

Delegated Report

Planning Ref: 23/00670/HOU
Applicant: Mr Shelendra Singh
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: 96 Keats Lane Earl Shilton Leicester

Proposal: Conversion of existing garage to living accommodation

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks consent to convert an existing garage into living accommodation at 96 Keats Lane, Earl Shilton.
- 2.2. A mono-pitched roof is proposed to the existing garage. It would measure 2.57 metres to the eaves and 3.83 metres to the ridge and would sit 1.32 metres back from the existing flat roof.
- 2.3. The existing garage door to the front elevation would be replaced with a window of matching size, style, materials to the existing windows on the elevation.
- 2.4. The proposed external materials include the use of red brick to the walls, concrete tiles to the roof and white uPVC windows.

3. Description of the site and surrounding area

- 3.1. The site relates to a semi-detached dwelling situated within the settlement boundary of Earl Shilton. The external materials of the dwelling compromise the use of red brick to the walls of the original dwelling house and grey clad to the walls of the front porch, concrete tiles and felt to the roof and white uPVC windows and doors.
- 3.2. The street scene is varied in terms of scale, design and finish. The proposed garage conversion would therefore not be out of character with the existing surrounding properties.
- 3.3. Two off-street parking spaces would remain on the 7.45 metres deep and 8.20 metres wide tarmac driveway within the site frontage.

4. Relevant planning history

- None

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. No objections have been received.

6. Consultation

- 6.1. No objections have been received from the following consultees;

- Earl Shilton Town Council
- 7. Policy**
- 7.1. Earl Shilton and Barwell Area Action Plan DPD 2014
- Policy 29: Design
- 7.2. Core Strategy (2009)
- Policy 2: Development in Earl Shilton
- 7.3. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues
- Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety

Design and impact upon the character of the area

- 8.2 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014 seeks to ensure that any future residential development respects its surroundings, follows the existing pattern of development and retains existing important natural features on the site.
- 8.3 The associated external alterations for the garage conversion include the removal of the garage door and its infill with red brickwork and a new window with a matching style and sympathetic proportion. Alterations to the existing side elevation include the addition of a window. A mono-pitched roof is proposed to the existing garage. It would measure 2.57 metres to the eaves and 3.83 metres to the ridge and would sit 1.32 metres back from the existing flat roof. The pitched design will complement the design of the existing dwellinghouse.
- 8.4 The proposed conversion of the garage to additional living accommodation would not result in any significant adverse visual impacts on the existing dwelling or be unacceptable in principle, subject to an appropriately sized replacement off-street parking space being provided within the site as is proposed.
- 8.5 The proposed materials will be consistent with the original dwelling.

- 8.6 In light of the above, it is considered that the proposal would complement the character of the existing dwelling and surrounding area and therefore complies with Policies DM4 and DM10 of the SADMP and Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014.

Impact upon neighbouring residential amenity

- 8.7 Policy DM10 of the SADMP seeks to ensure that developments will have no significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings. Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014 seeks to ensure that any future residential development respects the privacy and amenity of the nearby residents and occupiers of adjacent buildings.
- 8.8 An additional window is proposed to the eastern elevation measuring 1.07 metres in width and in height. There are not considered to be any adverse impact upon the occupiers of 94 Keats Lane by virtue of the 1.80 metre fence that sits between the two properties acting as a screen. The window is to be obscure glazed.
- 8.9 By the nature of the other aspects of the development, the proposed garage conversion would not have any adverse impacts upon neighbouring residential amenity, in accordance with Policy DM10 of the SADMP.
- 8.10 The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014.

Impact upon parking provision

- 8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design. Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014 seeks to ensure that any future residential development do not result in the unacceptable loss of parking.
- 8.12 Section 3.151 of the Leicestershire Highways Design Guide states that “a *three-bedroom dwelling in suburban or rural areas should host two spaces*”. Due to the garage being converted into a kitchen the application dwelling will only host two spaces instead of the original three, however by virtue of the parking provision still meeting the guidance as set out in the Leicestershire Highways Design Guide the development would not have an impact upon the parking provision or highway safety.
- 8.13 The plot therefore provides ample space for off-street parking. The proposal would therefore be in accordance with Policy DM18 of the adopted SADMP, Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014 and the Leicestershire Highways Design Guide.

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 application site is situated within the settlement boundary of Earl Shilton where there is a presumption in favour of sustainable development, as set out in Policy DM1 of the SADMP and the wider policies of the NPPF.
- 10.2. The proposed development would be viewable from the street scene, and would not have a detrimental impact upon the character of the existing dwelling or surrounding area. The proposal would not have any severe adverse impact upon the residential amenity of the neighbouring dwellings and therefore the application complies with policies DM10 of the Site Allocations and Development Management Policies DPD (2016).
- 10.3. The proposal would retain the significance of the conservation area. It would also have no adverse impact upon the residential amenity of any neighbouring dwellings. Therefore it complies with Policies DM10, DM11 and DM12 of the SADMP, Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014 and the Leicestershire Highways Design Guide.

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:

- Proposed Site Location Plan & Block Plan, Drg No. 002 Rev A
 - Proposed Roof Plan, Drg No. 003 Rev A
 - Proposed First Floor Plan, Drg No. 004 Rev A
 - Proposed Front & Side Elevations, Drg No. 006 Rev A
 - Proposed Rear Elevation, Drg No 007 Rev A
- as received by the Local Planning Authority on the 15th August 2023.

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 externally shall accord with the approved application form, as received by the Local Planning Authority on the 6th July 2023.

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

4. The window that will host the shower room to the ground floor shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale. Once so provided the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3. Notes to applicant

- The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.