

Delegated Report

Planning Reference 24/00071/FUL
Applicant(s) Mr Fiona Buchanan
Ward Hinckley Castle



Hinckley & Bosworth
Borough Council

Application Site 76 Coventry Road, Hinckley

Proposal Rebuild of existing garage unit for storage space in association with a commercial use (Use Class E)

Case Officer Sullivan Archer (Senior Planning Officer)

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 rebuild of an existing garage to the rear of 76 Coventry Road, Hinckley to be utilised as storage space in association with a Use Class E commercial use. The white rendered garage would be 5.3m in width by 10.2m in depth and would have a 3.2m high pitched roof. This is a retrospective application and based on historic satellite imagery, the scheme was constructed between 2022 and 2023

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located to the south of Coventry Road in the centre of Hinckley. The site consists of a terraced-end property, which is utilised for a commercial use on its ground floor, a residential use on its first floor, and a health services massage parlour in the converted roof space. To east, west, and south of the site is existing residential properties, and to the north of the site beyond Leicester Road is a Lidl and the former Cadent site. Immediately to the east of the site is a shared access track to the rear of the properties along Coventry Road and the properties to the rear Rugby Road, which includes a variety of outbuildings and off-street parking.

4. Relevant Planning History

4.1 17/01321/FUL

- Change of use from A1 Retail to C3 Flat Studio
- Permitted
- 02.03.2018

4.2 83/00193/4

- Alterations and additions to house alteration to shop entrance
- Permitted
- 24.05.1983

4.3 80/01448/4

- Erection of a garage
- Permitted
- 11.12.1980

4.4 80/01050/4

- Internal alterations to enlarge shop area
- Permitted
- 02.09.1980

4.5 80/00298/4M

- Extension and alterations to shop premises
- Permitted
- 28.05.1980

5. Publicity

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

5.2 No responses have been received.

6. Consultation

6.1 No objections have been received from the Council's Drainage or Environmental Health Departments.

6.2 Leicestershire County Council as the Local Highway Authority stated that the proposal would not appear to make a material impact on the public highway and therefore, they had no further comments to make.

6.3 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 1: Development in Hinckley

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 ('NDG') (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 Hinckley. As a result, the provision of the proposed use in this location would be considered to be acceptable in principle, subject to the assessment of all other material considerations. The key issues in respect of this application would therefore be:

- 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 Public views of the development would be limited to those from Coventry Road over 36m to the north of the proposal. The back land area to the rear of the properties along Coventry Road consists of a variety of garages and outbuildings. It is noted that a previous garage of a similar size and scale existed within the same location as the proposed development until between 2011 and 2015, and the existing use of 76 Coventry Road is for commercial uses.

8.3 By virtue of these factors, and the proposed size and scale of the development, the scheme would not be considered to result in any significant harm to the character of the site or surrounding area. The proposal would therefore be considered to comply with Policy DM10 of the SADMP.

Impact upon Residential Amenity

- 8.4 By virtue of the size and scale of the development, the proposal would not result in any overbearing or loss of light impacts to neighbouring residential amenity. The structure would only include two small windows, which are located on its eastern side elevation facing towards the shared access track. In light of this, and given the massing of the structure, the proposal would not be considered to result in any overlooking or loss of privacy impacts to neighbouring residential amenity. The Council's Environmental Health Department has not raised any concerns with the scheme in relation to noise and disturbance and by virtue of these factors, the proposal would not be considered to result in any significant adverse impacts to neighbouring residential amenity in accordance with Policy DM10 of the SADMP.

Impact upon Parking Provision and Highway Safety

- 8.5 The proposal would utilise the existing shared access from Coventry Road, and the proposal would not reduce the proposed amount of off-street parking for the site. Leicestershire County Council as the Local Highway Authority did not consider the proposal to result in a material impact on the public highway. By virtue of these factors, the proposal would not be considered to create an unacceptable impact on highway safety or the road network in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

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 detailed at the end of this report.

11.2 Conditions and Reasons

1. 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:

- Block Plan (submitted: 09.02.2024)

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).

2. Notwithstanding the submitted details, in accordance with the Dimensions Drawing (submitted; 14.04.2026), the development hereby permitted shall externally measure 5.3 metres in width by 10.2 metres in depth and have a pitched roof that has a ridge height of 3.2 metres and an eaves height of 2.3 metres.

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 single storey garage unit hereby permitted shall only be used for the purposes of storage in association with a Use Class E commercial use and for no other purpose. The development shall not be occupied, sold, leased, or let on permanent or temporary basis as an independent commercial unit or an independent unit of residential accommodation at any time.

Reason: To ensure that the proposed development is not utilised as an independent commercial unit, or an independent unit of residential accommodation, which may have additional impacts in the area in accordance with Policies DM10, DM17, and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **Notes to Applicant(s)**

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. Rainwater from the detached garage roof should be positively drained into a suitable water butt, soakaway or domestic drainage system, and not be permitted to discharge directly onto the surface of the application site and neighbouring properties.
3. All businesses have a duty of care to ensure that any waste is handled safely and within the law. Please ensure that there is adequate space on the property to store the waste containers for the business.

All waste produced by a business including (but not limited to) paper, cardboard, cans, retail packaging, and food wrappers/ waste is commercial waste. For this reason, it has to be legally discarded in a certain way via a trade waste service or transfer service and cannot be disposed of through the residential service. Bins should be maintained and stored so that they don't cause problems to neighbouring premises due to smells and should be stored correctly in a suitable container which needs to be closed or lidded.

Businesses should arrange their own business/ trade waste collection service. If you give your waste to someone else, you must be sure that they are authorised to take it, transport it, and recycle or dispose of it safely.