

Delegated Report

Planning Ref: 26/00336/HOU
Applicant: Mr Adam Illstone
Ward: Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Site: 25 Tudor Road Hinckley Leicestershire

Proposal: Erection of a detached garage with new gates and fence

Case Officer(s): Zahra Jam-Rotbeh (Planning Officer)

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 erection of a detached garage with new gates and fence at 25 Tudor Road Hinckley.
- 2.2. The proposed single-storey garage would measure approximately 4.3 metres in width and 7.30 metres in depth. It also features a gabled roof form with an eaves height of 2.50 metres and a ridge height of 3.40 metres.
- 2.3. The existing garage would be demolished as part of this application. It is located at the front of the plot, where a proposed gate and boundary treatment would be installed. The proposed gate would measure 4.16 metres in width, incorporating the existing pillar to the right, and would have a height of 1.80 metres.
- 2.4. The proposed materials would match the external materials of the existing main dwelling.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the urban settlement boundary of Hinckley in a residential area. It is a three bedroom two-storey semi-detached dwelling constructed of red brickworks, plain roof tiles and brown uPVC windows.
- 3.2. There is an existing single garage to the side of the dwelling which would be removed as part of this application, behind this is a shed within the rear garden. To the front of the property is a gravelled parking area.
- 3.3. Tudor Road is characterised by two-storey terraced and semi-detached properties in brickwork with different colour and designs.

4. Relevant planning history

- None-Relevant

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No objections have been received.

6. Consultation

- 6.1. None-Relevant

7. Policy

7.1. Core Strategy (2009)

- Policy 1: Development in Hinckley

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 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 Highway Design Guide

8. Appraisal

8.1. Extensions 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 highway safety and parking provision

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.

8.3 Policy DM10 requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features.

8.4 The proposed garage would be of a modest size and, given its significant distance of 16.77 metres from the highway, its single-storey nature, appropriate design, and use of matching materials, it is not considered to cause any harm to the streetscene, the design of the main dwelling, or the character of the surrounding area.

8.5 The proposed fence and gate to the front would be constructed of timber. Given the presence of similar timber fencing in the area, including at the adjacent neighbouring property to the right and the modest height of 1.80 metres, the proposal is considered to be in keeping with the character of the surrounding area.

8.6 Therefore, the form and design and scale of the proposed development is not considered have any significant adverse impact upon the character of the area and the design of main dwelling and therefore it is considered that the development is in

accordance with Policy DM10 of the SADMP, the NPPF (2024) and principles in HBBC Good Design Guide.

Impact upon neighbouring residential amenity

- 8.7 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.
- 8.8 Policy DM10 of the adopted SADMP and the adopted Good Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.9 The HBBC Good Design Guide (2020) requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity. In the spirit of good neighbourliness, an adequate distance of 1m between the property and its boundary (giving a total distance of at least 2m between properties) should be encouraged. Furthermore, proposals should comply with the 45⁰ guidance.
- 8.10 The neighbouring property most affected by the proposal is No. 27 Tudor Way to the east. No. 23 Tudor Way is also located to the west of the main dwelling; however, given the distance between the proposed development and this property, it is not considered to be affected. The proposed garage would be almost aligned with the shared boundary treatment, with the most affected built form being an outbuilding belonging to the neighbouring property that would partly cover the proposed garage to this neighbouring property including from the main dwelling habitable windows. Given the single-storey nature of the proposed garage, the existing built form and outbuildings and the absence of any window within the garage elevation facing No. 27, it is not considered to result in any overdominance, overbearing impact, loss of privacy, or overshadowing to neighbouring properties or their amenities.
- 8.11 Two windows are proposed on the side elevation facing No. 23 Tudor Road; however, given the separation distance to this neighbouring property and the single-storey nature of the garage, the proposal is not considered to cause any material loss of privacy.
- 8.12 By virtue of the above assessment, the proposal is not considered to result in any significant adverse overbearing or over dominant, overlooking, or loss of privacy impacts to any of neighbouring occupiers and their amenities 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

- 8.13 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.
- 8.14 Policy DM18 of the SADMP also requires developments to demonstrate an adequate level of off-street parking provision.
- 8.15 Table 28 (Residential Parking Standards) of the LHDG requires dwellings with up to three bedrooms to provide a minimum of three off-street parking spaces. The number

of bedrooms would remain unchanged as part of this application. The proposed garage would replace the existing one in a different location and would provide a total of five parking spaces. Therefore, the proposed development is considered to make a positive contribution to parking provision and highway safety, and is compliant with Policies DM17 and DM18.

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 As outlined in the report the development complies with the relevant policies of the Development Plan therefore, 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 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:

- Proposed Elevations, Drg No. E00
- Proposed Ground Floor Plan, Drg No. D00
- Site Location, Site Plan, Drg No. A00
- received by the local planning authority on 10 March 2026.

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 garage 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.