Delegated Report

Planning Reference:	**25/00572/HOU**
Applicant(s):	**Mrs Wightman**
Ward:	**Hinckley Clarendon**
Application Site:	**135 Clifton Way, Hinckley, Leicestershire LE10 0UZ**
Proposal:	**Proposed garage conversion to habitable spaces**
Case Officer:	**Gwion Russell (Planning Officer)**

Hinckley & Bosworth Borough Council

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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 householder planning application seeks full planning permission for a garage conversion to habitable spaces at 135 Clifton Way, Hinckley. The conversion is proposed to form a habitable bedroom, office and W.C with a separate corridor connecting the rooms to the main dwelling and making the property a five-bedroom dwelling. There are no proposed alterations to the first floor of the property.

2.2. The proposals include changes to fenestration also – the front garage door is to be replaced with a window, while the existing subservient side/front door will remain alongside it. As the garage is currently in car-port form and has an open void at the rear (as opposed to a walled section as would be commonly seen), the proposals include the erection of a wall (which encloses the space) and two external doors which lead to the office and corridor respectively and a smaller window which serves the W.C. The external materials are proposed to match the existing materials; however no new roof sections are proposed. There are no windows to the side elevations proposed.

3. Description of the Site and the Surrounding Area

3.1. The application dwelling is a two-storey, semi-detached property on Clifton Way in the northwest area of Hinckley. The dwelling has a side gable-to-gabled roof and is constructed with a brown brick finish with white cladding detailing between the two left-side frontage windows. As a result of the slightly differing brick finishes, the house appears to have been extended prior, with a two-storey side extension, which encompasses an existing semi-enclosed car-port and first-floor expansion – this extension appears subservient in scale from the main original dwelling.

3.2. Properties along Clifton Way are typically two-storey in massing and finished in similar materials to the application dwelling, however there is a variety of housing provisions – semi-detached and detached dwellings are the most common. As a result, there is no clear unique character to the street scene. There is a new housing estate to the rear of the application dwelling and further residential properties on adjacent streets, forming a wider housing estate.

4. Relevant Planning History

4.1 **84/00126/4**

- Kitchen utility room and garage extension
- Permitted
- February 1984

4.2 **86/00288/4**

- Kitchen and dining area extension
- Permitted
- March 1986

4.3 **02/01441/FUL**

- Two storey side extension to dwelling
- Refused
- December 2002

4.4 **03/00200/FUL**

- Two storey side extension to dwelling (amended scheme)
- Permitted
- February 2003

5. Publicity

5.1 The application has been publicised by sending out letters to local residents.

5.2 No responses have been received.

6. Consultation

6.1 There are no applicable consultees with this application and therefore 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 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 (2019)
- Planning Practice Guidance (PPG)

7.4 Other Relevant Guidance:

- Hinckley and Bosworth Borough Council – The Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Extensions to existing domestic properties 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 residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.3 Guidance Point C1 of the NDG confirms that well-designed new development should respond positively to the features of the site itself and the surrounding context beyond including the existing built development and landscape character, amongst others. Guidance Point I1 of the NGD highlights that new developments should consider the composition of street scenes and individual buildings and their

elements including the height, scale, massing and relationship between buildings, as well as views, vistas, landmarks, and landscaping, amongst others.

8.4 Ultimately, Guidance Point I2 of the NDG advised that well-designed places should contribute to local distinctiveness and Guidance Point I3 of the NDG highlights that design decisions at all levels and scape should help to create a memorable sense of place.

8.5 Paragraph 137 of the NPPF states that applicants, where applicable, should provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy.

8.6 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.

8.7 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.8 As no external extensions are proposed, the assessment will only consider the changes in fenestration – the installation of new windows and external doors; and the addition of an enclosing walled section to the rear of the existing garage.

8.9 In accordance with the Good Design Guide, care should be taken to ensure that the existing horizontal and vertical rhythm together with the proportion of openings is either reflected or complemented. As the proposed windows and doors are to be white uPVC to match existing and their location is harmonious to the layout and form of existing fenestration, there are minimal design implications in this regard.

8.10 Whilst the proposals for three external doors which lead to such a small space is unusual, there is an outbuilding within the property curtilage which is sited at the rear left elevation, which masks any fenestration changes and additional external doors from any direct or neighbouring views. As there is only the addition of a window at the front elevation, it is therefore not seen to cause an adverse design impact on the wider street-scene.

8.11 In summary, while the design appears unusual due to the number of external doors, it does not conflict with Policy DM10 (c) or the guidance set out in The Good Design Guide and does not result in any significant design harm - the doors are located at the rear of the property and are largely screened by an outbuilding.

8.12 By virtue of its limited prominence and harmonious design, the proposal respects the character of the existing dwelling and surrounding area and is in accordance with Policy DM10 of the SADMP, and the Good Design Guide.

Impact upon Residential Amenity

8.13 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.

8.14 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, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.

8.15 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.

8.16 As there is no additional footprint to the proposals and no first-floor alterations, the scheme is not regarded as having an overbearing or over-dominating impact on surrounding neighbours and would not cause additional losses of light.

8.17 The rear space is proposed to be used as an office ancillary to the main dwelling, along with a W.C. featuring a small window. As the windows do not overlook any neighbouring gardens - further screened by the presence of the nearby outbuilding - the placement of the windows and doors does not result in any adverse impact on residential amenity.

8.18 The front-facing window will serve the proposed additional bedroom. However, due to the application site's minimal setback and lower topography relative to neighbouring No. 37 Clifton Way, the installation of this window does not impact on the occupier's amenity or privacy. Additionally, there is an existing side entrance door on the front elevation, which is not subject to assessment in this application.

8.19 Neighbouring No. 133 Clifton Way will not have any direct views of the proposals from their property and therefore there is no impact on this occupier's amenity.

8.20 The Good Design Guide states the separation distance between two principal windows to habitable windows should be a minimum of 21m. In this case, there is an existing outbuilding that screens the adequate distance of 26m.

8.21 Any separation distances are the minimum standards that are required, and every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size, and shape.

8.22 To comply with the Good Design Guide, three-bedroom houses should also provide a minimum of 80m² of private outdoor amenity space with a minimum length of 7m. The proposals are provided with private outdoor amenity space of 42m², which is

not compliant with the Good Design Guide. However, as there is an existing outbuilding that displaces 13m² of garden space and there is no additional footprint coverage with the proposals, this is not sufficient to warrant a refusal.

8.23 By virtue of these factors the proposal does not result in any adverse amenity impacts to the neighbouring properties, it is therefore considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

8.24 Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, 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 through a vision-led approach.

8.25 Ultimately, development should only 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, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.

8.26 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.

8.27 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)) (2024).

8.28 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.

8.29 Table 28 (Residential Parking Standards) of the LHDG requires dwellings with four or more bedrooms should provide a minimum of three off-street parking spaces. Any reduction below minimum standards will require robust justification.

8.30 Figure 44 (Dimensions) of the LHDG requires minimum parking sizes to be 2.4m in width by 5.5m in depth, and an additional 0.5m in width is required the parking space is bounded by a wall, fence, hedge, line of trees or other similar obstructions on one side. This width increases to 1m if the parking space is bounded on both sides.

8.31 The scheme creates one new bedroom and makes the property a five-bedroom dwelling. The proposed floor plan clearly detail three off-street parking spaces for

the dwelling and therefore the proposal does not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

Other Matters

8.32 Unusually the bedroom and office created would be served by external doors separate to the main dwelling's entrance. The alterations as presented are ancillary to the main dwelling and acceptable on this basis, however, should the current or future occupiers use the accommodation for purposes non-ancillary to the host dwelling this could result in unacceptable amenity or parking impacts. For this reason a condition is recommended requiring that the accommodation remains ancillary to the host dwelling only.

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 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 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 received by the Local Planning Authority as follows:

   - Application Form (received 11.06.25)
   - Proposed Floor, Roof Plans, Elevations, Block and Site Location Plan - Drg No. AVD-900-CWH-PL01 (received 11.06.25)

   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 window on the rear elevation of the dwelling that is utilised for the W.C. on the ground floor shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below 1.7m above the floor of the room. Once so provided the window(s) 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).

4. The ancillary accommodation proposed as part of this application hereby approved shall only be used for purposes ancillary the residential accommodation of the dwelling known as No. 135 Clifton Way, Hinckley, LE10 0UZ and shall not be occupied, sold or leased or let, on a permanent or temporary basis, as an independent unit of residential accommodation at any time.

   Reason: To ensure that the property is not occupied as an independent unit of residential accommodation, which may have additional impacts on 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:**

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.