

Delegated Report

Planning Ref: 25/00648/HOU
Applicant: Mr Dean Watson
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 5 Wensleydale Close Barwell Leicester

Proposal: Erection of a double garage

Case Officer: Zahra Jam-Rotbeh

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 householder planning application seeks full planning permission for the erection of a double detached garage in 5 Wensleydale Close.
- 2.2. The proposed double garage measures 5.9m in width x 7.3m in depth. Accordingly, the proposal provides a footprint of 43.07sqm. The eaves height is proposed at 2.36m with a pitched roof which would create a total height of 4.52m.
- 2.3. The proposed garage has a pitched roof structure to match the roof structure of the main dwelling. The proposal would be constructed with facing brick material to match the existing walls and concrete tile in brown to match the existing roof.

3. Description of the site and surrounding area

- 3.1. 5 Wensleydale Close is a detached, two-storey, four-bedroom dwelling located within the defined settlement boundary of Barwell, in a predominantly residential area. The site is also located within the Barwell Conservation Area.
- 3.2. 5 Wensleydale Close is a modern detached dwelling dating from the later half of the twentieth century. It is fronted by a paved and hard landscaped parking area. The rear section of the dwelling itself and its rear garden is located within the Barwell (High Street) Conservation Area, which extends to the east along Barwell Lane and the north along High Street. The front section of the dwelling and the front garden is located outside of the conservation area but is within its setting.
- 3.3. The application site involves garden land and an area of hardstanding used for car parking to the front of the main dwelling. Access to the site is gained from the existing dropped kerb at Wensleydale Close which forms the southern boundary of the application site.
- 3.4. The site involves an existing attached garage to the main dwelling and a parking space to the western side of the property.

4. Relevant planning history

N/A

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.
- 5.2. One response has been received in support of the planning application.

6. Consultation

- 6.1. No objection has been received from Higham on the Barwell Parish Council.
- 6.2. A recommended condition and an informative note were recommended from LCC Ecology which have been addressed within the report.
- 6.3. A response has been received from HBBC Conservation Officer:
“The proposal is for a detached double garage of rectangular plan and a dual pitched roof, sited within the parking area fronting the dwelling. The facing walls would be of red brick and roof covered in a brown concrete tile. In my opinion the garage would have a character and appearance that reflects the surrounding development, resulting in no adverse impacts upon any key characteristics of the conservation area and being a development that is a neutral presence within its setting. For these reasons the proposal would preserve the heritage significance of the Barwell (High Street) Conservation Area, and it therefore complies with Policies DM11 and DM12 of the SADMP and section 16 of the NPPF.”

7. Policy

- 7.1. Core Strategy (2009)
Policy 3: Development in Barwell
- 7.2. Site Allocations and Development Management Policies (SADMP) DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - 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
- 7.3. Earl Shilton and Barwell Area Action Plan (2006-2026):
 - Policy 22: Development and Design
- 7.4. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Leicestershire Highway Design Guide (2024)

8. Appraisal

8.1. Extensions and alterations to existing domestic properties within settlement boundaries are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:

- Design and impact upon the character of the dwelling and the Barwell Conservation Area
- Impact upon residential amenities
- Impact upon parking provision
- Impact upon ecology

Design and impact upon the character of the area and the Barwell Conservation Area

8.2 Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally.

8.3 Section 16 of the NPPF (2024) provides the national policy on conserving and enhancing the historic environment. Paragraphs 202-211 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.

8.4 Policy 12 of the adopted Core Strategy seeks to ensure that new development would respect the character and appearance of the Higham on the Hill Conservation Area by incorporating locally distinctive features of the conservation area into the development.

8.5 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Policy DM12 states that development proposals should ensure the significance of a conservation area is preserved and enhanced.

8.6 According to HBBC Conservation Officer: *The conservation area is an area of special historic and architectural interest. The Barwell (High Street) Conservation Area Appraisal (2010) recognises that the special interest of the area and its key characteristics relate to the older village core along the High Street, running southwest and linking Top Town (the village centre) with the church and the war memorial on Church Lane. Along this road, industrial development has led to a tight pattern of red brick factories, workshops and dwellings. It is understood that the in the vicinity of the application site the conservation area boundary was drawn to reflect the historic boundaries of Ivens Farm on Barwell Lane. Such a boundary is not perceptible on the ground, with the application dwelling being a relatively modern building of no historic or architectural significance, and the dwelling and the application site making no particular contribution to the key characteristics of the conservation area or its setting.*

8.7 *The Conservation Officer also added "In my opinion the garage would have a character and appearance that reflects the surrounding development, resulting in no adverse impacts upon any key characteristics of the conservation area and being a development that is a neutral presence within its setting. For these reasons the proposal would preserve the heritage significance of the Barwell (High Street)*

Conservation Area and it therefore complies with Policies DM11 and DM12 of the SADMP and section 16 of the NPPF.”

- 8.8 The garage will be a large addition to the street scene and unusual to some degree being a detached garage to the front of the existing dwelling. However, it will be viewed in the context of the flat roof garages immediately to the rear and attached front garages at surrounding dwellings. By virtue of its siting, scale, design and the proposed use of matching corresponding external materials to the existing dwelling, it is considered that the proposal would therefore not cause any adverse impact to the appearance and character of the existing dwelling and would not have any adverse impact upon the character or appearance of the Barwell Conservation Area and consequently would preserve its significance.
- 8.9 The proposal is therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the SADMP, the general principles of the adopted Good Design Guide, and section 16 of the NPPF.

Impact upon Residential Amenity

- 8.10 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.
- 8.11 The proposed garage would be situated in the same location as the existing car parking area, to the northwest of No. 6 Wensleydale Close, which it almost directly faces. However, given its maximum height of 4.5 metres, the absence of windows, and the inclusion of only a roller door, it is not considered to result in overdominance, overlooking, or loss of privacy to neighbouring residential amenities.
- 8.12 The proposed garage would be positioned approximately 0.86 metres from the rear and side boundary treatments. Although this distance falls short of the 1-metre separation recommended in the Good Design Guide, the garage is bordered by open land to the north, an alleyway to the west, and Wensleydale Close to the south. As such, it is considered to have a neutral impact on adjacent neighbouring amenities. Furthermore, the remaining separation distance ensures that the garage would preserve the amenity of the host dwelling.
- 8.13 No windows are proposed within the garage and therefore there would be no additional loss of privacy to any adjoining neighbour.
- 8.14 By virtue of these factors, the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

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 also requires developments to demonstrate an adequate level of off-street parking provision.
- 8.17 According to the Leicestershire Highway Design Guide (LHDG), a standard double garage should have the minimum internal dimensions of 6m x 6m with minimum door width of 4.2m. The internal dimensions of the proposed garage are 5.4m x 6.8m and the door width is proposed at 4.5m, and therefore it would only provide one parking space for the dwelling.
- 8.18 Table 28 (Residential Parking Standards) of the LHDG requires dwellings with four-bedroom dwellings should provide a minimum of three off-street parking spaces. The property already has a single attached garage, and paved parking area for two vehicles to the front. The proposal would have a neutral impact on parking as it would replace one existing parking space. Sufficient off-street parking would be retained at the site and it would therefore not cause any harm or adverse impact on parking provision or highway safety.
- 8.19 The LHDG also states that garages will not normally be counted as a parking space for the purpose of calculating parking unless, the garage meets the minimum dimensions, planning conditions are imposed to control the use of the garage or restrictions are placed on converting the garage to a room that can be lived in. In this case, considering the existing situation the proposed garage is to be counted as a parking space. To ensure adequate parking is retained a condition is recommended requiring that the garage is retained for parking.
- 8.20 The garage would be accessed via an existing dropped kerb and no alterations to the highway access are proposed.
- 8.21 To conclude, the proposal does not create any adverse impact on highway safety or the road network. Therefore, the scheme is regarded as being in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

Impact upon ecology

- 8.22 According to DM6 of SADMP, on site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.
- 8.23 According to LCC ecology *"the site and immediate surrounding area consists of hardstanding offering limited ecological value. The existing garage building adjacent to the site which could be impacted by the proposed development is constructed of corrugated steel roof which offers negligible suitability to bats. However, due to local records of bat roosts and the wider landscape to the east and south of the site offering suitability for foraging and commuting bats, we recommend that an informative for bats is applied to minimise any residual risk during construction."*

Further advice is provided as an informative condition at the end of report but otherwise given the scale and location of the development it is considered to comply with Policy DM6.

- 8.24 Furthermore, the LCC ecology on Biodiversity Net-Gain has stated that *“With regard to mandatory biodiversity net gains, it is highlighted that we have reviewed the submitted application form. Applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. This application satisfies the definition of a self-build and custom build application as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended), as it consists exclusively of a single dwelling and is to be built on a site area no larger than 0.5 hectares. Therefore, we are satisfied that this application can be described as 'below the threshold' and is exempt from the statutory requirement of mandatory biodiversity net gains, which requires developers to identify and pursue opportunities for securing a measurable biodiversity net gain, equivalent to a 10%. A condition or legal obligation may be imposed by the council to ensure that the development is used as a self-build and custom housebuilding.”* It also continues as *“However, reasonable biodiversity enhancement measures should be detailed within a separate Biodiversity Enhancement Strategy and secured by a condition of any consent. This is necessary to provide net gains for protected, Priority and threatened species in line with paragraph 187d of the NPPF”*.
- 8.25 The above comments are incorrect as the development does not relate to a self-build dwelling, however, the development is still exempt from providing mandatory BNG. Considering this, the already hard surfaced nature of the site and householder nature of the application the recommended Biodiversity Enhancement Strategy condition suggested by LCC ecology is not judged to be necessary to make the development acceptable and is not included as a recommended condition.

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 to be granted, subject to the imposition of appropriate conditions.

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: Site Location Plan, Proposed Elevations, Sections, Floor Plans DRW No: 000_GA_DWatson_LE98EU, Block Plan Drg No: TQRQM25181144600901 and Application form received by the local planning authority on 2 July 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the proposed garage hereby permitted shall match the corresponding materials of the main dwelling.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The use of the garage shall remain at all times for the purpose of parking a motor vehicle and shall not be converted to additional living accommodation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate off-street parking facilities are available in accordance with Policy DM18 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. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately, and a suitably qualified ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant. If a bat is found during the works, the ecological consultant or National Bat Helpline should be contacted for advice on: 0345 1300 228.