the property and one customer visiting site. An additional condition is recommended ensuring that the business is ancillary to the host dwelling and is not sold or let separate to the dwelling ensuring that the parking situation remains as such. The intensity of the use is not considered to have a material impact on the highway network. Leicestershire County Council Highways have not objected to the proposal.

8.19 The proposal is therefore not considered to have a material impact on highway safety, nor create any issues with regards to parking facilities, as such the proposal is in accordance with Policies DM17 and DM18 of the adopted 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 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 conditions detailed at the end of this report.

### **11.2 Conditions and Reasons**

1. The development hereby permitted shall be begun before the expiration of three years from the date of 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 received by the Local Planning Authority as follows:

- Site Location Plan, received 17.11.2025
- Proposed Floor Plans and Elevations Drg No. 01, received 17.11.2025
- Block Plan, received 05.12.2025

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 sports massage therapy business use shall not take place other than between the hours set out below:

Monday: 12:30 – 15:00

Tuesday: 14:00 – 19:00

Wednesday: 14:00 – 19:00

Thursday: 14:00 – 18:00

Friday: 14:00 – 18:00

Saturday, Sunday and Bank Holidays: No hours permitted

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD (2016).

4. No more than a total of 1 customer shall be permitted to visit and utilise the site at any one time, and there shall be no more than one member of staff working at the premises at any time. There shall be no more than a maximum of 4 customers to visit the site in any one day. The building shall remain ancillary to the dwelling, 1A St Margaret Road, Stoke Golding and shall not be occupied, sold or separately leased or let as an independent business unit.

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance and to ensure no undue pressure of the local highways network, impacting highway safety in accordance with Policy DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies DPD (2016).

5. The materials used on the external elevations of the hereby approved outbuilding shall match that which is described within the application form received by the local planning authority on 17<sup>th</sup> November 2025.

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 DPD (2016).

a. **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 [building.control@blaby.gov.uk](mailto:building.control@blaby.gov.uk) or call 0116 272 7533.
2. Rainwater from the detached outbuilding roof should be positively drained into a suitable water butt, soakaway or domestic drainage system, and not be permitted to discharged directly onto the surface of the application site and neighbouring properties.