

Delegated Report

Planning Ref: 25/00110/HOU

Applicant: Mrs Sophy Wilkins

Ward: Newbold Verdon with Desford and Peckleton

Site: 17 Sigrist Road, Desford, Leicester Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Conversion of a garage to habitable space

1. Recommendations

- 1.1. **Grant planning permission** subject to conditions detailed at the end of this report.

2. Planning application description

- 2.1. This application seeks planning permission for the conversion of an integrated garage to a habitable space that is used as a games room.
- 2.2. The application has been submitted following the submission of a certificate of lawfulness which was returned as a condition on the outline permission under which the dwelling was constructed required all parking provision to be retained in perpetuity. The conversion of the garage to habitable accommodation has already taken place.

3. Description of the site and surrounding area

- 3.1. The dwelling has been constructed in the last four years and is located towards the end of a short cul-de-sac of five dwellings, there being one other dwelling at the end of the cul-de-sac. The dwelling is bordered by residential properties to the south, west and north and faces open space within the wider site and open farmland beyond. The detached double garage that is the subject of the application is located to the rear of the dwelling and is set back by over 18 metres from the highway. There is space for at least six cars on the existing drive and four in a configuration of double tandem parking given that the Highway Authority does not support triple tandem parking arrangements.
- 3.2. The garage doors remain, and the side door has been replaced with much larger folding doors that look on to the applicant's garden and that are at least 9 metres from the common boundary with the neighbouring property to the north. The site is generally flat with no significant level differences to neighbouring properties.
- 3.3. There are no other changes to the structure or appearance of the former garage.

4. Relevant planning history

18/01252/OUT

- Outline application for up to 80 dwellings (Outline - access only)
- Approved at appeal in December 2019

20/00347/REM

- Reserved matters application for 80 dwellings
- Approved August 2020
- Condition 3 states that onsite parking provision shall be maintained in perpetuity. The reason being to ensure that adequate off-street parking is made available.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents and by the posting of a site notice
- 5.2. Three responses have been received

6. Consultation

- 6.1. Leicestershire County Highway Authority has no objections to the proposal.

7. Policy

- 7.1. Desford Neighbourhood Plan (DNP) 2018-2036 (Nov 2020)
 - Policy H7: Housing Design
- 7.2. Core Strategy (2009)
 - No relevant policies
- 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) (2024)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
 - HBBC Good Design Guide (2020)
 - National Design Guide (2019)
 - Leicestershire Highway Design Guide (2025)

8. Appraisal

- 8.1. Alterations to 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 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 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 and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally. Policy2 of the BNP

requires new development to respect its surroundings and follow the existing pattern of development where appropriate.

8.3 The proposal only results in a side door to the garage becoming a much wider set of full length folding doors that face into the applicant's garden. As such the proposal is not seen from the public realm and does not result in any change to the character of the site of surrounding area.

8.4 The scheme complements the character of the surrounding area. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

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

8.6 No objections to the proposal have been received.

8.7 The folding doors are over 9 metres from the common boundary with the dwelling to the north.

8.8 The proposal will not result in any significant adverse impacts on the amenities of the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP.

Impact upon highway safety

8.9 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision. Policy H7 of the Desford neighbourhood Plan requires dwellings with four or more bedrooms to provide a minimum of three off-street car parking spaces.

8.10 As set out above the existing drive easily accommodates four off street parking spaces.

8.11 The proposal would therefore provide sufficient off road parking spaces and would therefore be in accordance with Policy DM18 of the adopted SADMP and Policy H7 of the DNP.

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. The proposal is for a change of use of a double garage to habitable accommodation and results in a door becoming much wider. The proposal therefore respects and complements the character and appearance of the site and surrounding area and has no detrimental effect on the amenity of any neighbouring residents. Adequate off-street parking of four spaces on the front driveway.
- 10.2. Therefore the proposal would comply with Policies DM1, DM10, and DM18 of the SADMP (2016) and Policy H7 of the Desford Neighbourhood Plan (2020). Therefore this application is recommended for approval. As the subject to the conditions below.

11. Recommendation

Grant planning permission subject

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

1. The development hereby permitted shall relate to the following approved plans:

Floor Plans and Elevations received 11 February 2025

Site Location Plan received 10 February 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).