

Delegated Report

Planning Ref: 24/00774/FUL

Applicant: Anju Maini

Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: 54 Main Street Desford Leicester

Proposal: Change of use of detached garage to office space to be used ancillary to the main surgery building (Desford Medical Centre): Use Class E (e) for the provision of medical or health services, principally to visiting members of the public. The conversion of the building includes the insertion of two roof lights (conservation type) within the existing roof slopes and insertion of new window opening/brick infill in place of existing garage door opening.

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. This application proposes the conversion of an existing detached garage unit (brick built under a tiled duo-pitch roof) to an office space, which will be used as an administrative office, ancillary to the main surgery (Desford Medical Centre).
- 2.2. To enable the conversion of the building to an office space two roof light type windows are proposed to be inserted within both of garage's existing roof slopes. The garage's existing opening (which faces Main Street) is proposed to be replaced with a "gothic" style pointed arch type timber window opening, which includes infilling the space with matching brickwork.

3. Description of the site and surrounding area

- 3.1. The garage unit (to be adapted/converted) is a modern structure (constructed 1990s – brick built under a tiled duo-pitch roof) but is located within the curtilage of 54 Main Street which is a grade II listed building of special historic and architectural interest.
- 3.2. The building is currently used as a doctors' (NHS primary care trust) surgery, known as Desford Medical Centre, but was formerly the Village School (constructed in 1876). As the garage was constructed post-1948 it is not part of the listed building. The garage itself, is currently used for storage associated with the surgery.
- 3.3. Immediately to the south-east of the site is sited the former schoolmaster's house (no. 50 Main Street) and its associated amenity space which adjoins the proposal site and is also built in 1876. This building was converted to a private residential dwelling (see history above) and is also a grade II listed building.
- 3.4. The application site is located within the Desford Conservation Area and upon the north end of Main Street, which within the vicinity of the proposal, is a linear section of highway flanked predominately by 18th and 19th Century dwelling houses, which are mainly built close to the pedestrian highway and provide a strong sense of enclosure within proximity of the proposal site.

4. Relevant planning history

05/00728/LBC

- CONVERSION OF BUILDING TO MEDICAL CENTRE
- LISTED
- 01.11.2005

14/00629/FUL

- Change of use from garage to office including alterations to elevations
- PER
- 01.09.2014

14/00630/LBC

- Alterations to garage elevations
- APPRET
- 27.08.2014

90/00984/4

- ERECTION OF GARAGE
- PER
- 23.10.1990

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.

5.2. No comments received

6. Consultation

6.1. HBBC Environment Services (Pollution): No Objections

6.2. HBBC Drainage: No Objection

6.3. HBBC Conservation Officer: No objection to proposal. Comments regarding proposed design in relation to the host listed building, neighbouring listed buildings and the surrounding conservation area are incorporated into appraisal (below): Design and impact upon the character of the area.

6.4. Historic England: No advice provided. Refer to HBBC Conservation Officer Comments

6.5. Desford Parish Council: No comments received.

7. Policy

7.1. Core Strategy (2009):

Policy 8: Key Rural Centres Relating to Leicester.

7.2. Desford Neighbourhood Plan 2018-2036:

Policy H1: Settlement Boundary

Policy H7: Design

Policy F2: New or Improved Community Facilities

7.3. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highway Design Guide (2021)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Drainage

Assessment against strategic planning policies

8.2 The proposed development is located within the settlement boundary of Desford -as defined in the SADMP and Desford Neighbourhood Plan (2021). Furthermore, Desford Neighbourhood Plan Policy H1 (settlement Boundary) states development proposals within the settlement boundary will be supported where they respect the character of Desford (appraised below).

8.3 Desford Neighbourhood Plan Policy F2: New or improved community facilities, states: Proposals that improve the quality and/or range of community facilities, will be supported provided that the development:

- a) Meets the design criteria stated in Policy H7 where appropriate (discussed in design and character appraisal below)
- b) Does not harm highway safety (discussed in parking and traffic appraisal below)
- c) Will not generate a need for parking that cannot be adequately catered for;
- d) Is of a scale appropriate to the needs of the locality and conveniently accessible for residents of the parish wishing to walk or cycle; and
- e) Takes into full account the needs of people with disabilities.

- 8.4 Therefore, the proposal accords with SADPM Policy DM1 – Presumption in favour of sustainable development and Desford Neighbourhood Plan policy H1 (Settlement Boundary) and notwithstanding further appraisal below (design, parking and transport), the proposal accords with Desford NP Policy F2 and the wider policies of the NPPF.

Design and impact upon the character of the area

- 8.5 Policy DM10 of the adopted 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. This is further supported through the adopted Good Design Guide and The Desford Neighbourhood Plan Policy H7 (Housing Design/Other Design) criteria a-j (where relevant).
- 8.6 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.7 Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building.
- 8.8 HBBC's Conservation consultation response to this application states :

The extent of changes proposed are limited in extent and will be sympathetic to the character of the building and its immediate context. The building will continue to be a neutral presence within the conservation area and setting of the adjacent listed buildings, meaning the character and appearance and thus significance of the Desford Conservation Area is preserved, and that the proposal is compatible with the significance of the listed buildings 50 and 54 Main Street.

It is considered consider that the proposed development respects the character and scale of the main/associated building and neighbouring dwellings, and furthermore will not introduce any incongruous or harmful features within the surrounding streetscene.

- 8.9 As a result, the proposal would therefore comply with Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD, section 16 of the NPPF and the statutory duty of sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, SADMP Policy DM10 and the relevant Design related criteria of Desford NP Policies H7 and F2.

Impact upon neighbouring residential amenity

- 8.10 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed

development would not be adversely affected by activities within the vicinity of the site.

- 8.11 The proposed office space (within existing garage space to be converted) side elevation (south east facing) is sited approx. 0.5 metres from the common boundary serving the closest residential neighbour (No.50 Main Street- The Old School House) and will be sited in close proximity to the neighbours rear amenity space. The office space front elevation (facing the nearby highway), which is proposed to contain a new window opening, will be sited approximately three metres (perpendicular) to the rear corner of No 50. Despite the relatively close siting of the office space to the rear of the neighbouring property and its rear amenity space, in consideration the proposed use is for administration purposes related to the associated surgery building, of which, given its size (approx.7x 3 metres), could only comfortably support 2-3 staff/workstations, and therefore, it is considered such use/potential number of users would not cause any significant/harmful noise disturbance upon closest property (No.50), or indeed would cause no greater disturbance upon the neighbour than is already experienced from the adjoining surgery and storage garage.
- 8.12 The proposed office use could potentially generate extra vehicles parking/visiting the proposal site, however, the proposed use will provide/help mitigate existing space requirements of the associated doctors surgery, and therefore, will not create any further vehicular traffic disturbance from and within the site than is already caused by existing members of staff.
- 8.13 Otherwise, the applicant does not propose any external equipment for ventilation or odour extraction that could harm the amenity of neighbouring dwellings. Moreover, in their consultation response, HBBC Environment Services (Pollution) Officer has not raised any concerns or objection regarding potential harm to the amenity afforded to neighbouring dwellings’.
- 8.14 The proposal will introduce two roof light type windows within the existing structure’s duo-pitch roof slopes. Also a pointed arch type window is proposed to be inserted in the converted garages front (SW facing elevation). However, these windows will not overlook living space windows or rear amenity space belonging to the closest residential neighbour (No.50) and moreover a boundary wall is sited between the proposed front window and the neighbouring dwelling.
- 8.15 Therefore, the proposed development is in accordance with Policy DM10 of the SADMP and the SPD as it safeguards residential amenity and accords with the recommendations of the Good Design Guide.

Impact upon highway safety

- 8.16 Policy DM18 of the SADMP- which is reflected in the LHA’s Highway Design Guide- requires new development to provide an appropriate level of parking provision to serve the development proposed.
- 8.17 The proposed change of use of the garage building to ancillary office space will not increase vehicular traffic using or visiting the premises by any significant degree that will negatively impact upon the nearby highway network and the safety of its users.
- 8.18 Furthermore, an existing hardstanding- located at the side of the existing surgery building – which adjoins the nearby highway- is proposed to be retained as part of the proposed change of use application and provides at least 8 No. off street parking spaces and retains adequate space for safe entrance/exit for visiting members of staff.

- 8.19 In view of the above, the proposal accords with SADMP Policies DM17 and 18 and standing advice contained in the Leicestershire Highway Design Guide (2021).

Drainage

- 8.20 Policy DM7 of the SADMP seeks to ensure developments propose measures to mitigate any potential adverse impacts of pollution and flooding.
- 8.21 HBBCs Drainage Officer has not raised any concerns about drainage and drainage requirements relating to the change of use of the dwelling to office. Therefore, the proposal accords with SADMP Policy DM7.

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. The proposal is located within the settlement boundary of Desford and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 of the SADMP, Desford NP Policies H1 and F2 and the wider policies of the NPPF.
- 10.2. The application would not have an adverse visual impact on the area and it complies with Policies DM10 of the SADMP and advice provided within the Good Design SPD, and Desford Neighbourhood Plan (Policy H7 and F”).
- 10.3. The building will continue to be a neutral presence within the conservation area and setting of the adjacent listed buildings, meaning the character and appearance and thus significance of the Desford Conservation Area is preserved, and that the proposal is compatible with the significance of the listed buildings 50 and 54 Main Street. The application would not have an adverse visual impact on the area therefore complies with Policies DM11, DM12 DM10 of the SADMP and advice

provided within the Good Design SPD, and Desford Neighbourhood Plan (Policy H7).

10.4. There would be no significant loss of residential amenity to any neighbouring properties or adverse implications on highway safety and therefore complies with Policies DM10, DM17 and DM18 of the SADMP.

10.5. In this regard the proposal is supported.

11. Recommendation

11.1 **Grant planning permission** subject to

- Planning conditions outlined 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 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: Drg No. 2024/1174/01A: Proposed Plan, Roof Plan, Elevations, Site Location Plan and Site Block Plan, received by the local planning authority 21.08.2024.

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 match the corresponding materials of the existing building and those proposed in the materials schedule of the planning application form approved as part of this application and specific materials denoted on approved drg.no: 2024/1174/01A, received by the local planning authority 21.08.2024

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).

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 building.control@blaby.gov.uk or call 0116 272 7533.

2. Roof spaces are a common roosting site for barn owls and bats. Both of these species are protected by the Wildlife and Countryside Act 1981 under which any deliberate action resulting in the disturbance or destruction of their place of shelter is illegal. If any of these species are found in the building you shall contact Natural England immediately: Telephone 01476 584800