

Delegated Report

Planning Ref: 23/00116/HOU
Applicant: Miss Cheryl Newton
Ward: Hinckley Trinity



Hinckley & Bosworth
Borough Council

Site: 3 Landseer Drive Hinckley Leicestershire

Proposal: Conversion of existing garage to wet room and alterations to dwellinghouse

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. This householder application seeks planning permission for the conversion of part of an integral garage to a wet room and associated alterations to a dwelling, 3 Landseer Drive, Hinckley.

2.2. The proposal includes the conversion of the remaining front section of the former garage to an en-suite wet room and the associated replacement of the existing up and over garage door with brick infill to match that of the existing dwelling and the provision of a small high level obscurely glazed window in the front elevation. The application is professionally supported in terms of the health needs of the applicant.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Hinckley on a large residential estate. It is a two storey semi-detached house with dual pitched gable fronted roof form, part integral garage with lean-to roof over the forward projection to the front elevation and a dual pitched open porch canopy. It is constructed of red multi facing bricks, small plain grey concrete roof tiles and white uPVC windows. There are two off-street parking spaces on the 7 metres long double width block paved driveway within the site frontage.

3.2. The estate comprises similar two storey detached and semi-detached dwellings of a variety of repeated designs and similar appearance.

4. Relevant planning history

None.

5. Publicity

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

5.2. No responses have been received as a result of public consultation.

6. Consultation

6.1. No other consultations necessary or undertaken.

7. Policy

7.1. Core Strategy (2009)

- No relevant policies

7.2. Site Allocations and Development Management Policies (SADMP) DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development

- Policy DM10: Development and Design
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Alterations to existing domestic properties within urban 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 parking provision

Design and impact upon the character of the area

8.2 Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally.

8.3 The proposal relates solely to the conversion of the remaining front section of the former garage to an en-suite wet room and the associated replacement of the existing up and over garage door with brick infill to match that of the existing dwelling and the provision of a small high level obscurely glazed window in the front elevation.

8.4 The proposed replacement of the existing garage door with a small high level obscurely glazed window and brick infill would not be characteristic of the surrounding area as integral garage doors are a common characteristic of the surrounding area. Notwithstanding this, any potential adverse visual impact would be minor and would be offset by the positive wellbeing/health benefits to the applicant of the provision of professionally supported ground floor en-suite facilities to assist daily living.

8.5 The proposal is therefore considered to be acceptable in design terms in this particular case and, subject to the proposed use of matching external materials to ensure a unified appearance, to respect and complement the scale, character and appearance of the existing dwelling without resulting in any significant adverse visual impacts on the surrounding area. The proposal is therefore considered to be in general accordance with Policy DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

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

- 8.7 By virtue of the nature of the proposal being a small conversion of part of an existing garage for use as a wet room with only an obscurely glazed front elevation window facing the highway, the proposal would not result in any adverse impacts on the residential amenity or privacy of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.8 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.9 The rear part of the former garage has already been converted to a ground floor bedroom. The proposal would not have any impact on the double width 7 metres long block paved driveway that provides two off-street parking spaces which would be retained to serve the dwelling. This level of provision is considered to be acceptable in this highly sustainable urban location with easy access to a full range of services and facilities by alternative and more sustainable transport means. The proposal is therefore considered to be in accordance with Policy DM18 of the adopted SADMP.

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 The equality implications arising from this application relate to the protected characteristics of the applicant who has health impairment, and the functional design of the proposal has been taken into consideration in the assessment of this application in relation to Policy DM10 of the adopted SADMP and the design guidance within the National Planning Policy Framework (2021).
- 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 alterations to an existing dwelling within the urban settlement boundary of Hinckley where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the overarching principles of the NPPF.

- 10.2. Notwithstanding any potential minor adverse visual impact of the proposal as a result of its specific functional design, it is considered that this would be outweighed by the professionally supported positive health benefits of the wet room provision and therefore subject to the proposed use of matching external materials, it is considered that the proposal would be acceptable in terms of its design and appearance in this particular case. The proposal would not result in any adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties or the existing off-street parking provision which would remain adequate to serve the dwelling. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and is therefore recommended for approval subject to conditions.

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: Site Location Plan, Proposed Ground Floor Plan and Proposed Front Elevation received by the local planning authority on 11 April 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 on the external elevations of the proposed alterations hereby permitted shall match the corresponding materials of the existing dwelling.

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

11.3 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.