

Delegated Report

Planning Ref: 25/00487/FUL

Applicant: Ms Letitia Ward

Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: Dog Grooming Parlour Moonrakers 22 Old Forge Road

Proposal: Change of use from dog grooming studio to return to use as domestic garage

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 full planning permission for a change of use of a dog grooming studio to a domestic garage at Dog Grooming Parlour, Moonrakers 22 Old Forge Road, Fenny Drayton.
- 2.2. The application is for a change of use only and no external alterations are proposed.

3. Description of the site and surrounding area

- 3.1. The application site relates to a detached bungalow situated within the settlement boundary of Fenny Drayton. The site is wholly residential with the exception of a dog grooming studio being situated within part of the garage approved under application reference 21/01045/FUL. The non-residential use can be accessed via the 2.00 metre high rendered wall/gate adjoining to the garage.
- 3.2. The application dwelling has a predominant dual-pitched form to the main dwelling and is characterised by two forward fronting gables with a hipped form to the forward projecting double garage. It has a mixed brick/white render finish to the walls with the brick being present primarily to the headers, gable ends and garage side elevation. Brown tiles are present to the roof and white uPVC to the openings.
- 3.3. The sites frontage features a notable area of block paved hardstanding and is bound by a mix of stone planters, timber fencing and vegetation.

4. Relevant planning history

02/00011/FUL

- Extensions and alterations to dwelling
- Planning Permission
- 11.03.2002

03/00047/FUL

- New pitched roofs to flat roof bungalow and erection of conservatory
- Planning Permission
- 10.03.2003

06/01140/FUL

- Extensions and alterations to dwelling
- Refused
- 04.12.2006

21/01045/FUL

- Change of use of part of garage to dog grooming studio
- Planning Permission
- 08.11.2021

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. Following the publication no comments have been received.

6. Consultation

- 6.1. Witherley Parish Council;
 - No comments have been received.

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 13: Rural Hamlets
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - 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)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Leicestershire Highways Design Guide (2024)

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 parking provision and highway safety

Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions.

- 8.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The three overarching objectives of sustainable development (economic, social, and environmental) are detailed within Paragraph 8 of the NPPF. Therefore, in accordance with Paragraph 11 of the NPPF, planning decisions should apply a presumption in favour of sustainable development.
- 8.4 However, Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, development permission should not usually be granted unless other material considerations indicate otherwise.
- 8.5 The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP). The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the Core Strategy.
- 8.6 The site is located in a within the settlement boundary of Fenny Drayton. Policy 13 of the adopted Core Strategy identifies Fenny Drayton as a key rural centre where the loss of local shops and facilities in rural hamlets is resisted unless it is demonstrated that the business or facilities can no longer operate in a viable manner. Initiatives to establish local stores and facilities will be supported.
- 8.7 The application site is wholly residential within a predominant residential area, with the dog grooming use being limited to the garage, with minimal hours and use. The proposal to revert the studio back to a domestic garage is therefore considered to be exempt from Policy 13.
- 8.8 The change of use does, therefore not conflict with any adopted strategic planning policies of the Development Plan.

Design and impact upon the character of the area

- 8.9 Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.10 No external changes are proposed within this application and the building already appears externally as a residential property. The proposed change of use back to a domestic garage is considered to complement the surrounding residential uses. Therefore, the change of use is in accordance with Policy DM10 of the SADMP.

8.11

Impact upon neighbouring residential amenity

- 8.12 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighboring properties.
- 8.13 The change of use results in a less intensive use of the site than as a dog grooming studio and there are no proposed alterations to the property. Consequently, 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

- 8.14 Section 9 of the NPPF promotes sustainable transport. Paragraph 115 of the NPPF states that planning decisions should ensure that developments provide appropriate

opportunities to promote sustainable transport modes, given the type of development and its location and a safe and suitable access to the site for all users. Any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

- 8.15 Ultimately, development should not be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, in accordance with Paragraph 116 of the NPPF.
- 8.16 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety.
- 8.17 Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.18 The application site would retain its extensive block paved hardstanding as well as the re-introduction of the domestic garage. As the change of use results in a less intensive use of the application building, it is considered that the proposal would not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is in accordance with Policies DM17 and DM18 of the SADMP and the overarching principles of the NPPF.

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

- 2.3. The proposed change of use of part of Moonrakers 22 Old Forge Road, Fenny Drayton back to a domestic garage is considered to be an acceptable form of development at this location. The application site is located within the settlement boundary of Fenny Drayton and is deemed a sustainable location.
- 2.4. The reversion back to a domestic garage will not alter any of the external elevations of the existing property and it would remain to retain the residential character of the area. Further to this the development would not have an adverse impact on neighbouring residential amenity or on parking or highway safety. It is therefore considered that the development is in accordance with policies DM1, DM10, DM17 and DM18 of the SADMP, the adopted Core Strategy and the overarching principles of the NPPF.

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 below submitted application details;

- Site Location Plan;
- Parking Plan and Floor Plans, Drg No. 1409-15-01;
As received by the Local Planning Authority on the 12th June 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM17 and DM18 of the SADMP, the adopted Core Strategy and the overarching principles of the NPPF.

11.3 Notes to applicant

- a) 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.