



VISTA PLANNING

PLANNING STATEMENT

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PLANNING STATEMENT

148 Factory Road, Hinkley, LE10 0DS
January 2026

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1. INTRODUCTION

- 1.1 This Planning Statement ("The Statement") has been developed on behalf of Hedley Spencer Investments ("The Applicant") to accompany a planning application for the change of use of the property from C4 use to an 9no. bed HMO (Sui Generis) at 148 Factory Road, Hinkley, LE10 0DS. This follows a submission of a lawful development certificate to Hinkley and Bosworth Borough Council to utilise the property as a 6no. bed HMO (Class C4) and Lawful Development Certificate for a dormer extension and single storey rear extension. This application therefore seeks planning permission to increase the from a 6no. Bed HMO to 9no.bed HMO.
- 1.2 The submission has been prepared following a careful appraisal of the site and wider surroundings, and consideration of opportunities and planning constraints. An electronic version of this statement has been submitted today through the Planning Portal and is accompanied by the following drawings:
- Site Location Plan
 - Block Plan
 - Existing Floor Plans, Drawing No:
 - Proposed Floor Plans, Drawing No:
 - Proposed Elevations, Drawing No:
- 1.3 The scheme does not change the size or scale or general appearance of the building significantly or the surrounding area in any way. A modest 3m rear extension and rear dormer have lawfully been constructed utilising development permitted by the General Permitted Development Order 2015 (as amended).
- 1.4 No alterations are proposed to the site's external amenity areas or access and parking arrangements as part of the proposed development.
- 1.5 Overall, the property can be operated lawfully as a 6 bed C4 HMO. The proposed change of use would enable additional rooms to be used as bedrooms which would contribute towards unmet housing needs locally.

2. SITE DESCRIPTION

- 2.1 The application site is located at 148 Factory Road, Hinkley, LE10 0DS. It comprises a residential plot currently occupied by an of end-terraced dwelling. The property is set back from the road by a small front yard and simple brick wall.
- 2.2 The property is situated within a predominantly residential area, with similar terraced dwellings forming the immediate neighbouring context. To the east are flats situated in a modern block and to the north modern detached properties are situated.
- 2.3 The surrounding neighbourhood benefits from local amenities and close proximity to Hinkley Town centre. The site benefits from excellent connectivity to public transport. Regular bus services operate along Ashby Road, providing convenient links to Hinckley Town centre and surrounding areas. Additionally, Hinckley railway station is within walking distance, offering connections to regional and national destinations.
- 2.4 The property is a Class C3 dwelling. A Certificate of Lawful Existing Use has been submitted to Hinkley and Bosworth Borough Council which confirms the property can be operated under a C4 as a House of Multiple Occupation (HMO) for up to 6 people. The lawful fallback use is consistent with the surrounding residential area, and the proposal seeks to optimise and enhance the existing use by providing additional accommodation.
- 2.5 The site falls within Flood Zone 1 which has the lowest probability of flooding.
- 2.6 There are no trees within or adjacent to the site which are subject to a formal Tree Preservation Order (TPO). There is nothing of significant ecological value at the site.
- 2.7 Development at the site would not raise any heritage consequences and the statutory duties under Section 66 and under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 would not be engaged.

3. PROPOSED DEVELOPMENT

- 3.1 Full planning permission is sought for the change of use of the 6-bed HMO (Class C4) to a 9-bed HMO (Sui Generis). It has been established that the property can be operated as a 6 person HMO through the submission of a lawful development certificate.
- 3.2 This application therefore constitutes optimising an existing lawful HMO. The application utilises existing storage space to create three bedrooms increasing the overall quantum to 9-bed HMO;
- Each room will be fully compliant with The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 standards.
 - The site benefits from a long rear garden. Associated hard and soft landscaping will create an area of shared amenity space to the rear of the property.
 - Secure cycle parking within the site, and arrangements for bin storage/ waste collection.

The scheme has been carefully designed to ensure compliance with both the Local and National Design Guidance, including described space standards and access to amenity space.

4. PLANNING HISTORY

- 4.1 25/01154/CLP- Certificate of proposed lawful development for the change of use from a dwelling house (C3) to HMO (C4)- Submitted to Hinkley and Bosworth- live application.

5. PLANNING POLICY

- 5.1 The purpose of this Statement is to set out the policy context and how the development accords with local and national policy requirements. Planning applications are determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that they are determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 5.2 The National Planning Policy Framework is a material consideration of substantial weight. This will be considered in turn within the material considerations set out below. We have carried out a policy assessment, and the proposal has been designed whilst paying regard to the National Planning Policy Framework (NPPF) 2024 and to the following relevant policies from the Local Development Plan which comprises the Hinckley & Bosworth Borough Council Local Plan 2006 – 2025 (July 2016) ,Site Allocations and Development Management Policies DPD.

- **Policy DM1: Presumption in Favour of Sustainable Development**
- **Policy DM7: Preventing Pollution and Flooding**
- **Policy DM10: Development and Design Policy**
- **DM17: Highway Design**
- **Policy DM18: Vehicle Parking Standards**
- **Policy 22: Development and Design National Planning Policies and Guidance:**
- **National Design Guide (2019)**
- **Good Design Guide (2020)**
- **Leicestershire Highway Design Guide (LHDG) (2024)**

The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 standards.

6. THE MAIN MATTERS

Principle of Development & Housing Needs

- 6.1 HMOs play an important role in addressing local housing needs and the proposal will provide accommodation for individuals who may not be able to afford to buy a house or rent a separate flat. The proposal will provide affordable accommodation within close proximity of Hinkley Town Centre and local employment opportunities.,
- 6.2 By further optimising an existing property, the proposal delivers much needed smaller housing units in a highly sustainable location with excellent transport links and local amenities, making it an ideal solution for those seeking affordable housing products.
- 6.3 HMO's encourage and promote mixed and balanced communities as promoted by the NPPF in Section 8. Following extensive review, Hinkley and Bosworth HEDNA recognises a high demand for modest and affordable accommodation of varying sizes and tenure. Our client has engaged with local housing providers to understand and address the current need for single person accommodation. With the cost-of-living crisis there is a demand for affordable market housing.
- 6.4 HMO's can provide accommodation for those in need, for single professional persons, or students. HMO's can provide an important form of affordable rented housing. Generally, the bills are covered by the landlord or the RP. They are commonly used as move on accommodation in supported housing. Non-en-suite rooms can be more affordable for people than large en-suite rooms, the local housing allowance rate for a shared room is £392/ PCM. Compared with the private rented market being £650/pcm for en-suite room. The proposed development could therefore be rented for supported housing; the tenants would claim the local housing allowance (benefit) and pay the person responsible for the supported housing. This differs from standard DSS rentals where the landlord would provide no support. The extra bedrooms could be used as temporary staff sleeping accommodation, etc.

- 6.5 Supported accommodation covers a variety of forms, however, this HMO would be most suitable for the most basic form. Where residents live independently but receiving ‘floating’ supported from support workers to help them get back on their feet. A recent example in another of our clients’ property was a middle-aged woman who’s been evicted from her private rental. Unfortunately, the rent she was paying wasn’t market level and she couldn’t afford to rent anywhere else. She became homeless, lost her job and has now been rehomed in one of our client’s HMO’s with the supported housing providers providing additional support to help her get back on her feet. This story highlights the need for affordable accommodation. Therefore, the provision of this tenure of housing would satisfy local demand for low-cost accommodation.
- 6.6 From Planning records HMO’s are underrepresented within the existing housing stock within Hinkley and there is an overall insufficient supply of this type of housing within the borough. With very few examples of approved HMO’s within the district and the anecdotal evidence from local housing providers. The recent Housing Needs Survey (April 2024) falls completely silent on this type of housing whilst reflecting on the needs and demand for affordable and one-bedroom units.
- 6.7 A Housing & Economic Development Needs Assessment (HEDNA) was last published in 2017 that reviewed housing and economic need across Leicestershire Authorities, including Hinkley and Bosworth. The HEDNA provides a consistent, objective assessment of need for housing (OAN) following the approach prescribed by Government in Planning Practice Guidance on Housing & Economic Development Needs Assessments. This requires that housing need is assessed across the relevant Housing Market Area leaving aside factors related to land availability, infrastructure and capacity; and that an approach is followed where projections based on past population and demographic trends are considered first, with adjustments made (where necessary) for higher migration to support economic growth, and/or adjustments to improve affordability, responding to analysis of market signals and evidence of the need for affordable housing.
- 6.8 Prior to submission our client has engaged with The Commissioner team for Supported Accommodation & Market Development (SAMD) who produced a report for Supported Accommodation & Market Development Statement (December 2025). The report highlights in general demand terms, Charnwood (Loughborough), North-West Leicestershire (Coalville) and Hinckley & Bosworth remain the areas which see the highest demand for supported living. The

Council's approach to shared accommodation is an area of the market that is being reviewed with a particular focus on void management arrangements and the configuration of the properties.

- 6.9 In 2019, Leicestershire County Council produced an Investment Prospectus which detailed the objectives to:
- *develop housing, offering different care and community options, in a range of locations for both older adults and working age adults with disabilities.*
 - *develop different supported housing options, including housing with care and accommodation with support schemes.*
 - *It was estimated that by 2037 a further 750 units of Supported Living and 1,200 units of Extra Care accommodation would be required. Since 2019 there have been challenges - financial, operational and some unforeseen, such as Covid-19. These factors have seen a change in the landscape for Supported Living and in the profile of demand.*
- 6.10 Since 2019 there has only been an increase of 49 in units in Hinkley. Our client has engaged with the Lead Commissioner regarding providing HMO accommodation in order to meet some of this latent demand.
- 6.11 The Local Plan does not cover any specific policies relating to or more pertinently restricting the provision of HMO's. The Council publish basic rules that applicants must comply with in order to be successfully granted a HMO license for the property. These 'basic rules' do not fall under national or local planning policy; they are guidance not policy and fall outside of planning legislation. Prior to submission of this application, we have engaged with The Private Sector Housing Team to inform the development and ensure compliance with Hinkley and Bosworth's standards. Our client has adhered to the basic rules and guidelines in respect of national room standards and fire strategy. It is understood that these guidelines are currently under review, but with no alternative published guidelines, the application has been prepared with the current published guidelines in mind. The application is accompanied by a Fire Strategy in accordance with LACORS fire safety and The Regulatory Reform (Fire Safety) Order 2005. Leicestershire County Council Fire Department, and Soctec Building Control have also reviewed and approved the plans to ensure a safe HMO.

- 6.12 In planning terms, the proposal constitutes sustainable development. The property occupying the application site can lawfully operate as a house in multiple occupancy and the proposal aims to optimise this use. Given its proximity to the town centre and its location, the site is ideally suited to provide multiple occupancy accommodation. Hinckley & Bosworth Borough Council is currently unable to demonstrate a five-year supply of deliverable housing sites, as evidenced by its own monitoring framework, which relies upon an annually published Five-Year Housing Land Supply Statement covering the period 1 April 2023 to 31 March 2028. The absence of a full five-year supply has been repeatedly acknowledged in recent appeal decisions, forming a significant material consideration in the determination of planning applications across the borough.
- 6.13 In such circumstances, paragraph 11(d) of the National Planning Policy Framework is engaged, which requires decision-makers to apply the presumption in favour of sustainable development unless adverse impacts would significantly and demonstrably outweigh the benefits. The supply deficit also reflects broader national patterns of reduced planning consents and constrained housing delivery, with national reporting showing that build-out rates and permissions have declined, creating additional pressures on local authorities' ability to maintain adequate supply pipelines. Accordingly, the tilted balance is engaged, and substantial weight must be afforded to proposals that deliver additional residential accommodation—particularly in sustainable, well-connected locations such as the application site. From recent appeal cases, for example APP/K2420/W/24/3348387 Land East of The Common, Barwell, LE9 8BR it was established that the Council is unable to demonstrate a sufficient housing land supply. During this appeal the LPA confirmed that their supply was 3.5 years. As such, the tilted balance should apply, and the proposed change of use to an 9-bed HMO will contribute to addressing unmet housing needs by providing stepping stone accommodation for individuals who are unable to purchase their own property.
- 6.14 Section 11 of the NPPF promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 6.15 Similarly, Section 8 of the NPPF 2024 states that planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction including opportunities for meetings between people who might not otherwise come into contact with each other. The

proposal aligns with these objectives by offering affordable accommodation in a sustainable, well-connected area.

- 6.16 The principle of development is wholly acceptable as the site is in a highly sustainable location. Substantial weight should be placed on reusing the existing building to meet housing demand, providing an affordable accommodation option that complements the surrounding residential environment. This application does not introduce a new use, the dwelling will continue to operate as a residential property.
- 6.17 Providing enough housing of the right type and of a high-quality design is a key aim of both national and regional policy. A Leicester and Leicestershire Housing Market Assessment (2017) has been undertaken which provides information on how the housing market in Leicestershire, and equally importantly, submarkets within it, operate.
- 6.18 The report details the provision of affordable housing is to ensure that provision is made for people who could not afford to buy a house on the open market. The majority of such people would be unable to purchase any property however modestly priced and will therefore be reliant on the rental market to meet their housing needs. The Strategic Housing Market Assessment identifies twenty-four housing submarkets in the Borough, and makes the point that Hinckley and Bosworth is still fairly rural in nature. There is very little private rented housing throughout the Borough, and levels of owner occupation are high. Affordable privately rented housing therefore plays an important part in meeting the needs of residents of the Borough, and therefore it is important to maintain flexibility to allow housing development to respond to any known need in a specific submarket within the Borough. The proposal is consistent with Core Strategy Policy 15, which seeks to maintain balanced, mixed communities, and aligns with the broader objectives of the NPPF.
- 6.19 The proposal will not disrupt the local housing mix or introduce any demographic imbalances but will enhance the provision of affordable housing options. Accordingly, it is not considered that there are any adverse impacts of granting permission that would significantly and demonstrably outweigh the benefits in line with NPPF 2024.

- 6.20 The property is in an area that does not prohibit multiple occupancy uses but allows the local authority to control concentrations of larger HMOs through planning judgment and balance. In this instance, the LPA should assess the increase from a 6 person HMO to a 9 person HMO as the property benefits from a lawful use. There is no harm in resulting from the increase in number of bedrooms by converting the loft storage rooms to living accommodation. The rooms all meet the relevant HMO standards and there would not be a harmful impact on amenity. This lawful use illustrates the property's integration into the local housing market. Due to the Borough's shortfall in housing land supply the principle of development is acceptable in accordance with Local Plan policies CS06 and CS15.

Design and Impact on the Character and Appearance of the Area

- 6.21 Policy DM10 of the SADMP states that developments will be permitted providing that it complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. The application property is an end of terraced dwelling, and all external alterations have been carried out under the benefit of permitted development rights as defined by the General Permitted Development Order 2015 (as amended) and have been implemented under the property being in C3 use.

Amenity Impact & Living Conditions

- 6.22 Policy CS15 focuses on maintaining balanced communities and ensuring developments meet local housing needs. The application addresses this by proposing high quality accommodation, including a bathroom on each floor and communal space, including a kitchen, dining and lounge area in compliance with Council's HMO guidance.
- 6.23 The Residential Amenity SPD emphasises the importance of designing alterations that are proportionate, maintain balance and complement the character of the host property and surrounding area. Overall, the proposal represents a well-designed property to deliver high-quality accommodation in compliance with design Policy DM10 and Residential Amenity SPD and the NPPF 2024.

- 6.24 Core Strategy Policy CS06 states that new housing should be provided in accordance with sustainable development and design principles in order to protect residential amenity. 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.
- 6.25 Policy 22 of the ESBAAP requires development to not adversely affect the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion. Policy 22 of the ESBAAP also states that the amenity of occupiers of the proposed development should not be adversely affected by activities in the vicinity of the site.
- 6.26 The NPPF highlights in Chapter 8 the importance of planning decisions creating safe and inclusive environments that promote health and well-being. Chapter 11 further discusses the need for developments to make effective use of land while safeguarding and improving the quality of life for current and future users. The NPPF further emphasises that development should create places with a high standard of amenity for existing and future users.
- 6.27 The proposed development would be completed to a high standard. There are no proposals to insert new openings that may result in overlooking to neighbouring properties. The scheme has been designed so as to respect surrounding properties and to ensure neighbourly relationships.

All new internal walls will be soundproofed and insulated to provide noise mitigation measures. The walls are lined with acoustic plasterboard and will be fitted with Rocksilks RS45 which exceed building reg requirements. This is a very dense acoustic insulation which is above and beyond normal partition roll. This provides a 60% increase in acoustic performance when compared with a standard metal stud wall with normal board and insulation. 40 RW (DB) compared with 61 RW (DB). The application is accompanied by technical specifications as an appropriate noise mitigation strategy.

- 6.28 Given the proposal only seeks to add three additional bedrooms, there will be no significant increase in activity or disruption, maintaining the existing level of residential amenity. The

proposal appropriately balances optimising the use of the site and protecting amenity of neighbouring occupiers. Accordingly, the proposal is in compliance with the criteria of Core Strategy Policy CS06, Local Plan Policy DM7, DM10 and the NPPF 2024.

Amenity for New Residents

- 6.29 Local Plan Policy DM7 also refers to the amenity for proposed residents with factors including noise, smells or pollution caused by development, privacy and overshadowing, and safety. We accept that in multiple occupancy houses residents are generally likely to spend more time within their rooms. Each bedroom is spacious with different choices for where the bed can be positioned and sufficient circulation space to make sure rooms are healthy to spend time in. There is also adequate provision of storage for a single occupant.
- 6.30 The proposal increases the capacity of the property beyond the limitations of Use Class C3 dwellinghouses and Use Class C4 HMOs and is therefore considered to be a Sui Generis Use.
- 6.31 The use of the property by single persons may increase the number of comings and goings, including visitors and deliveries, as well as increased activity within the building and people using the outdoor spaces around the property. However, it is argued that this no more intense than the property being used by a large family. It is considered that the interaction and intensification of an uncontrolled large family is not materially different when compared to the use of a property for nine individual occupiers. The garden will be landscaped and seating provided for residents to enjoy outside space.
- 6.32 The applicant has carefully considered the reducing internal noise for residents and proposes the use of insulation and soundproofing of every room, including soundproof fire doors between the kitchen and the bedroom. A noise mitigation strategy has been submitted which details the technical specifications. It is therefore considered that the amenity standards meet the Housing Act 2004 regulations.
- 6.33 It is also submitted that the impact of an HMO beyond the limitations of Use Class C4 does not generate more noise and disturbance in comparison to the fallback position of a six-bedroom HMO in these site-specific circumstances.

- 6.34 Therefore, in light of the perceived intensification of the site and the increased number of intermittent and arbitrary activities associated with such an intensification and given the close spatial relationship of the site to neighbouring dwellings, the development is not considered to result in unacceptable impact on the living conditions of neighbouring occupants as a result of noise and disturbance.
- 6.35 Whilst noise concerns may be slightly mitigated via planning condition internally for neighbouring properties, the effectiveness of such conditions is limited within the private outdoor amenity spaces of the property and for the future occupants of the scheme. Moreover, such a condition is not considered to mitigate the significant increase in noise and disturbance as result of the activity of seven independent individuals.
- 6.36 To support the residential amenity of future occupiers of the scheme, Regulation 2 of The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018 within the amended Schedule 4 of the Housing Act 2004 to require the floor area of any room in a HMO used as sleeping accommodation by one person aged over 10 years to be a minimum of 6.51sqm and 10.22sqm when any room in a HMO is used as sleeping accommodation by two persons aged over 10 years.
- 6.37 All bedrooms within the proposed development exceed minimum floor space requirements for one person as detailed within Regulation 2 of The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018 within the amended Schedule 4 of the Housing Act 2004. Hinckley and Bosworth Borough Council also required HMOs occupied by six to ten people within Borough to be provided with a kitchen with a minimum size of 10sqm and an additional living room or dining room with a minimum size of 16.5sqm. Alternatively, there must be a kitchen dining area with a minimum size of 19.5sqm. The proposed kitchen and dining room has an area of 21sqm which well exceeds the Council's requirements. The property therefore would include a spacious communal area with one being catered for lounging and socialising which accords with paragraph 96 (a) of the NPPF.
- 6.38 The site benefits from a rear garden which creates a private space for residents. Although the existing garden area is relatively modest there is sufficient area for seating and recreation space.

The property's proximity to nearby green spaces offer excellent opportunities for walking and outdoor activities, promoting healthy and sustainable living for the future occupiers which accords with paragraph 96 (c) of the NPPF.

- 6.39 The existing property has undergone internal refurbishment and decoration to ensure each room is finished to a high standard. People choose to reside in multiple occupancy housing knowing the type of rooms they are going to rent, and, in this case, new occupiers would benefit from a high-quality living environment and would enjoy a good standard of private amenity within a well-equipped modern house. As indicated by the submitted line of site drawing, the outlook from the third floor meets the prescribed standards. The large roof light will provide natural light and outlook to this room. The ratio of bedrooms to bathrooms/toilets meets the ratio governed by the Housing Act 2004. The proposed accommodation meets the requirements of Local Plan Policy DM10 and the NPPF 2024.

Highways Matters

- 6.34 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. 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).
- 6.40 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.
- 6.41 The development proposals are in line with both national and local policy. There are no outstanding highway safety issues on the surrounding local highway network, which the proposed development site would be expected to exacerbate, the proposed development traffic generation is not considered to be significant and is not likely to be discernible on the local highway network.

- 6.42 It is considered that the proposed development can be comfortably accommodated within the local area. As such there should be no reasons why the application cannot be recommended for approval in terms of highways and transportation. It is therefore considered that the proposed development is acceptable from a highway perspective, and is compliant with Paragraph 116 of the NPPF, which states that “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.”
- 6.43 The NPPF in Section 9 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.44 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 would be severe.
- 6.45 The site is reliant upon on-street parking, with no proposed access alterations. Situated within a well-connected urban area, the property offers convenient access to public transport links, supporting sustainable travel choices. The site is car-free with covered and secure cycle storage provided to the rear. The site and wider surroundings benefit from excellent pedestrian infrastructure, and all surrounding streets are well lit with footways present along both sides of the carriageway. The pedestrian links allow connections to the numerous local services and facilities located within a short walking distance of the application site for shopping and leisure activities.
- 6.46 In the context of Hinkley and Bosworth’s current housing position and that there is an evidenced local need and demand for the proposed housing units, it would be unreasonable to rigidly apply parking standards given the sustainability credentials of the site. The accessibility and sustainability credentials of the site must be afforded significant weight in the planning balance.

- 6.47 Given the proximity of the site to local services, facilities, amenities, and public transport routes the site is well positioned to encourage active and sustainable travel and reduce local dependency on private vehicles. There are genuine opportunities for future residents to travel via means other than the private car, and the accessibility of the site means the existing levels of off-street parking are sufficient. The proposal is aimed at responsible individuals who are paying for high specification rooms attracted to the location within an established neighbourhood and would reside fully knowing the limitations that there are in terms of parking.
- 6.48 The proposed car-free scheme will not give rise to any additional parking or highway safety concerns. With also taking into account the lawful fallback position of a house with 6 occupants, the increase to 9 would be negligible. In the context of the NPPF, any highways impact would not be 'severe' and the development complies with the Development Plan and the NPPF (2024). It is therefore considered that the proposal would comply with policy CS14 of the Core Strategy (2014) and would not conflict with saved policy AM12 of the Local Plan (2006) and is acceptable in terms of highway impact and parking.

Waste Management

- 6.49 Core Strategy Policy CS2 requires all development to mitigate and adapt to climate change. One of the principles identified in the policy is for waste management to be incorporated in all aspects of development. Local Plan Policy also requires consideration for the visual quality of the area including potential litter problems when determining applications for new development. Servicing of the development will take place from the public highway commensurate with the existing arrangement for vehicles servicing the existing residential use at the site. There are no changes proposed to the number of refuse containers as in our view the number of overall residents with the addition of 3no. bedroom would not warrant additional containers. Arrangements for refuse containers will continue as existing and the property benefits from a small front yard enclosed by a brick wall, allowing bins to be stored at the frontage or within the rear yard accessed via the adjacent shared passageway leading to the rear. On collection days, bins can be placed on the public footway.

- 6.50 Accordingly, the proposed development does not raise any conflict with the requirements of Core Strategy or the NPPF 2024.

Other Matters

Flood Risk

- 6.45 The application site falls wholly within Flood Zone 1 where there is a low probability of flooding. The development will not increase the footprint of the existing structure, nor the impermeable area of the site and as such the proposals are not considered to create detrimental impacts to the existing low flood risk and drainage conditions at the site. Therefore, the proposed scheme can clearly proceed without incurring unacceptable flood risk problems, nor increasing flood risk elsewhere in compliance with the Local Development Plan, and relevant guidance from the NPPF (2024). The development is located in Flood Zone 1 where there is a low probability of flooding and can proceed without incurring unacceptable flood risk problems.

Ecology and BNG

- 6.46 The application seeks a straightforward change of use from C4 residential use to Sui Generis. Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 187(d) states that this shall be done by minimising impacts on and providing net gains for biodiversity.
- 6.47 Paragraph 192(b) of the NPPF states that plans should “pursue opportunities for securing measurable net gains for biodiversity”. Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 12 of the Environment Act 2021). Developers must deliver a BNG of 10%.
- 6.48 The development does not create impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat, as the proposal relates to the change of use of the building

and does not propose any extensions to the units. As such the proposal is exempt from mandatory BNG.

- 6.49 There is nothing significant of ecological value at the site and the development does not raise any ecological concerns.

7. CONCLUSION

- 7.1 The proposed change of use from a 6-bed HMO (Class C4) to a 9-bed HMO (Sui Generis) at 148 Factory Road represents a sustainable development that fully accords with the National Planning Policy Framework (NPPF 2024) and the Hinckley & Bosworth Local Plan.
- 7.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in line with the Development Plan unless material considerations indicate otherwise. In this case, the material considerations namely the borough's acute housing need and lack of a five-year housing land supply carry substantial weight and trigger the tilted balance under paragraph 11(d) of the NPPF.
- 7.3 The proposal optimises an existing lawful HMO use and delivers additional high-quality accommodation that meets Nationally Described Space Standards and complies with Policy DM10 (Development and Design) and Policy CS15 (Housing) by ensuring good living conditions and supporting mixed, balanced communities. It also aligns with Policy DM1 (Presumption in Favour of Sustainable Development) and NPPF Sections 8 and 11, which promote effective use of land and inclusive, healthy places.
- 7.4 There are no adverse impacts on residential amenity, highway safety, or the character of the area, satisfying Policy DM7 (Preventing Pollution and Flooding), Policy DM17 (Highway Design), and Policy DM18 (Vehicle Parking Standards). The site's highly sustainable location, excellent public transport links, and car-free design further support the objectives of the Leicestershire Highway Design Guide (2024) and NPPF Section 9 on sustainable transport. The development raises no technical constraints relating to flood risk, ecology, or heritage, consistent with Policy CS06 (Sustainable Development Principles) and NPPF guidance. It incorporates robust noise mitigation

and design measures, ensuring compliance with local amenity standards and the Residential Amenity SPD.

- 7.5 Future occupiers would also benefit from a good standard of outlook over a communal garden space or front of the site and receive sufficient daylight/ sunlight into all habitable spaces. The internal layout demonstrates compliance with space standards and amenity considerations, ensuring a high-quality living environment for future occupants.
- 7.6 In the context of Hinckley & Bosworth's housing shortfall and the absence of any policy restricting HMOs, the planning balance clearly weighs in favour of granting permission. The proposal delivers social and economic benefits by addressing unmet housing needs, providing affordable accommodation, and making effective use of an existing building in a sustainable location. Accordingly, the application should be approved as it accords with the Development Plan and the NPPF 2024.
- 7.7 Accordingly, we consider that the planning balance should be tipped in favour of the development as the proposal complies with the aims and criteria of relevant policies from the Development Plan and the NPPF 2024 which encourages the objective of creating mixed and balanced communities.