



PLANS COMMITTEE

This meeting will be recorded and the sound recording subsequently made available via the Council's website: charnwood.gov.uk/pages/committees

Please also note that under the Openness of Local Government Bodies Regulations 2014 that other people may film, record, tweet or blog from this meeting. The use of any images or sound recordings is not under the Council's control.

To: Councillors Bailey, Bentley (Vice-Chair), Campsall, Forrest, Fryer (Chair), Grimley, Hamilton, Lowe, Ranson, Savage, Snartt, Tassell and Tillotson
(For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Plans Committee to be held via virtual meeting Zoom on Thursday, 18th June 2020 at 5.00 pm for the following business.

Chief Executive

Southfields
Loughborough

10th June 2020

AGENDA

1. APOLOGIES
2. MINUTES OF PREVIOUS MEETING 4 - 6

The Committee is asked to confirm as a correct record the minutes of the meeting held on 21st May 2020.

3. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

4. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

5. PLANNING APPLICATIONS

7 - 55

The list of planning applications to be considered at the meeting is appended.

6. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

56 - 65

A list of applications determined under powers delegated to officers for the period from 11th May 2020 to 5th June 2020 is attached at page 55.

7. URGENT PLANNING DECISION TAKING DURING COVID-19 PANDEMIC

66 - 70

A report on the action taken by the Head of Planning and Regeneration to determine planning application P/20/0271/2 which was made under urgency provisions due to the pandemic.

PLANS COMMITTEE 21ST MAY 2020

PRESENT: The Chair (Councillor Fryer)
The Vice Chair (Councillor Bentley)
Councillors Bailey, Campsall, Forrest, Grimley,
Hamilton, Ranson, Savage, Snartt, Tassell and
Tillotson

Head of Planning and Regeneration
Team Leader Development Management (KB)
Group Leader Development Management
Senior Planning Officer (JE)
Legal Services Manager, Solicitor to the Council
Principal Solicitor - Planning, Property and
Contracts
Information Development Manager
Democratic Services Manager and Democratic
Services Officer (SW)

APOLOGIES: Councillor Lowe

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

1. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 6th May 2020 were confirmed as a correct record and signed.

2. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

3. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures were made:

(i) By Councillor Grimley – a personal interest in application P/19/0813/2 (Land off Platts Road, Cossington) as although the applicant was not personally known to him, the applicant was known by his parents.

(ii) By Councillor Tassell – a personal interest in application P/20/0618/2 (64 Iveshead Road, Shepshed) but as it was not in her ward she comes with an open mind and will take part in the discussion and voting on the item

4. PLANNING APPLICATIONS

Reports of the Head of Planning and Regeneration, setting out applications for planning permission, were submitted (items 1 to 3 in the appendix to the agenda filed with these minutes). Additional Items reports in respect of applications P/19/0813/2 and P/20/0618/2 were also submitted (also filed with these minutes).

In accordance with the procedure for public speaking at meetings, the following objector, applicants or their representatives and representative of a parish council attended the meeting and expressed their views:

1. Mr Steve Lewis-Roberts (agent) in respect of application P/18/0813/2;
2. Councillor Weston-Webb (Chairman of Cossington Parish Council) in respect of application P/19/0813/2;
3. Mr Jamie Foot (agent) in respect of application P/19/2532/2

In accordance with the procedure for Borough Councillors speaking at Plans Committee meetings, the following Councillors attended the meeting and expressed their views:

1. Councillor Poland in respect of application P/19/0813/2;
2. Councillor Poland in respect of application P/19/2532/2

Having made a disclosure under the Planning Guide of Good Practice, Councillor Grimley was withdrawn from the virtual meeting by the Clerk during the consideration of application P/19/0813/2 (Land off Platts Road, Cossington).

RESOLVED

1. that, in respect of application P/19/0813/2 (Land off Platts Road, Cossington):
 - (a) Delegated authority by given to the Head of Planning and Regeneration to enter into a S106 Legal Agreement to secure the provision of the Landscape and Biodiversity Area and its future retention and maintenance, and;
 - (b) Planning Permission be granted, contrary to Officer's Recommendation, subject to the signing of a S106 Legal Agreement and planning conditions to be determined by the Head of Planning and Regeneration.

Reason: The Committee considered the proposed dwelling to be an appropriate design for the site (policy EV/1 and CS2) and its relationship and impact on heritage (policy CS14) and ecology (Policy CS 13) to be acceptable. The site was within the village limits of development (Policy ST/2) and was

therefore considered in general conformity with policy CS1 within the Local Plan.

2. that, in respect of application P/19/2532/2 (Lodge Farm, Ratcliffe Road, Sileby), planning permission be refused subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration;
3. that, in respect of application P/20/0618/2 (64 Iveshead Road, Shepshed) the item be deferred to the next meeting of the Plans Committee as recommended in the supplementary report of the Head of Planning and Regeneration.

5. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A list of applications determined under powers delegated to officers for the period from 10th April 2020 to 7th May 2020 was submitted (item 6 on the agenda filed with these minutes).

NOTES:

1. No reference may be made to these minutes at the next Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Plans Committee.

Charnwood Borough Council

Plans Committee – 18 June 2020

Index of Committee Items

Item	Application No	Applicant and Location, Description	Recommendation	Page
1	P/20/0618/2	Mrs Tracey Frobisher 64 Iveshead Road Shepshed Erection of two storey dwelling following demolition of existing (revised scheme P/18/2310/2 refers).	Grant Conditionally	08
2	P/20/0434/2	Robert James 35 Naseby Drive Loughborough 2 storey side extension and single storey rear extension to dwelling.	Grant Conditionally	23
3	P/20/0566/2	Mr I Herbert Land at / rear of 31 Garendon Road Shepshed Erection of 8x dwellings including demolition of existing bungalow, associated access and landscaping works, (revision of scheme P/19/1322/2 refers).	Grant Conditionally	32

Application Reference Number P/20/0618/2

Application Type:	Full	Date Valid:	06/04/2020
Applicant:	Mrs Tracey Frobisher		
Proposal:	Erection of two storey dwelling following demolition of existing (revised scheme P/18/2310/2 refers).		
Location:	64 Iveshead Road Shepshed Leicestershire LE12 9ER		
Parish:	Shepshed	Ward:	Shepshed East
Case Officer:	Deborah Liggins	Tel No:	01509 634733

This item is referred to Plans Committee at the request of Councillor Popley who has concerns about the overbearing impact of the development and its appearance within the street. Members will recall that it was resolved to defer this item from the Plans Committee on 21st May amid concerns about the accuracy of the submitted plans. Revised plans have been submitted and subject to a further round of consultation. All comments received are considered within this report.

Description of the Application Site

Planning permission was granted under P/18/2310/2 for the erection of a two storey dwelling following the demolition of the original bungalow. Work has proceeded to an advanced stage on the new dwelling when it became apparent there were discrepancies between the built dwelling and the approved plans and the proposal seeks to address and remedy this situation.

The site lies within the Shepshed Limits to Development as identified in the Borough of Charnwood Local Plan.

No. 66 to the south is an extended bungalow which has a half-hipped roof and a garage on its northern boundary. The side elevation of this dwelling contains a secondary window at ground floor. No. 62 is a bungalow of a similar age to the application property and is set within a spacious plot. It should be noted by members that a prior notification for demolition (P/19/1223/2) was submitted and that no prior approval was required. Properties on the western side of the street are a mix of two storey houses and bungalows. All dwellings appear to have been individually designed and built at various stages with the dwellings on the eastern side being having more open plan deep frontages and respecting a more rigid building line.

Description of the Proposals

Planning permission was granted under application reference P/18/2310/2 on 31st January 2019 for the erection of a two storey dwelling following the demolition of the original bungalow.

The originally submitted scheme was for a detached 5 bed dwelling with an eaves height of 2.63m and an overall ridge height of 8.314m. The dwelling would have had a footprint of 180sq.m. including the garage. However, officers, noting the proposal was for a two storey dwelling between two modestly sized bungalows (with ridge heights of approximately 5.5 m), and negotiated the submission of revised plans which were received on 25th January 2019. The revised design reduced the height of the dwelling to a ridge height to 7.24m and an eaves height of 2.53m. A proposed street scene plan was also received on 25th January 2019. The dwelling would have comprised a lounge, study, hallway, guest bedroom, kitchen/dining and utility room at ground floor with an integral garage. To the first floor a master en-suite bedroom suite would be achieved with 3 other bedrooms and a bathroom. This revised plan was the scheme which was approved under P/18/2310/2.

As the development drew to an advanced stage of construction, it became apparent that there were some differences between the dwelling as approved and the scheme as built and this application seeks to remedy this. The dimensions shown on the revised plans received on 20th May have been corroborated by an experienced member of the Council's Building Control staff.

The proposal now is to revise the dwelling to reflect the changes as built. These are:

- Ridge height of 8.08m with a + or – 25mm either way (increase of 0.84m) – eaves height of 2.53m (the same as previously approved). The ridgeline above the garage steps down to 7.75m Measurements are taken from finished external ground levels to the top of the proposed ridge tile.
- Inclusion of an external chimney breast to north elevation – this emerges externally from the wall at eaves level but does not project above the higher ridge.
- Alterations to the site frontage to provide hard-surfaced parking area and lawn.

The design, footprint and internal configuration of accommodation remains as previously approved.

Whilst the original scheme was reduced through negotiation, this is not to say the proposal would not have been acceptable in its original form. Members are effectively therefore being asked to consider the differences between the approved scheme and the scheme as built, given the development is already acceptable in principle.

The application is accompanied by a Design and Access Statement which explains how the builder deviated from the plans and how the appearance and massing of the resulting dwelling sits in the context of other properties within the street.

Development Plan Policies

Charnwood Local Plan 2011-2028 Core Strategy

Policy CS1 – Development Strategy outlines that provision will be made for at least 5,000 new homes in Loughborough and Shepshed, including a sustainable urban extension to the west of Loughborough of approximately 3,000 homes, approximately 1,200 homes within and adjoining Shepshed and sustainable development which contributes towards meeting the Council's remaining development needs.

Policy CS2 – High Quality Design – requires new developments to make a positive contribution to Charnwood resulting in high quality inclusive design which responds positively to its context and results in places where people would wish to live. New developments should respect and enhance the character of the area, having regard to scale, density, massing, height, landscape, layout, materials and access arrangements. The policy also requires new development to protect the amenity of people who live and work nearby and those who will live in the new development.

Policy CS3 – Strategic Housing Needs states that the Council will manage the delivery of at least 13,940 new homes between 2011 and 2028, seeking an appropriate mix of types, tenures and sizes of homes, having regard to identified housing needs and the character of the area. The commentary relating to strategic housing needs states that “based on our projections for our population and household types, our evidence suggests that we need to increase the number of 2 bedroom homes” and “the low proportion of smaller homes available makes it difficult for older people who want to downsize, those on low incomes and benefits and younger people who want to find their first home. We need to increase the number of smaller and medium sized properties being built. Our community wants to see smaller houses and bungalows rather than flats and apartments, as these provide space for young families to grown and family to visit with older relatives.” (paragraphs 5.6 and 5.7.)

Policy CS16 – Sustainable Construction and Energy – encourages sustainable design and construction and the provision of renewable energy including supporting developments that reduce waste, provide for the suitable storage of waste and allow convenient waste collections.

Policy CS25 – Presumption in Favour of Sustainable Development – sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It pledges to work proactively with applicants to jointly find solutions to approve development wherever possible to secure improvements to the economic, social and environmental conditions in an area. Planning applications that accord with the policies in the Core Strategy will be approved without delay unless material considerations indicate otherwise.

Borough of Charnwood Local Plan

Policy ST/2 – Limits to Development - States that built development will be confined to allocated sites and other land within the Limits to Development identified on the proposals map, subject to specific exceptions.

Policy EV/1 – Design - seeks to ensure a high standard of design and sets out nine design criteria which new developments should satisfy. These include the requirement for new development to respect and enhance the local environment, including the scale, location, character, form and function of settlements. Development should be of a design, layout, scale and mass which is compatible with the locality and neighbouring buildings. It should also safeguard the amenities of adjoining properties, particularly the privacy and light enjoyed by adjoining residents.

Policy TR/18 – Parking in New Development indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual

and local amenities. The guidance indicates that a dwelling of up to 3 bedrooms should be provided with 2 car parking spaces and those dwellings with more should be provided with 3. The policy does however clearly state that these standards should be used as the starting point in assessing the level of provision and represent the maximum level. The quantity of parking allowed should reflect the proposed use and the location of development, the availability of public off - street parking; the current or potential accessibility by non-car modes and the scope for practical measures to significantly reduce the use of private car trips to and from a site.

Other material considerations

The National Planning Policy Framework (NPPF) 2019

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 8 explains that achieving sustainable development means that the planning system has 3 overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The overarching aims are:

- An economic objective – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation
- A social objective – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built development with accessible local services;
- An environmental objective – contributing to protecting and enhancing our natural, built and historic environment.

Paragraph 10 states at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 sets out the presumption in favour of sustainable development and makes it clear that where there is an under-supply of housing land, the most important policies for the determination of housing proposals would be considered out of date.

Paragraphs 15-33 set out that the planning system should be genuinely plan-led and that succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities and a platform for local people to shape their surroundings. Paragraph 31 states that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence.

Paragraph 38 indicates that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers should seek to approve applications for sustainable development where possible.

Paragraph 47 of the NPPF states that planning law requires that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 59 states that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 61 sets out that the size, type and tenure of housing need for different groups in the community should be assessed and reflected in planning policies (including but not limited to, those who require affordable housing, families with children older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.

Paragraph 68 explains that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out quickly. The paragraph then goes on to explain how such sites might be promoted.

Paragraph 73 sets out that local planning authorities are expected to maintain a 5 year housing land supply and should identify and annually update their supply of specific deliverable sites as measured against the overall housing requirement for the plan period. This should include a buffer and in Charnwood this is an additional 5% in order to ensure choice and competition in the market for land.

Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 111 states that planning policies and decisions should promote 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. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Chapter 12 of the NPPF concerns itself with achieving well-designed places and sets out that good design is a key aspect of sustainable development. The use of visual tools and design codes is encouraged as is the development of design policies alongside local communities and neighbourhood plans.

Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between the permission and completion, as a result of changes being made to the permitted scheme.

Paragraph 180 requires that decisions on planning applications should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, including mitigating noise.

National Design Guide (2019)

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This design guide, the National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

As well as helping to inform development proposals and their assessment by local planning authorities, it supports paragraph 130 of the National Planning Policy Framework which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Planning Practice Guidance

The National Planning Practice Guidance (PPG) reinforces and provides additional guidance on the policy requirements of the Framework and provides extensive guidance on design and other planning objectives that can be achieved through getting good design. These include the consideration of local character, landscaping setting, safe, connected and efficient streets, crime prevention, security measures, access and inclusion, efficient use of natural resources and cohesive and vibrant neighbourhoods.

ID 26 - Paragraphs 001-003 states that good design matters and what this can achieve through good plan making. Paragraph 004 notes that weight can be given to outstanding or innovative design and developments of poor quality design should be refused. Paragraph 007 states that planning should promote local character. New development should be integrated within existing surroundings.

The Crime and Disorder Act 1998

This places a duty on the local planning authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on community safety is therefore a material consideration in the determination of planning applications.

Department for Communities and Local Government – Technical Housing Standards – nationally described space standard (March 2015)

These standards deal with internal spaces within new dwellings and sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights. The standard sets out the minimum space requirements dependent on different combinations of single and double/twin bedrooms. The standard sets out that minimum floor to ceiling heights should be 2.3m for at least 75% of the GIA (Gross Internal Area). In terms of the proposal, a 4 bed (potentially 8 bed space) dwelling should achieve 124 sq.m. The proposal achieves double this.

The Leicester and Leicestershire Strategic Growth Plan 2018

This document is a non-statutory plan but has been prepared and adopted by 10 partner organisations in Leicester and Leicestershire to provide a vision to address the challenges of the region until 2050. It identifies broad locations where development should take place and the infrastructure needed to deliver it which is envisaged to be delivered through local plans.

The Leicestershire Highways Design Guide (2018)

This is a guide for use by developers and published by Leicestershire County Council and provides information to developers and local planning authorities to assist in the design of road layouts. The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; and help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking required to be provided in new housing development.

Housing Supplementary Planning Document (July 2018)

This document sets out the Council's goals for the delivery of housing and how it will deal with applications for new development. The document seeks to provide clarity for those who live in the Borough and for the developers who deliver the new homes. It includes guidance on affordable housing, houses in multiple occupation and purpose built and campus student accommodation. The SPD will be a material consideration in the determination of planning applications in the Borough. It should be noted that the SPD cannot and does not propose new policy; rather it explains how Policies CS3, CS4, H/12 and CS23 will be used.

Housing and Economic Development Needs Assessment (HEDNA)

The Housing and Economic Development Needs Assessment (HEDNA) has looked at a wealth of evidence, including population, household and economic growth projections, to assess the need for housing and employment land over the next 20 years. The study is an important part of the evidence base for the Strategic Growth Plan. It will also form part of the evidence base for Local Plans and will feed into the Strategic Economic Plan being revised by the LLEP.

The HEDNA looks at projections based on past population and demographic trends, with adjustments made (where necessary) for higher migration to support economic growth, and/or to address affordability issues, responding to an analysis of market signals and evidence of the need for affordable housing. The HEDNA also identifies the appropriate mix of homes of different sizes needed in the market and affordable sectors and concludes that the ideal mix of market housing in Charnwood should be as follows

- 1 bed – 0-10%
- 2 bed – 25-35%
- 3 bed – 45-55%
- 4 bed – 10-20%

The HEDNA also assesses the need for different affordable housing products taking into account both what households can afford, and the existing supply. It identifies that in Charnwood, 23% of the affordable housing need is for intermediate affordable housing

(such as shared ownership or equity homes, or low cost market housing) and 77% for social or affordable rented homes.

This housing mix evidence can be afforded significant weight as it reflects known demographic changes.

Supplementary Planning Document - Charnwood Design (January 2020)

This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. The document is a material consideration in the determination of planning applications.

Shepshed Master Plan and Delivery Framework (2013)

This document provides a strategic vision and a flexible delivery framework to improve the overall economic health and vitality of the town centre, in response to halting its economic decline. The vision set out in the document includes the promotion of Shepshed as a historic market town, the enhancement of the retail offer, enhanced leisure facilities, improved visual appearance to the public realm, improved connectivity and the attraction of inward investment/new businesses.

Draft Charnwood Local Plan 2019-2036

The Draft Local Plan sets out the Council's preferred options for draft policies which are yet to be tested through an Examination in Public before they can become part of the development plan for Charnwood. The policies therefore carry limited weight at the current time. These include policies which would seek to make provision for at least 19,716 homes between 2019 and 2036 and require these to be delivered to a high standard of design quality. This document also includes Draft Policy LP9 which seeks to support the well-being, character and amenity of our communities.

Relevant Planning History

Reference	Description	Decision & Date
P/18/2310/2	Erection of two storey dwelling following demolition of existing	Granted conditionally 31.01.2019

Responses of Statutory Consultees

Councillor Popley is concerned that the changes to the proposal will have an adverse effect on the appearance of the street scene. Councillor Popley is aware of the site history and shares the concerns of residents. The property is set on a street scene of 8 bungalows all with similar roof heights. Councillor Popley is also aware of the development site to the rear of the property and the recently refused planning application for residential development which featured a reason relating to property roof heights (three storey dwellings were proposed) and considers that the plans as previously approved should be adhered to. Councillor Popley is aware of the discrepancies in the earlier submitted plans, with the latest plans received on 20th May seem to align with the concerns of residents.

Shepshed Town Council comments that the structure which is being built is over-domineering and is not in keeping with the existing surroundings.

Other Comments Received

Iveshead Road – 66, 71, 72, 73, 75, 77

The Pastures – 1, 2, 3

Morley Lane – one resident

+ 2 others (addresses not supplied)

Concerns include:

- The dwelling stands out in terms of its appearance and design
- The dwelling is overbearing and towers over all other properties on that side of the road and is not aesthetically pleasing
- The dwelling is not in keeping with the style and roofs of other dwellings in the street and is out of character
- The proposal will set a precedent for the housing site to the rear to include 2.5-3 storey houses
- Planning permission should be refused and the roof should be built to its approved height
- The depth and width of the roof is excessive
- If planning permission is granted, this would set a precedent for deliberate breaches of planning control elsewhere.
- The roof mass is excessive with a top heavy appearance
- The proposal is contrary to Policy CS2 and adopted Supplementary Planning Documents on Design which states, "All new development should be of a scale, mass and height which respect its surrounding context."
- The development is out of proportion
- The proposal would result in loss of amenity to neighbouring dwellings
- Lorries are arriving at site before 0800 hours
- The height of the dwelling is incorrect on the plans

Non-Material Considerations which have been raised.

One neighbour has suggested the roof be modified to a Gambrel type roof but this is not the proposal before members.

Other comments suggest that if planning permission is granted, this would undermine the position of the Council in seeking revisions to schemes which appear, at face value, to be problematic in terms of their impacts. If planning permission were to be granted, the planning system as a whole would be less trusted.

Another resident is concerned that the proposal would devalue the homes on Iveshead Road but this is not a consideration in the determination of the application as there are many factors which influence property values.

Consideration of the Planning Issues

The main issues to be considered in the determination of this application are:

1. Principle of Development
2. Noise and Disturbance

3. The design and impact of the proposal on the street scene and the amenities of neighbouring occupiers
4. Car Parking
5. Bin Storage

Principle of Development

The starting point for decision making on all planning applications is that they must be made in accordance with the development plan unless material considerations indicate otherwise. Policies in the adopted Core Strategy and the saved policies in the Borough of Charnwood Local Plan are therefore the starting point for consideration. Policies in the local plan relate to achieving high quality design for all proposals, including house extensions.

Policy CS1 outlines the development strategy for the Borough. The majority of growth which is not taking place at the edge of Leicester is planned for Loughborough and Shepshed. Policy CS1 states that the Council will plan positively for sustainable development in Loughborough which contributes towards meeting development needs, supports the strategic vision, makes effective use of land and is in accordance with the policies of the Core Strategy.

Shepshed is considered to be one of the principal settlements in the Borough considered suitable for accommodating volume house building and this is reflected in Policy CS1 of the Core Strategy. The site itself is within the built-up limits of Shepshed and is therefore a sustainable location for new development due to the services and facilities available and good transport choices as alternatives to the private car. The development is therefore acceptable in principle.

Policy CS3 seeks to provide a mixing of housing types and tenures across the Borough that meet with identified needs whilst having regard to the character of the area. HEDNA provides an expression of that need and identifies a need for medium-sized properties (2 and 3 bed dwellings) but also recognise that there will still be a need for some larger family homes. The proposed dwelling would not make a significant contribution to housing need for smaller units but would nevertheless reflect the character of the area. In this respect it is considered to meet with the provisions of CS3. It is also material to note that there is an extant planning permission for the erection of a dwelling of this size on the site and the principle of a development of this type and scale in this location has already been established. The current proposal does not alter this compliance with Development Plan policies CS1, ST/2 and CS3.

Design and appearance within the street scene

Policies CS2 and EV/1 seek to ensure that new development remains in context with its surroundings and does not cause visual harm.

It is material to note that planning permission has already been granted for a dwelling at this site. The dwelling as built occupies the same footprint and position as the approved dwelling under application P/18/2310/2. Its design and appearance is also largely the same as previously allowed. The dwelling as constructed therefore occupies part of a spacious plot with a deep frontage and its position is off-set from the boundaries. The street itself rises to the south as it leads out of Shepshed and thus No. 66 has a slightly higher floor level

than the application property. The dwelling already permitted had a higher ridge line than the dwellings either side and was considered to be visually acceptable in the street scene because this is characterised by dwellings of many styles and with various roof types and heights. The incline of the hill and the slightly elevated floor level of No. 66 aided in reducing the impact of the higher ridge line. The proposal now seeks to further increase the ridge height by 0.84m above the previously approved scheme and it must be considered whether this change in height means that the dwelling remains in keeping with its context.

To the north of the site is a modest bungalow which is proposed to be demolished to form a vehicular access into the land to the east of Iveshead Road which has been proposed for housing. This dwelling could be demolished at any time and may alter the context of the immediate surroundings. Nevertheless, the current proposal is higher than both adjacent dwellings as is the extant planning permission and a judgement must be reached as to whether this change in height, (84cm to the ridge), would have an adverse visual impact. Given the varied street scene and changes in levels it is not considered that it would.

The revised site plan received on 1st May 2020 shows how the site would be laid out and that part of the frontage would be utilised for car parking, with a front lawn being retained. This is considered to be acceptable in terms of visual impact. Plan No. AL(P)03 Rev B received on 30th March 2020 shows the appearance of the dwelling in relation to neighbouring properties and, although a higher ridge is proposed, the style of the dwelling and its scale would remain in general accord with the street scene. The eaves height, design and footprint of the dwelling remain as already approved and the increased height of 0.84m is considered to have only a minimal impact on the visual amenity of the street.

The introduction of a chimney is also considered to be acceptable and not out of character with dwellings in the street.

Whether the design is in keeping or not is a matter of planning judgement. For the reasons set out above it is considered by officers that the proposal is acceptable in terms of its design and its impact on the visual amenity of the street scene and it is therefore considered to comply with policies CS2, and EV/1 with regards to the design of the dwelling.

Impact on neighbouring properties

The extant permission is for the erection of a two-storey property positioned between two existing single storey dwellings but with space to each side of the plots to visually separate the dwellings and allow a good standard of amenity. The marginal increase in height and the other alterations are not considered to impact on amenity as they do not cause increased loss of light or outlook or introduce new windows which would overlook adjacent dwellings. The revised proposal remains in compliance with the Development Plan and Design Supplementary Planning guidance.

Highways Issues

Policy TR/18 indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimise harm to visual and local amenities. The policy promotes standards that would require 2 spaces for a 3-bedroom dwelling and 3 parking spaces for a 4 or more bedroom dwelling, although it states that this will be used as the

starting point in assessing the level of provision and represent the maximum level. The quantity of parking allowed should reflect the proposed use and the location of development, the availability of public off - street parking; the current or potential accessibility by non-car modes and the scope for practical measures to significantly reduce the use of private car trips to and from a site.

The proposal includes 3 off-street car parking spaces and sufficient turning space to permit vehicles to leave the site in a forward direction. The proposal therefore accords with Policy TR/18 and it is considered that the residual cumulative impacts of the development would not be 'severe' and that the development would not increase highway dangers and would accord with Paragraph 109 of the NPPF (2018).

Other Matters Raised

One respondent to the application questions what type of appliance will be installed and what fuel would be burnt. For the purposes of the planning application, the applicant is not required to specify this as it is not material to the consideration of this planning application

Conclusion

Decisions on applications need to be made in accordance with the adopted development plan policies and the material considerations that support them, including in this case the adopted Supplementary Planning Document on Design.

The main issues to be considered in this case are the changes which have been made to the dwelling since planning permission was previously granted and whether those changes are harmful. It is considered that the increase in the height of the roof by the amount proposed and the addition of a chimney and reconfigured site frontage would have an acceptable visual impact within the street scene. These differences would also present no additional amenity harms to neighbouring occupiers in terms of losses of light or privacy.

Accordingly, having regard to the above considerations, it is recommended that planning permission is granted conditionally.

RECOMMENDATION:-

Grant Conditionally

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
AL(P)00 - 1:1250 scale site location plan and 1:500 scale block plan
AL(P)01 Rev B - Proposed ground floor plan - revised plan received 1st May 2020
AL(P)02 - Rev B - Proposed first floor plan - revised plan received 1st May 2020
AL(P)03 Rev E- Proposed elevations and street scene – revised plan received 20th May 2020
AL(P)04 Rev A - Proposed landscaping/site frontage plan - revised plan received on 1st May 2020
AL(P)05 Rev A – Proposed section – received 20th May 2020.

REASON: To define the terms of the planning permission.

- 2 Only those materials specified in the application shall be used in carrying out the development hereby permitted.

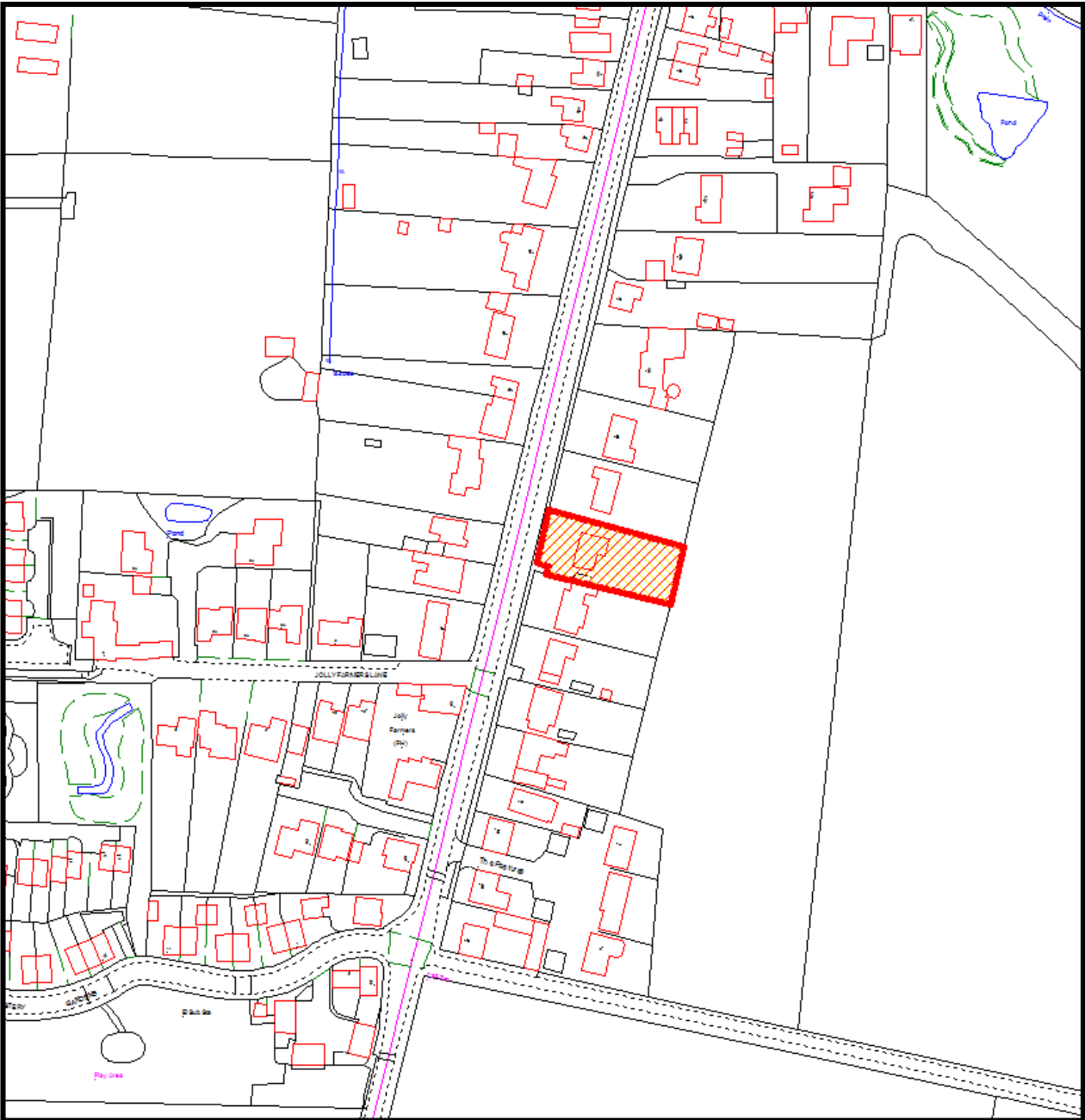
REASON: To ensure the satisfactory appearance of the completed development.

- 3 No occupation of the dwelling shall take place until such time as the parking and turning facilities shown on the approved plan have been completed in accordance with the submitted details. Thereafter, the parking and turning facilities shall not be obstructed in any way that would prevent such use.

REASON: To make sure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1 and CS2 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies EV/1 and TR/187 of the Borough of Charnwood Local Plan have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies and there are no other material considerations which are of significant weight in reaching a decision on this application.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal and it does not fully accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Document 'Design' (adopted 2020), the degree of harm that might be caused to one or more of the issues arising under the policies is insufficient to warrant the refusal of planning permission.
- 3 The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 4 Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.
- 5 In order to arrange for the delivery of the necessary equipment for participation in the refuse and recycling service and to ensure that the properties receive a collection service as appropriate, please contact Environmental Services on 01509 634538 or recycle@charnwood.gov.uk, before the first property is completed.



Item No. 2

Application Reference Number P/20/0434/2

Application Type:	Householder	Date Valid:	13/03/2020
Applicant:	Mr T Burton		
Proposal:	2 storey side extension and single storey rear extension to dwelling.		
Location:	35 Naseby Drive Loughborough Leicestershire LE11 4NU		
Parish:	Loughborough		
Ward:	Loughborough Garendon		
Case Officer:	Steven Holmes	Tel No:	01509 634770

This item is being brought to Plans Committee as the application has been subject to a 'call in' from Cllr Boldrin on the grounds of the overdevelopment of the site, the developments encroachment of public land and its likely use as a business premises.

Description of the Application

The application site is a two storey detached property on the northern side of Naseby Drive in Loughborough. The dwelling is set back from the road and accessed via a private drive which serves two other dwellings. It is sited so that its side elevation faces the road. It is located with No.37 to the south west, No.33 to the South East and No.31 to the North east of the site, all of which are separately owned. There is a linear open space to the northern boundary that is bisected by a footpath.

The two storey side extension will project beyond the northern side elevation by 7.4 metres. The eaves and ridge height will match the existing house with a side facing gabled pitched roof.

The single storey rear extension will be built directly to the rear of the two storey works, projecting approximately 3.2 metres from the rear of the original house. It will have an eaves height of 2.3 metres and a maximum height of 3.6 metres to the top of the proposed mono-pitch roof.

The works will facilitate the creation of an en-suite and two bedrooms at first floor level and facilitate a reconfiguration at ground floor to provide a larger kitchen space.

Development Plan Policies

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

The following policies are relevant to this application:

Policy CS2 – High Quality Design – requires developments to make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access, and protect the amenity of people who live or work nearby.

Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies)

The policies relevant to this proposal include:

Policy EV/1 – Design – seeks to ensure a high standard of design that respects the character of the area and is compatible in mass, scale and layout.

Policy H/17 – Extensions to Dwellings – should not be detrimental to visual amenity or to the amenities of occupiers of nearby properties.

Policy TR/18 - Parking Provision in New Development notes that planning permission will not be granted for development, unless off-street parking for vehicles, including cycles, and servicing arrangements are included, to secure highway safety and minimise harm to visual and local amenities.

Other material considerations

National Planning Policy Framework (NPPF)

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development (para.6), fulfilling an economic, a social and an environmental role (para.8). Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (para.12). The NPPF states that the government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development (para.124).

Design Supplementary Planning Document (2020) – Provides guidance on how a high standard of design can be met and supplements adopted Core Strategy and saved policies covering high quality design, open space requirements and measures to adapt to climate change

National Design Guide

Relevant Planning History

None applicable

Comments Received;

Cllr Boldrin has called the application into be considered by Plans Committee on the grounds of the overdevelopment of the site, the developments encroachment of public land and its likely use as a business premises.

Occupants of No's 37 & 39 Naseby Drive – Have concerns with respect to parking upon the private drive, encroachment upon publically owned land, Impact upon trees, the overbearing nature of development, permanent odour, noise and disturbance, impact upon the street scene, impact upon the highway, Impact upon privacy and potential use as a business premises.

Full copies of the comments received are available on the planning file visible through Planning Explorer

Consideration of the Planning Issues

The main issues to be considered in the determination of this application are:

- i) The impact on the character and appearance of the street scene;
- ii) The impact on the amenity of occupants of neighbouring properties;
- iii) The impact on the highway

Impact on the character and appearance of the street scene

Development Plan policies CS2, EV/1 and H/17 require development of this type to be in character with the area and the Design Supplementary Planning Document offers ways this can be achieved for house extensions.

The proposed two storey side extension would be visible from the public realm but given its location at the side of the dwelling would be significantly obscured from wider views by the existing house and garage. Additionally given that the extension is set back from the public highway by over 22 metres I the proposal would be largely concealed from views from Naseby Drive and would only be readily apparent from views along the private drive.

The proposed materials would match those of the existing dwelling and the proposed roof design is considered to respect the form and character of the existing roof. Although it is recognised the extension would not take a subservient form to the existing dwelling, given its relatively secluded location this is not considered to detract from the street scene or appear over dominant. Additionally the size and configuration of the plot means that no terracing effect would be created.

The single storey rear extension will not be visible from the highway therefore will not detract from the street scene. Nevertheless, it is considered to be acceptable in design scale and form.

Subsequently the proposal is considered to accord with policies CS/2, EV/1, H/17 and the supporting Supplementary Design Guidance in terms of its design and impact on the character of the area.

Impact on the amenity of neighbouring residential properties

Impact on No's 37 & 39

These properties are to the south /south west of the application site.

The works would be a minimum of 14 metres from these dwellings which is considered sufficient to prevent a sense of over dominance. The distance and northerly direction of the works would also prevent any significant loss of light. There proposal would not breach the advice contained within the Council's adopted Design Guidance in this respect also.

Two first floor windows are proposed within the elevation facing No.37, one to serve an en-suite which is likely, given the use of the room, to be obscurely glazed, while the other would serve a bedroom at a distance no closer than the existing bedroom windows within the host property. Given the proximity of the dwellings it is considered there would be no material loss of privacy to these properties as a result of the two storey extension.

The single storey element of the proposal would have no impact on light, outlook or privacy to these properties.

Comments have been received with respect to permanent odour, noise and disturbance as a result of commercial vehicles using the shared drive. However, this relates to a separate issue and not to the erection of domestic extensions which is the scope of this current application. There is no application to change the use of the property to allow a commercial use to take place from the address and the application could not be refused on these grounds.

Impact on No.31

No.31 is located to the north-east of the application site with the dwelling oriented at 90 degrees to the property at No.35.

With regards to the design, the Supplementary Planning Document advises a distance of 21 metres for back to back dwellings to avoid overlooking and privacy concerns. The distance for each rear garden space would therefore be 10.5metres where shared equally. Whilst not a directly comparable relationship, No.35 Naseby Drive directly overlooks the rear amenity space of this dwelling with the proposal adding a further two windows at first floor level which would be in line with the existing first floor windows of the property. The distance between the proposed two storey works and the rear amenity space of No.31 would be approximately 13.25 metres.

This distance is in excess of the guidance mentioned above therefore it is not considered that the works would cause significant additional detriment to the amenity of residents to No.31 with respect to privacy, particularly given the

existing window arrangement. As such the works can be considered acceptable in this regard.

Furthermore the separation distance is also considered to prevent the proposal from causing significant impact in terms of over-dominance or loss of light.

Impact on No.33

This dwelling is immediately adjacent to the application site to the south.

The two storey works are on the opposing side of application site well away from this dwelling. The single storey rear extension would be more visible, however it would be some 11 metres distant. The dwelling at No.33 is also significantly stepped back within its plot meaning that the works will be entirely parallel with its side elevation. As such, it is not considered that the works will cause a detrimental impact upon this neighbouring property with respect to over dominance or loss of light.

A set of bi-fold doors will be installed within the side of the rear extension facing toward No.33 however they will be at ground floor level, and face upon the side elevation to this adjacent dwelling. Therefore privacy is considered to be maintained

Other properties

There are no other properties which are considered to be affected by the development.

Taking in to consideration the above reasoning, it is considered the proposed works would comply with policies CS2, EV/1 and H/17 and the advice contained within the Supplementary Planning Document –‘Design’ with regard to amenity

Impact on the highway

The proposed development demonstrates an increase in the number of bedrooms at the property from the 3 to 5 with no changes proposed to the existing on site car parking provision.

3 parking spaces are recommended for a dwelling of this size which is an increase of one additional space beyond what is currently house requires, according to the recommendations within policy TR/18 and the Local Highway Authority’s standing advice. The garages fall below the required size standards to be considered as an adequate parking space, however, the plans indicate the frontage could accommodate the required three spaces and a condition could be imposed to ensure that this level of parking is provided and retained.

With the inclusion of a condition requiring the 3 parking spaces to be provided it is considered that policy TR/18 and para 109 of the NPPF are complied with.

Concerns have been raised with respect to the parking of work vehicles within Naseby drive relating to the business of the owner of No.35. However this is beyond the scope of this application which seeks to extend a residential property

and does not include any proposal to change the use of the building or its curtilage.

Concerns have also been raised with respect to the impact upon a private drive however this is a private legal matter for the parties involved and cannot be taken in to consideration within this planning application

Other Matters

Business use: Concerns have been raised with respect to a possible business use to be implemented at the property as a result of these works.

The application must be assessed based upon the details submitted. The application seeks to extend and alter an existing dwellinghouse and does not seek to change the use of the property. Further consent would be required in order to implement such a change. The additional rooms are all for domestic purposes including kitchens and bedrooms.

Where it is suspected that an existing business use has materially changed the use of the property is should be reported to the Local Planning Authority's Enforcement team to investigate further.

Encroachment of land: Concerns have been raised with respect to the possible development encroaching upon Charnwood Borough Council owned land. The land to the rear is owned by the Council but the proposal as illustrated on the plans does not encroach onto this land.

Ownership of land is not a pre-cursor to planning approval being given and if there were encroachment this would be a separate matter between Charnwood Borough Council and the owner of No.35 Naseby Road.

The land at the rear is, however, public open space and if this were to be used for residential purposes it would be a planning matter as this would constitute a change in the use of the land. Officers are satisfied that the plans as submitted do not show this and that the red line does not extend into the public open space.

A note to the applicant reminding them of the need to ensure there is no damage to adjacent land could be attached to the consent.

Conclusion

In summary, the proposed development is considered to be acceptable in its design and appearance and impact upon the street scene. The proposal is not considered detrimental to the amenities of neighbouring properties or to cause a severe impact upon the highway. It accords with relevant development plan policies and supporting documents and there are no material considerations that would override this.

It is therefore recommended that planning permission should be granted, subject to the following conditions.

RECOMMENDATION:-

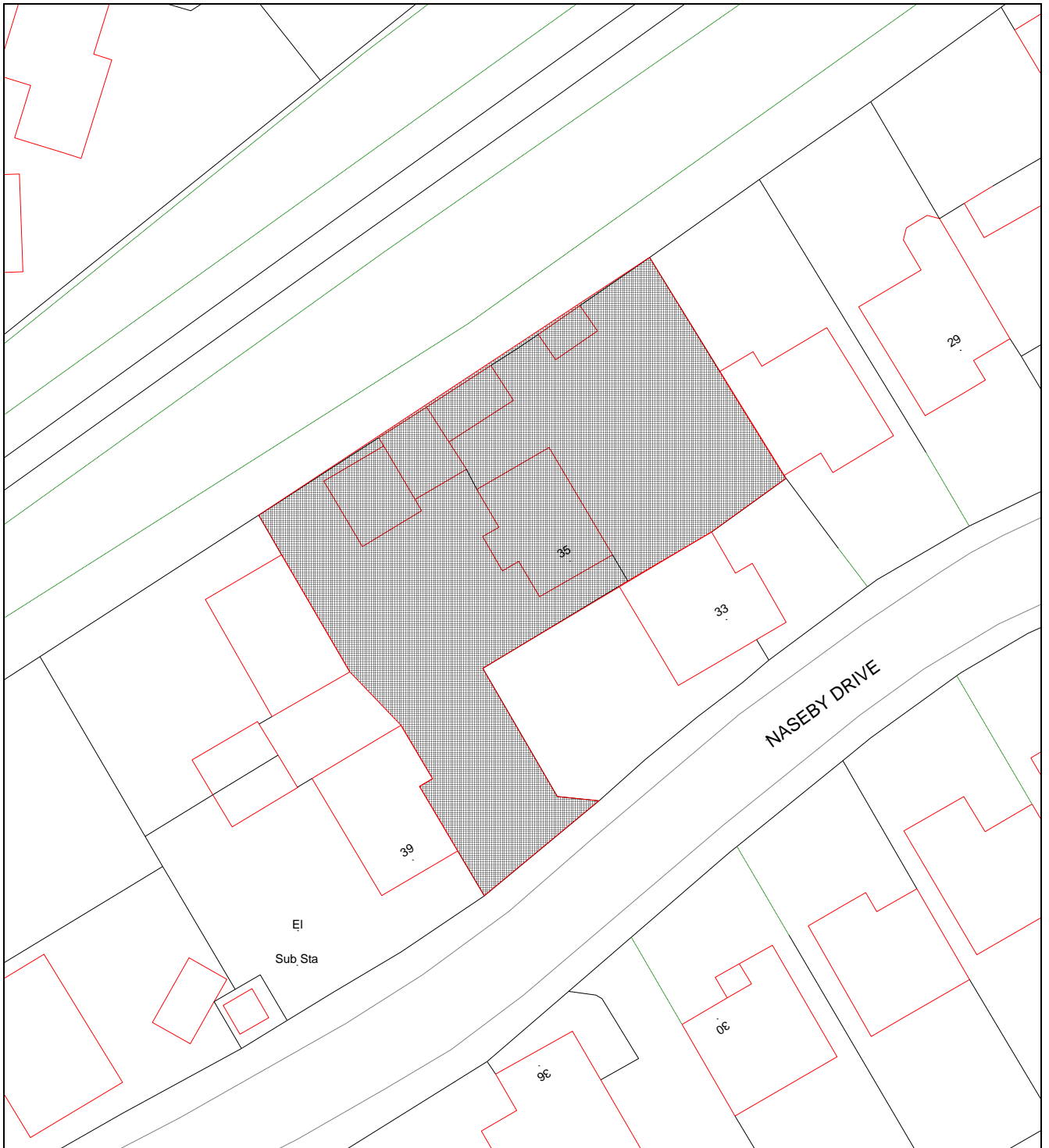
Grant Conditionally

1.	<p>The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.</p> <p>REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>The development hereby permitted shall be carried out in accordance with the following plans:</p> <ul style="list-style-type: none"> - Application Form - received by the Local Planning Authority on 13 March 2020 - Site Location and Block Plan – Drawing No. James LE11 051 – received by the Local Planning Authority on 10 March 2020 - Proposed Floor Plans – Drawing No. James LE11 032 – received by the Local Planning Authority on 10 March 2020 - Existing and Proposed Front and Side Elevations – Drawing No. James LE11 041 – received by the Local Planning Authority on 03 March 2020. - Existing and Proposed Rear and Side Elevations – Drawing No. James LE11 042 – received by the Local Planning Authority on 03 March 2020. <p>REASON: For the avoidance of doubt and to define the terms of the permission</p>
3.	<p>The facing materials to be used in the construction of the new works hereby permitted shall match as closely as possible those of the existing building.</p> <p>REASON: To ensure the satisfactory appearance of the completed development.</p>
4.	<p>No development shall take place until a plan showing three parking spaces to serve the extended dwelling has been submitted to the Local Planning Authority and approved in writing. The approved parking spaces shall be provided prior to the occupation of the extension hereby approved and thereafter so retained in perpetuity.</p> <p>REASON: To ensure that adequate off-street parking is provided and maintained, in the interests of road safety.</p>

The following advice notes will be attached to a decision

1.	<p>DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DECISION - Policies CS2 of the Charnwood Core Strategy (adopted 9th November 2015) and EV/1, H/17 and TR/18 of the Borough of Charnwood Local</p>
----	---

	Plan (adopted 12th January 2004) have been considered in reaching a decision on this application. The proposed development complies with the requirements of these policies and there are no other material considerations which are of significant weight in reaching a decision on this application.
2.	Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Design - Supplementary Planning Document and, therefore, no harm would arise such as to warrant the refusal of planning permission.
3.	Discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015
4.	This permission does not give any legal right for any work affecting neighbouring property, including buildings, walls, fences and vegetation within that property. The responsibility for meeting any claims for damage to such features lies with the applicant.
5.	For the avoidance of doubt, this planning permission authorises the erection of an extension to the building at No.35 Naseby Drive in its current capacity as a dwellinghouse within Use Class C3. It does not permit a material change of use to the property.
6.	This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.
7.	Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.



Item No. 3

Application Reference Number P/20/0566/2

Application Type:	Full	Date Valid:	24 th March 2020
Applicant:	Mr I Herbert		
Proposal:	Erection of 8x dwellings including demolition of existing bungalow, associated access and landscaping works, (revision of scheme P/19/1322/2 refers).		
Location:	Land at / rear of 31 Garendon Road Shepshed LE12 9NU		
Parish:	Shepshed	Ward:	Shepshed
Case Officer:	Lewis Marshall	Tel No:	01509 634691

This item has been called in to be determined by the Plans Committee at the request of Cllr Popley. As he considers the development will cause traffic issues and as such will have an environmental impact.

Description of the Application

The application site comprises a parcel of land to the rear and inclusive of 31 Garendon Road, Shepshed. 31 Garendon Road is a single detached bungalow which is thought to be of early post-war construction. The site extends to 0.3 hectares and is undeveloped and bound on all sides by existing residential gardens. The site is located within the defined limits of Shepshed.

The application seeks full planning permission for the construction of eight dwellings following the demolition of 31 Garendon Road that will facilitate the construction of the access from Garendon Road. The proposal includes the construction of eight detached dwellings that will consist of a mix of 50% 3 bed and 50% 4 bed properties each with private garden and parking. Materials proposed are light render with brick plinths and slate coloured roof tiles. The proposal also includes a wildlife corridor to the sites eastern edge with landscaping to include a central turning head, a detached garage block, planted swales and an attenuation pond.

The application is a resubmission of a previously withdrawn application P/19/1322/2. The application was withdrawn on the advice of the officer due to concerns with the quantum of development, the layout, the impact on neighbouring properties and impact on ecology.

The application is supported by the following plans and documents:-

- Site layout plan 3219.3-1 Rev. D
- Location plan 3219.3-2
- Proposed floor plans & elevations- house type A (4 bed detached) 3219.3 - 3
- Proposed floor plans & elevations - house type B (4 bed detached) 3219.3 – 4
- Proposed floor plans & elevations - house type C (3 bed detached) 3219.3 - 5A
- Proposed floor plans & elevations - house type D (3 bed detached) 3219.3 - 6A

- Proposed garage plan / elevations, street scene & materials 3219.3 - 7B
- Proposed site landscape plan 3219.3 – 8 Rev. A
- Topographical survey plan – SurveyHub 1035
- Tree survey plan - RJ Tree Services Ltd 02
- Arboricultural Survey & Report - RJ Tree Services Ltd
- Updated Tree Survey - RJ Tree Services Ltd
- Design & Access Statement
- PRELIMINARY ECOLOGICAL APPRAISAL - Ridgeway Ecology Ltd
- Biodiversity Impact Assessment - Ridgeway Ecology Ltd
- Highways Impact Statement - Bancroft Consulting Ltd F19164 Rev. A

Development Plan Policies

The Development Plan for Charnwood currently consists of the Charnwood Local Plan Core Strategy 2006-2028, Saved Policies of the Borough of Charnwood Local Plan (2004), the Leicestershire Minerals Core Strategy and Development Control Policies Document (2009), and the Leicestershire Waste Core Strategy and Development Control Policies document (2009).

Charnwood Local Plan 2011-2028 Core Strategy

The Core Strategy is less than five years old, is positively worded and consistent with the aims and objectives of the NPPF. The policies within the Core strategy are therefore considered to carry full weight.

CS1 – Development Strategy - sets out the development strategy and directions of growth for the Borough.

CS2 – High Quality Design – requires new developments to respect and enhance the character of the area, protect the amenity of people who live and work nearby and function well and add to the quality of the area.

CS3 – Strategic Housing Needs supports an appropriate housing mix for the Borough and sets targets for affordable homes provision. In Shepshed 20% affordable homes are sought on sites of 10 dwellings or more.

CS6 – Employment and Economic Development – supports development that will promote growth, job opportunities and prosperity.

CS12 - Green Infrastructure – states that we will protect and enhance our green infrastructure assets for their community, economic and environmental values.

CS13 – Biodiversity and Geodiversity – supports development that protects, enhances, restores or recreates bio-diversity.

CS16 – Sustainable Construction and Energy – encourages sustainable design and construction and the provision of renewable energy including supporting developments that reduce waste, provide for the suitable storage of waste and allow convenient waste collections.

CS25 – Presumption in favour of sustainable development – This policy reflects the NPPF and reinforces the positive approach the Council will take in respect of sustainable development.

Borough of Charnwood Local Plan

The saved policies of the Local Plan (2004) are more than five years old and therefore do not carry full weight. However, it is considered that those saved policies are still considered to be consistent with the aims and objectives of the NPPF and the more recently adopted core strategy and therefore carry significant weight.

Policy ST/2 – Limits to Development – Aims to confine development to land located within the Limits to Development identified on the Proposals Map.

Policy EV/1 - deals with all new developments and states that the amenity of adjacent residential properties should be protected particularly in terms of privacy and light.

Policy TR/18 - indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual and local amenities. The policy promotes standards that would require 3 parking spaces for a 4 or more bedroom dwelling, although it states that this will be used as the starting point in assessing the level of provision and represent the maximum level. The quantity of parking allowed should reflect the proposed use and the location of development, the availability of public off -street parking; the current, or potential accessibility by non-car modes and the scope for practical measures to significantly reduce the use of private car trips to and from a site.

Other Material Considerations

The National Planning Policy Framework (2019)

The National Planning Policy Framework (chapter 7) sets out a presumption in favour of sustainable development. The framework identifies the economic and social roles of the planning system, both to build a strong responsive economy by ensuring land (and presumably buildings) are available in the right place at the right time, and supporting the health of the community by ensuring housing for present needs that has a high quality built environment, which encompasses social and cultural well-being. One of the principles of planning is to seek a good standard of amenity for all existing and future occupants of land and buildings. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF policy guidance of **particular relevance** to this proposal includes:

Section 5: Delivering a sufficient supply of homes

The NPPF requires local planning authorities to significantly boost the supply of housing and provide five years' worth of housing against housing requirements (paragraph 59). Local planning authorities should plan for a mix of housing and identify the size, type, tenure and range of housing that is required and set policies for meeting the need for affordable housing on site (paragraph 61). The NPPF notes that the supply of new homes can sometimes be

best achieved through planning for larger scale development such as new settlements or extensions to existing villages

Section 8: Promoting healthy and safe communities

Planning decisions should promote a sense of community and deliver the social, recreational and cultural facilities and services that such a community needs.

Section 9: Promoting Sustainable Transport

All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and a Travel Plan (paragraph 111). Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable modes maximised (paragraph 103). Developments should be designed to give priority to pedestrian and cycle movements and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians and within large scale developments, key facilities should be located within walking distance of most properties (paragraph 104). Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts would be severe (paragraph 109).

Section 12: Requiring well-designed places.

The NPPF recognises that good design is a key aspect of sustainable development and that high quality and inclusive design should be planned for positively (paragraph 124).

Paragraph 127 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The role of design review arrangements that assess, support and ensure high standards of design are recognised (paragraph 129) and the NPPF notes that great weight should be given to innovative designs which help raise the standard of design (paragraph 131) and that poor design should be refused (paragraph 130).

Section 14: Meeting the challenge of climate change, flooding and coastal change

New development should help reduce greenhouse gas emissions and energy efficiency improvements in buildings should be actively supported (paragraph 149). It should also take account of layout, landform, building orientation, massing and landscaping to minimise

energy consumption (paragraph 153) and renewable and low carbon energy development should be maximised (paragraph 154).

The National Design Guide (2019)

This document sets out the Central Government's design guidance which is intended to encourage, promote and inspire a higher standard of design in respect of development proposals.

Leicestershire County Council Local Transport Plan (LTP)

This sets out Leicestershire County council's strategy for delivering improvement to accessibility, connectivity and for promoting social inclusion and equality.

Leicestershire Housing and Economic Development Needs Assessment (HEDNA) – 2017

HEDNA provides an up to date evidence base of local housing needs including an objectively assessed housing need figure to 2036 based on forecasts and an assessment of the recommended housing mix based on the expected demographic changes over the same period. The housing mix evidence can be accorded significant weight as it reflects known demographic changes.

Charnwood Design SPD (2020)

The adopted Design Supplementary Planning Document is a working document intended to encourage, promote and inspire higher design standards in development throughout Charnwood.

Housing Supplementary Planning Document

Adopted in May 2017, the SPD provides guidance to support the Local Plan Core Strategy and the saved policies of the Borough of Charnwood Local Plan.

The Leicestershire Highways Design Guide (2018)

This is a guide for use by developers and published by Leicestershire County Council, the local highway authority, and provides information to developers and local planning authorities to assist in the design of road layouts in new development. The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; as well as to help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking required to be provided in new housing development.

The Crime and Disorder Act 1998

This places a duty on the local planning authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on community safety is therefore a material consideration in the determination of planning applications.

National Planning Practice Guidance (PPG)

The National Planning Practice Guidance (PPG) reinforces and provides additional guidance on the policy requirements of the Framework and provides extensive guidance on

design and other planning objectives that can be achieved through getting good design. These include the consideration of local character, landscaping setting, safe, connected and efficient streets, crime prevention, security measures, access and inclusion, efficient use of natural resources and cohesive and vibrant neighbourhoods

Conservation of Habitat and Species Regulations 2010 (as amended)

These Regulations contain certain prohibitions against activities affecting European Protected Species, such as bats.

The Council as local planning authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.

Protection of Badgers Act 1992

Badgers are not European Protected Species but are subject to protection under the above Act. This Act includes various offences, including wilfully killing, injuring or taking a badger or deliberately damaging a badger sett. A license is required from Natural England where development proposals may interfere with badger setts.

The Draft Local Plan

The local planning authority is in the process of preparing a new local plan for the borough for the period up to 2036. The new local plan will include strategic and detailed policies and will be prepared to provide for a longer plan period than the adopted Charnwood Core Strategy which provides the strategy up to 2028. Taking into account its stage in the plan making process, at this time, the Draft Local Plan carries only very limited weight.

The Community Infrastructure Levy Regulations 2010 (CIL) (as amended)

The Regulations set out the process and procedure relating to infrastructure requirements. Regulation 122 states that it must relate in scale and kind to the development. Regulation 123 precludes repeat requests for funding of the same items (pooling). The Community Infrastructure Levy (CIL) places the Government's policy tests on the use of planning obligations into law. It is unlawful for a planning obligation to be a reason for granting planning permission when determining a planning application for a development, or part of a development, that is capable of being charged CIL, whether or not there is a local CIL in operation, if the obligation does not meet all of the following tests:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

S106 Developer Contributions Supplementary Planning Document (2007)

This supplementary planning document (SPD) sets out the circumstances which might lead to the need for a contribution to the provision of infrastructure, community services or other facilities. However, recent appeal decisions have confirmed that Inspectors will not support obligations (even if agreed by the appellant) unless the planning authority can demonstrate that they are specifically related to the proposed development. Regulation 122 of the CIL Regulations introduced on the 6 April 2010 prescribes the

limitations on the use of planning obligations. Accordingly it is unlawful for a planning obligation to be taken into account when determining a planning application for a development that does not meet all of the following tests:

1. It is necessary to make the development acceptable in planning terms
2. It is directly related to the development
3. It is fairly and reasonably related in scale and kind to the development

Relevant Planning History

Reference	Description	Decision & Date
P/19/1322/2	Erection of x10 dwellings including demolition of existing bungalow, associated access and landscaping works	Withdrawn 30/9/2019

Responses of Statutory Consultees

Leicestershire County Council as Highway Authority raises no objection and advises that, in its view, the residual cumulative impacts of development can be mitigated and are not considered severe in accordance with the National Planning Policy Framework (NPPF), subject to a number of planning conditions be attached to any permission granted.

Leicestershire County Council as Lead Local Flood Authority (LLFA) raises no objection and advises the Local Planning Authority that the proposals are considered against their standing advice.

The Environment Agency raises no objection to the proposals and confirms the site lies fully within flood zone 1 and therefore it has no fluvial flood risk concerns associated with the site. It is also confirmed there are no other environmental constraints associated with the site and therefore no further comments are made.

Other Comments Received

Cllr. Popley has raised an objection to the application on the following grounds:-

- The development will place a burden on traffic issues along this main road. In addition, he believes that there may be an environmental impact by doing so.
- He requests that the application be determined by the Plans Committee

Shepshed Town Council – Objects to the application raising the following concerns:-

- Overdevelopment of the area
- Increased traffic in an already busy road
- Loss of wildlife habitat
- Poor access and visibility
- Lack of details regarding bin storage
- Narrow access and impact on adjacent property
- Loss of trees and impact on neighbours

Campaign to Protect Rural England (Charnwood) – objects to the application raising the following concerns:-

- Overdevelopment of the site
- The Council can demonstrate 5 year land supply and this site would contribute towards unsustainable oversupply
- Overlooking and loss of privacy
- No affordable housing or bungalows
- The design does not reflect local character
- Concerns over traffic flow and highway safety and parking

There have been 29 letters of objection received from 32 different people/addresses through the course of the application raising the following concerns:-

- Increased parking pressures along Garendon Road
- Increased pressure on highway capacity and longer journey times
- Unreliable traffic survey
- Highway safety
- Loss of wildlife habitats
- Loss of open countryside
- Loss of trees
- Increased noise from additional residents
- Long term maintenance concerns
- Noise, disturbance and damage to property during construction
- No site notice or press advert
- Oversupply of housing in Shepshed
- Insufficient infrastructure i.e. school places and doctors surgeries
- Loss of light
- Overlooking and loss of privacy
- Increased flood risk
- Increased air pollution
- Uncertainty/concern over maintenance of boundary walls
- Noise and odour from bin store
- Out of character with the area
- Overdevelopment of the site
- Size of units too small
- Does not meet housing needs
- Loss of property value

Consideration of the Planning Issues

The main issues to be considered in the determination of this application are:

- Principle of development
- Design and the Impact on the character of the area
- The Impact on Residential Amenity
- Impact on Ecology

- Highway Safety
- Other Matters

The Principle of the Development

The starting point for decision making on all planning applications is that they must be made in accordance with the Development Plan unless material considerations indicate otherwise. Policies in the adopted Core Strategy and the saved policies in the Borough of Charnwood Local Plan are therefore the starting point for consideration.

The Core Strategy is the most up-to-date component of the development plan reflecting the National Planning policy's presumption in favour of sustainable development. As the development strategy, Policy CS1 is at the heart of what the plan, as a whole is seeking to achieve. Policy CS1 is therefore the most important policy when considering the principle of development.

Policy CS1 of the Core Strategy sets out a settlement hierarchy for the Borough and the criteria for considering proposals within individual tiers of settlements. Policy CS1 provides for the provision of at least 13,940 new homes to 2028- the full objectively assessed need as it determined to be in 2015. It does so by establishing a spatial strategy and hierarchy of settlements which have been examined by an Inspector, and found to be the most "appropriate strategy when considered against the reasonable alternatives"

CS1 is an expression of a sustainable growth pattern for the Borough. It takes the form of a hierarchical, sequential approach guiding development first to the northern edge of Leicester, then to Loughborough and Shepshed before directing development to Service Centres and other Settlements. The strategy is one of urban concentration and regeneration. In doing so it provides for at least 5000 new homes within or adjoining the settlements of Loughborough and Shepshed between 2011 and 2028. Approximately 1200 homes are to be within and adjoining Shepshed to support the towns regeneration. The term "at least" is used to provide flexibility within the plan at all tiers of the hierarchy with the aim of securing the overall pattern of development promoted by the Core Strategy rather than creating the ability to significantly exceed these figures.

In the period between the base date of 2011 and the latest full monitoring period of 1st April 2020 there had been 1,137 commitments and completions within and adjoining Shepshed. The proposal for an additional 7 units would not therefore be adrift from the aims and objectives of Policy CS1 of the CS in respect of the number of units expected to be provided within and adjoining Shepshed over the plan period. Furthermore, the site is located in a highly sustainable location, close to the town centre within the settlement limits of Shepshed as defined by saved policy ST/2. The proposal would therefore accord with the strategy of urban concentration and regeneration.

It is therefore concluded that the principle of development is acceptable in accordance with policies CS1 and ST/2. The application therefore falls to be considered in terms of its design, impact on amenity, ecology, and highway safety.

In respect of the demolition of 31 Garendon Road, it is not considered that the existing building is of any special architectural or historic importance and there is no objection in principle to its demolition.

Design and the Impact on the Character of the Area

Policies CS2 of the Charnwood Local Plan 2011-2028 Core Strategy, “saved” Policy EV/1 of the Charnwood Local Plan 2004 seek to ensure high quality design and layout, which respects the character and appearance of the local area and is compatible with the streetscene and the wider built and natural context.

In respect of layout and built-form, the prevailing character and built form along Garendon Road, within the immediate locality of the application site, reflects that of a ribbon-form of built development, with buildings largely located close to the highway. The buildings along Garendon Road include a mixture of historic Victorian and Edwardian villas, a number of dwellings which date from circa 1940-1960, including single-storey and two-storey buildings of a mixture of sizes, designs and material treatments. It is therefore considered that the character of the area is eclectic in its built form with no strong prevailing pattern of development.

With regard to the layout of the application site and the detailed design of the proposed dwellings, the scale, form, material treatment and appearance would respect the surrounding built context, in order that it would be in keeping with the character and appearance of neighbouring buildings along Garendon Road and those to the south along St Winifrede Road. Furthermore, it is considered that the application site accommodates adequate private amenity space that is commensurate with the scale of the residential dwellings proposed as well as the necessary off-street vehicular parking provision and turning facilities.

Policy EV/1 of the Charnwood Local Plan 2004 seek to preserve existing landscaping features on-site, such as hedgerows and trees, and use them as the focus around which new development is to be designed. The site has been partially cleared of trees prior to the submission of the previously withdrawn application. The site clearance that has taken place is outside of the control of the local planning authority. However a number of large trees along the site boundaries are to be retained which would assist with assimilating the proposed development into its surroundings. The basic principles of the site layout and landscaping are considered acceptable and a condition requiring precise details of landscaping features; species, densities, boundary treatments and hard surface materials is recommended.

It is therefore considered that the design of the proposed development in terms of its scale appearance, layout, and landscaping is acceptable and in accordance with policies CS2, EV/1, the Charnwood Design SPD, the National Planning Policy Framework and the National Design Guide.

Residential Amenity

Core Strategy Policy CS2 and saved local plan policies EV/1 promote high quality design and layouts to preserve residential amenity for both occupiers of existing neighbouring properties and the future occupiers of proposed development. Further guidance on residential amenity is set out in the Design SPD.

The Design SPD contains guidance on separation distances between existing and proposed dwellings in order to preserve privacy and avoid over dominance or unacceptable loss of light. The Design SPD states that where main ground floor habitable rooms face two storey

flank elevations, there should be a minimum of 12.5m to avoid over dominance. This should increase to 15.5m for three storey dwellings and there should be an additional 1m for every 1m increase in ground level. The nearest habitable room windows contained within the rear elevations of 23 and 25 Garendon are positioned 17m from the flank wall of plot 1. The nearest habitable room windows contained within the rear elevation of 33 Garendon Road are situated 18m from the flank wall of plot 8. Taking into account the 0.5m increase in ground level and the two storey height of the flank gables of plots 1 and 8, it is considered that the proposal accords with the guidance contained within the Design SPD in order to avoid over dominance. In respect of 27 and 29 Garendon Road, the position of the proposed garage block is not considered to cause over dominance on account of its single storey scale and hipped roof. In terms of loss of light, whilst it is accepted that plots 1 and 8 are situated to the south of Garendon Road, due to the above distances, it is not considered that the habitable rooms would suffer unacceptable loss of light when considering the 25 degree guideline and the height and presence of existing trees which are located on the boundary.

It is not considered that any of the existing properties along the site's northern boundary would be adversely impacted in terms of overlooking or loss of privacy due to the orientation of the proposed plots and the oblique angles from first floor windows. Some residents have raised concerns of noise and disturbance from passing vehicles in close proximity to 29 and 33 Garendon Road. The Eastern and Western boundaries of the access road are to be reconstituted with brickwork walls, for acoustic attenuation, neighbour privacy, security and screening. It is anticipated that the wall will comprise 215mm thick regular panels and 340mm square piers for stability; it is recommended that detailed design be agreed by way of a planning condition. In this regard, it is not considered that the occupiers of these properties will be adversely affected by unacceptable levels of noise and disturbance from passing vehicles.

The site's southern boundary is shared by 23/24 and 45 St Winifrides Road. These properties benefit from rear garden depths in excess of 16m with a further buffer of 1.1m beyond the site boundary to the flank wall of plot 4. It is not therefore considered that 23/24 St Winifrides Road will be unduly impacted in terms of loss of light or overdominance.

No 45 St Winifrides Road is situated with its flank wall positioned along the sites southern boundary, which is to be shared with plot 5 as proposed, albeit positioned further east along the boundary. There are three habitable room windows to the north and east elevations of 45 St Winifrides Road that all serve a large living room. The main habitable room window is a set of glazed doors which are situated within the rear elevation further south away from the boundary shared with plot 5. Due to the northerly position of plot 5, its distance from and the number of windows that serve this property, on balance it is not considered that this property would be adversely impacted in terms of loss of light. In terms of overbearing, the 2.5 storey flank wall of plot 5 is positioned 2.27m to the north of the north facing flank wall of 45 St Winifrides Road. Given the distance from the boundary, the oblique angle when viewed from the main habitable room window, it is not considered that the position or scale of plot 5 as proposed would cause unacceptable overdominance or overbearing. Furthermore, there is a small single obscure glazed window in the southerly facing first floor elevation of plot 5 which would not therefore result in unacceptable overlooking or loss of privacy to the occupiers of 45 St Winifrides Road. When considering the impact of the development in terms of noise and disturbance from increased vehicular movements and activity, given the access is situated to the north of the site away from St Winifrides Road,

and the slow speed of vehicles within the turning area, it is not considered that the occupants of St Winifrides Road will be adversely impacted by undue noise and disturbance from moving vehicles. Furthermore, the site is located within an urban residential area where a degree of noise from neighbouring residents and nearby properties is to be expected.

The western site boundary is shared with the long rear garden of no. 19 Garendon Road. Due to the length of this neighbouring garden and the depth of the proposed rear gardens of plots 1-4, it is not considered that the occupiers will be adversely affected in terms of overlooking, loss of privacy, loss of light or over dominance.

The eastern site boundary is bound by the brook/culvert which beyond is the large garden of no. 35a Garendon Road, a large dwelling set within spacious landscaped grounds positioned to the rear of 37-41 Garendon Road. Due to the distances between the proposed units 5-8 and this neighbouring property and the extensive intervening tree coverage and screening, in part provided by the proposed wildlife corridor, it is not considered the occupiers of this property would experience any loss of privacy or light.

It is therefore considered that the proposal would not result in unacceptable adverse impact on amenity of residential properties within the sites locality and therefore does not conflict with policies CS2 and EV/1 in respect of residential amenity. Furthermore, the proposal is acceptable having regard for the guidance and separation distances contained within the Design SPD.

Furthermore, it is considered that the proposal provides for a high quality of life for the future occupiers of the development due to the acceptable garden sizes and relationship with existing nearby properties.

Ecology

Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. The application is supported by an Ecological Survey and Biodiversity Impact Assessment.

The proposal is offset on-site by the provision of a 5m wildlife corridor along the edge of the brook/corridor to the eastern boundary, attenuation features and landscape planting. The Councils Senior Ecologist raises no objection and states that the proposal, by virtue of the amount of proposed on site mitigation contributes towards reducing a biodiversity net loss when taking into account the ecological value of the land prior to site clearance in 2019.

However, the submitted Biodiversity Impact Assessment identifies that the development would still result in a biodiversity net loss. This would therefore be contrary to the provisions of policy CS13 of the Core Strategy and paragraph 175 of the National Planning Policy Framework. The National Planning Policy Framework goes on to require that where no further mitigation can be provided on site, off site mitigation can be considered. The applicant therefore proposes to pay an offsite contribution of £67,953 towards improving and enhancing biodiversity offsite elsewhere within Shepshed. This sum can be secured by a Section 106 agreement or Unilateral Undertaking. In order to be CIL regulation compliant, a specific project will need to be identified and the sum will be paid on commencement of development. It is considered that a project that is directly relevant to the development and reasonably related can be identified making this scheme compliant with Regulation 122 and

the applicant has confirmed they are acceptable. The contribution will therefore need to be secured in a S106 Legal Agreement if members are minded to grant planning permission.

Contrary to the findings of the submitted ecological surveys, residents have raised concerns that the site may contain badgers. In response to these concerns, the council's Senior Ecologist has undertaken a further site visit and concludes that whilst there may be evidence of foraging on site, there was no evidence of any sett building.

Subject to the completion of a legal agreement to secure the offsite contribution above, it is considered that the proposal accords with policy CS13 in respect of biodiversity and ecology.

Highway Safety, Parking and Access

"Saved" Policy TR/18 of the Charnwood Local Plan sets out parking standards in respect of development proposals. Paragraph 108 of the National Planning Policy Framework outlines that development proposals should ensure that safe and suitable access to the site can be achieved for all users. Paragraph 109 of the National Planning Policy Framework outlines 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 would be severe.

Leicestershire County Council (Local Highways Authority) were consulted in connection with this planning application. The consultation response received outlines that the Local Highways Authority raise no objection in respect of the proposed development, although they have recommended a number of conditions.

Saved local plan Policy TR/18 requires new development to provide off-street parking for vehicles and promotes standards that requires a maximum of 2 parking spaces for three bedroom dwellings and 3 parking spaces for a 4 bedroom dwelling in the interests of highway safety. Notwithstanding the sites' sustainable location in walking distance of the town centre, the proposed development provides for the maximum number of parking spaces required by policy TR/18 and the minimum number of spaces required the LHDG.

The application site is located on a 30mph section of road within the built up area of Shepshed. The applicant has undertaken a speed survey to determine the visibility splays required as part of the access arrangements for the proposed development. The results of the manual speed survey (which are shown in Appendix C of the HIS) confirm that 85th percentile vehicle speeds along Garendon Road are 27.91mph in the eastbound direction and 28.92mph in the westbound direction. The submitted speed survey therefore demonstrates that the average percentile speeds of moving vehicles are commensurate with the speed limit of Garendon Road. Residents have raised concerns over the validity of the speed survey on account of the time of year and day it was carried out. The speed survey was undertaken on a working day between the hours of 09:30 and 12:30. Officers therefore have no reason to doubt its validity as a robust piece of evidence submitted to support the application. No objection has been raised by the Local Highway Authority on these grounds.

The submitted plans demonstrates how the required visibility splays of 39 metres to the west and 41 metres to the east are achievable, from a 2.4 metres setback distance, to a

one metre offset from the nearside kerb line, in accordance with Figure DG2a of the Leicestershire Highways Design Guide. The submitted plans also show how 2 x 2 metres pedestrian visibility splays could be achieved at both sides. The Local Highway Authority therefore raises no objection. Objections have been raised by local residents on the grounds that the proposed access is unsafe due to the limited visibility on account of the level of on street parking along Garendon Road. Officers have sought clarification from the Local Highway Authority on these concerns and they have advised that with regard to cars parking on both sides of the road, Manual For Streets 2 publication section 10.7.1 states 'Parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems in practice.' Furthermore, 'at urban junctions where visibility is limited by buildings and parked cars, drivers of vehicles on the minor arm tend to nose out carefully until they can see oncoming traffic, and vice-versa. For these reasons it is not considered that an objection on highway safety grounds could be substantiated.

Overall, given the site specific circumstances outlined above, and the low volume of traffic that would be generated by the use, the Local Highway Authority do not consider the proposals would lead to a 'severe' impact on the safe operation of the highway in accordance with the National Planning Policy Framework. Therefore, subject to the imposition of conditions recommended by the Local Highway Authority, the Local Planning Authority does not consider this development will have a severe impact on the highway in accordance with Paragraph 109 of the National Planning Policy Framework and therefore a reason for refusal on such grounds could not be sustained.

Flooding and Drainage

Policy CS2 of the Charnwood Local Plan 2011-2028 Core Strategy seeks to ensure that development proposals reduce their impacts upon and be resilient to the effects of climate change in this context in accordance with Policy CS16. Policy CS16 of the Charnwood Local Plan 2011-2028 Core Strategy encourages sustainable design and construction and directing development to locations within the Borough at the lowest risk of flooding, supporting developments which reduce flood risk elsewhere, and requiring new developments to manage surface water run off with no net increase in the rate of surface water runoff for Greenfield sites. This would be in line with Paragraphs 155 and 163 of the National Planning Policy Framework.

According to the Government's Flood Map for Planning, the application site is identified as being within an area (Flood Zone 1) at risk of suffering a 1 in 1000 year (0.1% chance) flood event from rivers. This is supported by the Council's own mapping data and confirmed by the Environment Agency.

This type of proposed development within Flood Zone 1 is considered to be acceptable in principle in line with Paragraph 155 of the National Planning Policy Framework and Policy CS16 of the Charnwood Local Plan (Core Strategy).

The application has not been supported by a drainage strategy; however the site layout and landscaping plans show provision for planted swales along the sites' northern boundary together with an additional attenuation feature adjacent to the turning head area. Whilst no calculations have been submitted to evidence the exact quantum of surface water attenuation required, it is considered that the site layout shows sufficient scope to sustainably manage excess surface water created by the development on site or via

discharging into the adjacent culvert. The submitted design and access statement also states that additional surface water storage capacity can be created by underground soakaways. The Design and Access Statement also confirms that each dwelling will be connected to the foul main sewer along Garendon Road.

Leicestershire County Council (Lead Local Flood Authority) have been consulted in connection with this application. Whilst no objection was raised, they have referred the Local Planning Authority to their Standing Advice.

In view of the above, it is suggested that appropriate planning conditions should be imposed in the event that the Local Planning Authority are minded to grant planning permission in order to ensure an appropriate method of foul and surface water drainage can be achieved.

In view of the above, and subject to planning conditions and informative notes, it is considered that the proposed development would be in compliance with the relevant provisions of Policies CS2 and CS16 of the Charnwood Local Plan 2011-2028 Core Strategy, and the relevant provisions of the National Planning Policy Framework.

Other matters

Concern has been raised with regards to local properties losing value should the proposal be approved. Loss of property value is not a material planning consideration and cannot be taken into account in the determination of the planning application.

Concerns have been raised that the current application has not been advertised in the local press or via a site notice, unlike the previously withdrawn application. Under the terms of the councils Statement of Community Involvement, there is no requirement to advertise a minor development in this location. The previously withdrawn application that proposed 10 dwellings was a major development and therefore subject to additional advertising. Residents have also raised concerns that the timing of the application during the COVID-19 outbreak and subsequent lockdown has disadvantaged their rights to make comments and caused additional unnecessary stress during what is a difficult time. Whilst any additional stress caused is regrettable, the Secretary of State has instructed local planning authorities to continue operating and prioritising decision making. Furthermore, the applicant has the right to a timely determination of the application. A refusal on such grounds could not be substantiated.

Concerns have been raised regarding noise during construction. Given the distance from residential properties, and the fact that construction would take place during normal working hours, it is not considered that disturbance during construction is a material consideration in this case. In any event, it is recommended that a construction management plan be required by condition, which shall include hours of construction to be agreed with the local planning authority.

Conclusion

Decisions on applications need to be made in accordance with the adopted development plan policies unless material considerations indicate otherwise.

Overall, the proposals have been carefully assessed against the comments and consultation responses received and the policies of the Development Plan and the National Planning Policy Framework.

The proposals are in a sustainable location, within walking distance of Shepshed town centre and are supported by policy CS1 of the Core Strategy. Whilst the Council can currently demonstrate 5.52 years housing land supply, the benefit of additional housing in this sustainable location should be attributed significant positive weight.

It is considered that the proposals closely relate to the built form and settlement character of this area of Shepshed and would preserve amenity for existing residents. The highway impact of this development both on a stand-alone basis and cumulatively is considered acceptable. The ecological assessment has also been carefully considered along with opportunity to mitigate impacts both on site and off site through securing a financial contribution. Concerns with regard to flooding and drainage can be managed and controlled through appropriate conditions.

Accordingly it is recommended having regard to the above considerations that planning permission is granted conditionally.

RECOMMENDATION A:

That authority is given to the Head of Planning and Regeneration and the Head of Strategic Support to enter into a legal agreement under S106 of the Town and Country Planning Act 1990, on terms to be finalised by them, to secure the following infrastructure improvements:

- A contribution of £67,953 towards offsite ecological mitigation

RECOMMENDATION B:

That subject to the completion of the S106 legal agreement in Recommendation A above, planning permission be granted for the development subject to the following Conditions and Reasons why they have been imposed:

1. The development, hereby permitted, shall be begun not later than 3 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out and the use operated only in accordance with the details and specifications included in the submitted application and as shown on the drawings below;

Approved Drawings:-

Site layout plan 3219.3-1 Rev. D

Location plan 3219.3-2

Proposed floor plans & elevations- house type A (4 bed detached) 3219.3 - 3

Proposed floor plans & elevations - house type B (4 bed detached) 3219.3 – 4

Proposed floor plans & elevations - house type C (3 bed detached) 3219.3 - 5A
Proposed floor plans & elevations - house type D (3 bed detached) 3219.3 - 6A
Proposed garage plan / elevations, street scene & materials 3219.3 - 7B
Proposed site landscape plan 3219.3 – 8 Rev. A

REASON: For clarity and the avoidance of doubt and to define the terms of the permission

3. Only those materials specified in the application shall be used in carrying out the development hereby permitted.

REASON: To make sure that the appearance of the completed development is satisfactory in accordance with Policy CS2.

4. No development, including site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the local planning authority:
 - i) the treatment proposed for all ground surfaces, including hard areas;
 - ii) full details of tree planting;
 - iii) planting schedules, noting the species, sizes, numbers and densities of plants;
 - iv) finished levels or contours;
 - v) any structures to be erected or constructed (including the bin store);
 - vi) functional services above and below ground; and
 - vii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

REASON: To make sure that a satisfactory landscaping scheme for the development is agreed in accordance with policy CS2 and CS13

5. No development, including site works, shall begin until the trees to be retained within the application site have been protected, in a manner previously agreed in writing by the local planning authority. The trees shall be protected in the agreed manner for the duration of building operations on the application site.

REASON: The hedgerows are an important feature in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site in accordance with policies CS2, CS11 and CS13.

6. The landscaping scheme shall be fully completed, in accordance with the approved details, in the first planting and seeding seasons following the issue of this decision or in accordance with a programme previously agreed in writing by the local planning authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

REASON: To make sure that the appearance of the completed development is satisfactory, to mitigate the impacts on biodiversity and to help assimilate the development into its surroundings in accordance with Policy CS2 and CS13 of the Core Strategy.

7. No dwelling or building on the site shall be occupied until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than domestic gardens, has been submitted to and agreed in writing by the local planning authority. The agreed landscape management plan shall then be fully implemented.

REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

8. No development, including site works, shall start on the site until details of existing and proposed levels, including ground levels, finished floor levels of all dwellings and a number of sections across the site (these sections to extend to land and buildings adjoining the application site), have been submitted to and agreed in writing by the local planning authority

REASON: To make sure that the development is carried out in a way which is in character with its surroundings.

9. Notwithstanding what is shown on the approved plans, within three months of commencement of development, exact details of the location, scale, appearance and material of all boundary treatments and fencing shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and completed prior to the occupation of any dwelling and maintained thereafter in the approved form.

REASON: To ensure the satisfactory appearance of the development and to protect the amenity of existing and future residents in accordance with policy CS2

10. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Drawing 3219.3 1D have been implemented in full. Visibility splays once provided shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network in the interests of general highway safety and in accordance with the National Planning Policy Framework (2019)

11. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019)

12. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

REASON: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2019)

13. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing number Drawing 3219.3 1D. Thereafter the onsite parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

14. No development shall commence on the site until such time as a construction and environmental management plan, including as a minimum details of wheel cleansing facilities, methods to prevent the spreading of dust, storage of materials, vehicle parking facilities, a timetable for their provision, and construction working hours has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area and to protect the amenity of nearby residents.

15. No development approved by this planning permission shall commence until an Ecological Mitigation Strategy is submitted that accords with the recommendations contained within the submitted and approved Ecological Appraisal by Ridgeway Ecology Ltd (sections 5.2.2 & 5.3.2). As a minimum these details shall include;

- 1) Precautionary demolition methods to avoid harm to roosting bats
- 2) Measures to prevent entrapment of animals in pits etc
- 3) Hand clearance of ground vegetation and brash/rubble piles (avoid harm to reptiles/ amphibians/hedgehog
- 4) Clearance of woody vegetation outside nesting season or under supervision
- 5) Hand digging of on-site fox hole
- 6) Details of building integrated bat roosting features should be provided (prior to any construction work taking place)

2) Lighting scheme that should avoid light spill onto retained vegetation along the eastern boundary

The development shall be carried out and retained thereafter in accordance with the approved details.

REASON: to mitigate the impacts of the development during the construction phase and over the lifetime of the development in accordance with Policy CS13 of the Core Strategy

16. No development approved by this planning permission shall take place until such time as a surface and foul water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of foul and surface water from the site.

17. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.

18. No demolition of 31 Garendon Road shall begin until a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

REASON: To ensure that the redevelopment follows relatively soon after demolition, to avoid the creation of an unsightly gap in the street and the unnecessary loss of a dwelling within this sustainable location

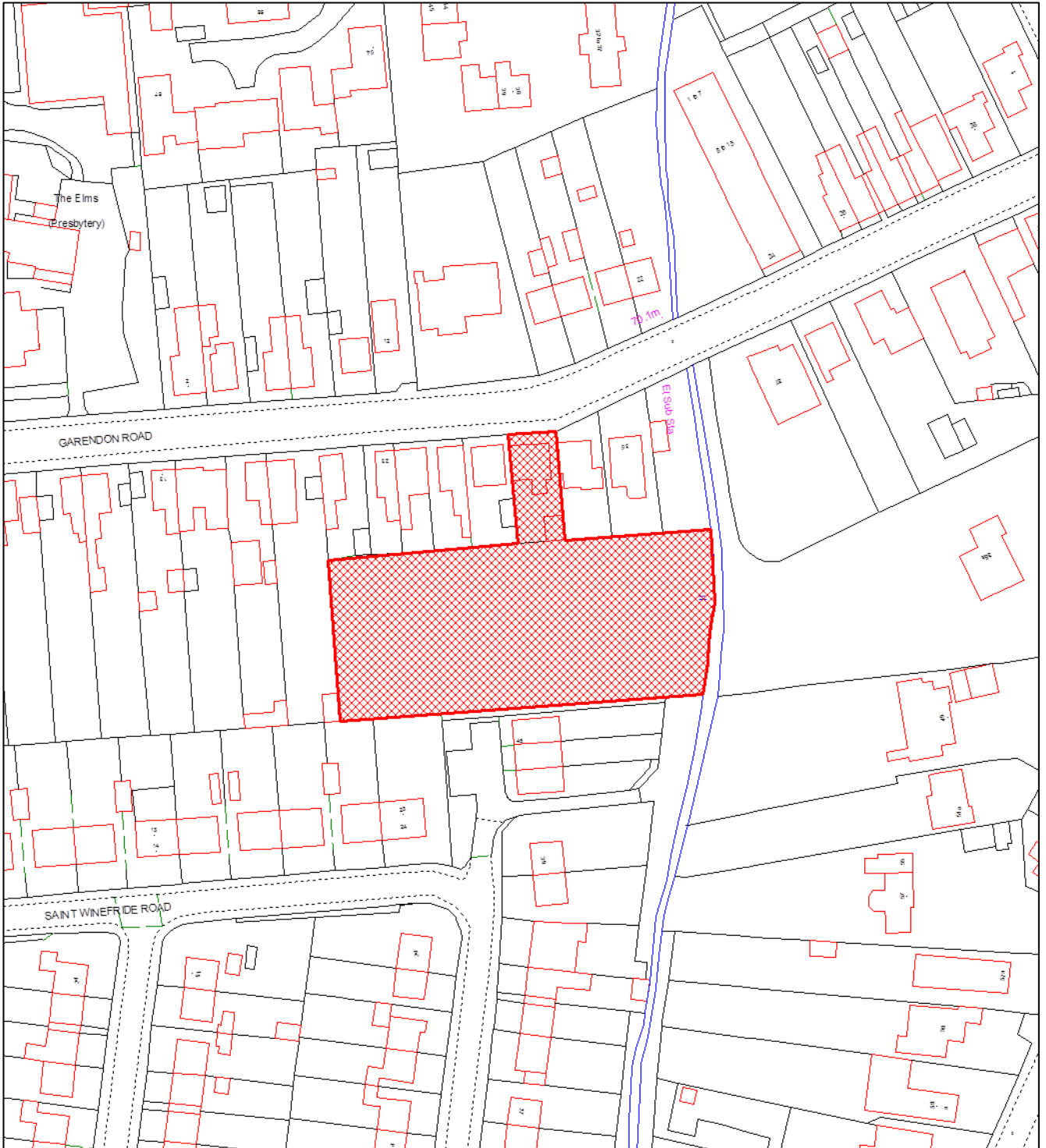
19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Amendment)(No.2)(England) Order 2008 or any order revoking or re-enacting that Order, with or without modifications, no enlargement, improvement or other alteration of the dwellings, including conversion of the garages to living accommodation, shall be carried out.

REASON: The dwellings are located close to existing properties and the carrying out of development of this type may create difficulties in terms of impact on the amenity of nearby residents. Additionally the enlargement of the dwellings may result in additional parking pressures that cannot be met on site.

The following advice notes will be attached to a decision

- 1 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and, therefore, no harm would arise such as to warrant refusal of planning permission.
2. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
3. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.
4. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.
5. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
6. The proposed road layout does not conform to an acceptable standard for adoption and therefore it will not be considered for adoption and future maintenance by the Local Highway Authority. The Local Highway Authority will, however, serve Advance Payment Codes in respect of all plots served by (all) the private road(s) within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building

commences. Please note that the Highway Authority has standards for private roads which will need to be complied with to ensure that the Advanced Payment Code may be exempted and the monies returned. Failure to comply with these standards will mean that monies cannot be refunded. For further details please email road.adoptions@leics.gov.uk. Signs should be erected within the site at the access advising people that the road is a private road with no highway rights over it.



Delegated planning decisions made by Charnwood Borough Council since the last Plans Committee report

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0463/2	Householder	20 Dalby Road Anstey LE7 7DJ	Extension to side of detached dwelling and installation of 2 additional dormer windows to front and first floor and Juliet balcony to rear.	GTDCON, Permission be granted subject to the following conditions:	21-May-2020	Anstey
P/20/0325/2	Householder	40 Woodgon Road Anstey LE7 7ER	Two storey side & rear extensions and single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	22-May-2020	Anstey
P/20/0494/2	Full	27 Charles Drive Anstey LE7 7BF	Two storey extension to side of dwelling	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2020	Anstey
P/20/0496/2	Householder	32 Nursery Grove Barrow Upon Soar LE12 8FD	Single storey rear extension and front porch extension.	GTDCON, Permission be granted subject to the following conditions:	15-May-2020	Barrow & Sileby West
P/20/0324/2	Full	24 South Street Barrow Upon Soar LE12 8LZ	Erection of first floor extension to side of dwelling and rear facing dormer	REF, Permission be refused for the following reasons:	20-May-2020	Barrow & Sileby West
P/20/0682/2	Householder	111 Cotes Road Barrow Upon Soar Leicestershire LE12 8JP	Alterations to dwelling including erection of two storey extension to front, side and rear of dwelling, single storey extension to rear, and cladding of exterior of dwelling (Revised Scheme P/20/0204/2 refers).	GTDCON, Permission be granted subject to the following conditions:	26-May-2020	Barrow & Sileby West
P/20/0540/2	Householder	4 Oakfield Avenue Birstall LE4 3DQ	First floor side extension, single storey rear extension and erection of front porch (revised scheme P/19/0818/2 refers).	GTDCON, Permission be granted subject to the following conditions:	12-May-2020	Birstall Wanlip

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0579/2	Telecom Determination with mast	Cell Site CTIL 302333, TEF N/A, VF 18729 Loughborough Road SW1 Loughborough Road Birstall Leicestershire LE4 4GR	Installation of 1no. 20m streetworks pole, 1no. equipment cabinet, 1no. meter cabinets and associated ancillary development.	NRQ, The submission of details are not required for consideration.	21-May-2020	Birstall Wanlip
P/20/0547/2	Householder	100 Curzon Avenue Birstall LE4 4AD	Two storey side extension and single storey front and rear extensions to dwelling	GTDCON, Permission be granted subject to the following conditions:	11-May-2020	Birstall Watermead
P/20/0375/2	Householder	77 Beacon Road Woodhouse Eaves LE12 8RW	Single storey rear extension to rear and bay window to front of end terraced dwelling.	GTDCON, Permission be granted subject to the following conditions:	11-May-2020	Forest Bradgate
P/20/0059/2	Householder	116A Bird Hill Road Woodhouse Eaves Leicestershire LE12 8RR	Alterations to existing residential garage including installation of pitched roof, removal of garage door and installation of windows.	GTDCON, Permission be granted subject to the following conditions:	19-May-2020	Forest Bradgate
P/20/0542/2	Householder	Tyburn Cottage 7 Main Street Newtown Linford LE6 0AE	Erection of timber framed, pitched roof outbuilding to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	22-May-2020	Forest Bradgate
P/20/0607/2	Householder	63 Main Street Newtown Linford LE6 0AE	Extension to front to provide lower ground floor garage, workshop and living annex with external staircase, retaining walls, ground floor balcony with balustrade and regrading of ground levels within front garden. Erection of first floor extension to side and ground floor extension to rear of detached dwelling (revised scheme P/18/2551/2 refers).	GTDCON, Permission be granted subject to the following conditions:	03-Jun-2020	Forest Bradgate

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/19/2610/2	Householder	23 Grey Crescent Newtown Linford Leicestershire LE6 0AA	Erection of two storey extension to side and single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	05-Jun-2020	Forest Bradgate
P/20/0061/2	Householder	24 Eyebrook Close Loughborough LE11 4PS	Replace flat roof to pitched roof to front and convert garage to habitable room, and single storey extension to rear of bungalow..	GTDCON, Permission be granted subject to the following conditions:	27-May-2020	Loughborough Garendon
P/20/0518/2	Full	11 Windsor Road Loughborough LE11 4LL	Change of use of land to C3 to extend residential curtilage and conversion of existing brick-built walls to provide external residential storage building	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2020	Loughborough Garendon
P/20/0697/2	Householder	3 Wollaton Avenue Loughborough LE11 4TA	Erection of single storey rear and side extension to detached dwelling (Revised scheme P/19/2629/2 refers).	GTDCON, Permission be granted subject to the following conditions:	04-Jun-2020	Loughborough Garendon
P/20/2523/2	Householder	22 Pitsford Drive Loughborough LE11 4NZ	Proposed single storey extension to the rear, first floor extension to side and front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	05-Jun-2020	Loughborough Garendon
P/19/0489/2	Full	11 Pinfold Gate Loughborough Leicestershire	Demolition of existing buildings and erection of 5 storey building with basement accommodation to provide 26 Student Cluster Flats and ancillary accomodation with associated landscaping works.	GTDCON, Permission be granted subject to the following conditions:	18-May-2020	Loughborough Hastings
P/20/0466/2	Full	1B Cross Street Hathern Leicestershire LE12 5LB	Change of use of first floor flat (Use Class C3) & associated access to Office (Use Class B1).	GTDCON, Permission be granted subject to the following conditions:	14-May-2020	Loughborough Hathern & Dishley

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0538/2	Advert Consent	17a Market Place and 31/32 Swan Street Loughborough LE11 3EA	Installation of 4no externally illuminated fascia signs (Revised application from P/19/2105/2).	GTDCON, Permission be granted subject to the following conditions:	11-May-2020	Loughborough Lemyngton
P/20/0623/2	Householder	3 Brush Drive Loughborough LE11 1LT	Single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	12-May-2020	Loughborough Lemyngton
P/20/0546/2	Full	Jason Works Clarence Street Loughborough LE11 1DX	Retention of change of use of second floor from residential (Use Class C3) to 8 No. serviced offices (Use Class B1) and retention of change of use of third floor from residential (Use Class C3) to serviced accommodation and multi-purpose events space (Sui generis) (Retrospective application)	GTDCON, Permission be granted subject to the following conditions:	22-May-2020	Loughborough Lemyngton
P/20/0339/2	Full	18 Bakewell Road Loughborough Leicestershire LE11 5QY	Creation of a dropped kerb outside of premises.	GTDCON, Permission be granted subject to the following conditions:	05-Jun-2020	Loughborough Lemyngton
P/20/0601/2	Householder	40 Linford Road Loughborough LE11 3PH	Single storey side & rear extension.	GTDCON, Permission be granted subject to the following conditions:	14-May-2020	Loughborough Outwoods
P/20/0525/2	Householder	105 Tiverton Road Loughborough Leicestershire LE11 2RX	Single storey side extension.	GTDCON, Permission be granted subject to the following conditions:	18-May-2020	Loughborough Outwoods
P/20/0603/2	Householder	38 Moat Road Loughborough LE11 3PN	Erection of single storey extensions to front and rear of dwelling (revised scheme P/19/1340/2 refers).	GTDCON, Permission be granted subject to the following conditions:	18-May-2020	Loughborough Outwoods

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0491/2	Full	Grange Farm 69 Main Street Woodthorpe Loughborough LE12 8UG	Conversion of agricultural buildings to a residential dwelling (revision of P/19/1009/2 refers).	REF, Permission be refused for the following reasons:	12-May-2020	Loughborough Shelthorpe
P/20/0582/2	Discharge of Conditions	Land off Lodge End Loughborough Road Woodthorpe Loughborough Leicestershire	Discharge of conditions 6 of application P/17/1832/2 regarding details of the pumping station.	NOTDIS, Conditions NOT discharged	14-May-2020	Loughborough Shelthorpe Quorn & Mountsorrel Castle
P/20/0138/2	Change of Use Prior Notification	9 Greenclose Lane Loughborough Leicestershire LE11 5AS	Change of use from retail (A1) to dance/fitness centre (D2) (Prior Notification).	PRIGRA, The prior approval of the Council is granted	14-May-2020	Loughborough Southfields
P/20/0374/2	Full	17 Granby Street Loughborough LE11 3DU	Change of use of ground floor premises to mixed use A1 shop and C3 dwelling and first floor use to a C4 dwelling.	GTDCON, Permission be granted subject to the following conditions:	21-May-2020	Loughborough Southfields
P/20/0567/2	Householder	20 Wallace Road Loughborough LE11 3NX	Extension to front of semi-detached dwelling for first floor bay window.	GTDCON, Permission be granted subject to the following conditions:	21-May-2020	Loughborough Southfields
P/20/0584/2	Householder	51 Goods Yard Close Loughborough LE11 5EB	Provision of three dormers on front roof plane of existing house in multiple occupation (Revised scheme P/19/0215/2 refers).	GTDCON, Permission be granted subject to the following conditions:	11-May-2020	Loughborough Storer
P/20/0198/2	Outline Planning Permission	Land adj Palma Park at Shelley Street Loughborough LE11 5LB	Site for the erection of 4 single storey dwellings (outline application)	REF, Permission be refused for the following reasons:	04-Jun-2020	Loughborough Storer
P/20/0594/2	Householder	6 Partridge Close Mountsorrel LE12 7GD	Single storey front and side extensions.	GTDCON, Permission be granted subject to the following conditions:	14-May-2020	Mountsorrel

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0383/2	Householder	42 Montsoreau Way Mountsorrel Leicestershire LE12 7HU	Single storey rear extension and conversion of garage.	GTDCON, Permission be granted subject to the following conditions:	19-May-2020	Mountsorrel
P/20/0522/2	Householder	45 The Romans Mountsorrel LE12 7EH	Single storey side and rear extension to dwelling.	GTDCON, Permission be granted subject to the following conditions:	05-Jun-2020	Mountsorrel
P/20/0441/2	Householder	17 Church Lane Quorn LE12 8DP	First floor extension over existing ground floor rear extension and single storey extension to rear of dwelling.	REF, Permission be refused for the following reasons:	19-May-2020	Quorn & Mountsorrel Castle
P/20/0230/2	Householder	16 Chaveney Road Quorn Leicestershire LE12 8AD	Erection of detached garage including demolition of existing garage and erection of single storey rear extension.	GTDCON, Permission be granted subject to the following conditions:	28-May-2020	Quorn & Mountsorrel Castle
P/20/2535/2	Householder	25 Mansfield Street Quorn LE12 8BE	Proposed single storey extension to side/rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	29-May-2020	Quorn & Mountsorrel Castle
P/20/0681/2	Householder	1 Wood Lane Quorn Leicestershire LE12 8DA	First floor side extension.	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2020	Quorn & Mountsorrel Castle
P/20/0417/2	Full	16 High Street Quorn LE12 8DT	Alterations to front elevation to include installation of 2x larger windows and door and window relocation.	GTDCON, Permission be granted subject to the following conditions:	02-Jun-2020	Quorn & Mountsorrel Castle
P/20/0420/2	Advert Consent	16 High Street Quorn LE12 8DT	Display of advertising facia sign to front of premises.	GTDCON, Permission be granted subject to the following conditions:	02-Jun-2020	Quorn & Mountsorrel Castle

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/19/2381/2	Full	175 Main Street Swithland LE12 8TQ	Erection of two storey side extension and detached garage	GTDCON, Permission be granted subject to the following conditions:	20-May-2020	Rothley & Thurcaston
P/20/0438/2	Householder	130 Main Street Swithland LE12 8TJ	Erection of two storey and single storey rear extension and erection of two storey garage following demolition of existng outbuilding and section of 2.3 metre high boundary wall.	GTDCON, Permission be granted subject to the following conditions:	27-May-2020	Rothley & Thurcaston
P/20/0504/2	Householder	89 Hallfields Lane Rothley LE7 7NG	Single storey front and rear extensions.	GTDCON, Permission be granted subject to the following conditions:	28-May-2020	Rothley & Thurcaston
P/20/0308/2	Householder	2 Thurcaston Lane Rothley LE7 7LF	Single storey side & rear extensions to detached house	GTDCON, Permission be granted subject to the following conditions:	04-Jun-2020	Rothley & Thurcaston
P/20/0599/2	Householder	177 Main Street Swithland LE12 8TQ	Single storey front porch extension and replacement of existing rear conservatory.	GTDCON, Permission be granted subject to the following conditions:	05-Jun-2020	Rothley & Thurcaston
P/20/0528/2	Householder	32 Wicklow Close Shepshed LE12 9BJ	Single storey extension to the rear and side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	13-May-2020	Shepshed East
P/19/2556/2	Full	Shepshed Word of Life Church Kirkhill Shepshed LE12 9PA	Erection of church building following demolition of existing.	GTDCON, Permission be granted subject to the following conditions:	18-May-2020	Shepshed East
P/20/0253/2	Householder	63 Iveshead Road Shepshed LE12 9EP	Proposed single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	27-May-2020	Shepshed West

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0671/2	Householder	4 Glenfields Shepshed Leicestershire LE12 9LG	Single storey extensions to front and rear and first floor extension to rear of dwelling	GTDCON, Permission be granted subject to the following conditions:	29-May-2020	Shepshed West
P/20/0327/2	Full	Church Farm House 33 Little Church Lane Sileby LE12 7NE	Change of Use and conversion of buildings from agricultural barns to residential dwelling (Use Class C3) and a link extension.	REF, Permission be refused for the following reasons:	20-May-2020	Sileby
P/20/0616/2	Householder	4 Ratcliffe Road Sileby LE12 7PZ	Two storey side extension including demolition of garage.	REF, Permission be refused for the following reasons:	26-May-2020	Sileby
P/20/0302/2	Full	1165 Melton Road Syston LE7 2JT	Change of use from financial services (Class A2) to hairdressing and beauty salon (Class A1 and Sui Generis).	GTDCON, Permission be granted subject to the following conditions:	11-May-2020	Syston East
P/20/0273/2	Householder	7 Montague Avenue Syston LE7 2LJ	Addition of porch and canopy to front of dwelling and erection of two storey extension to side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	15-May-2020	Syston East
P/20/0668/2	Householder	19 Oak Drive Syston LE7 2PX	Erection of two storey extension to side of dwelling with single storey extension to rear, conservatory to rear and formation of pitched roof above front porch (Revised application P/18/1992/2 refers).	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2020	Syston East
P/20/0219/2	Full	Pukka Pies Limited The Half Croft Syston LE7 1LD	Proposed external alteration to create new doorway and installation of flues, cooling tower, external apparatus and associated ducting	GTDCON, Permission be granted subject to the following conditions:	29-May-2020	Syston West
P/20/0087/2	Householder	Alford House Vicarage 17 Rempstone Road Wymeswold Leicestershire LE12 6UE	Creation of secondary vehicular access to property and insertion of dropped kerb	REF, Permission be refused for the following reasons:	15-May-2020	The Wolds

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/19/2005/2	Full	The Dogs Trust Hill Farm Wide Lane Wymeswold LE12 6SE	Erection of memorial sculpture.	GTDCON, Permission be granted subject to the following conditions:	18-May-2020	The Wolds
P/20/0629/2	Telecom Determination with mast	Newark Road SW1 Verge at 607/Newark Road Thurmaston Leicestershire LE4 8EF	Installation of 1x 20m telecoms pole together with 1x equipment cabinet, 1x meter cabinet and associated ancillary development.	NRQ, The submission of details are not required for consideration.	13-May-2020	Thurmaston
P/20/0739/2	Equipment PD Notification	Highways Products Ltd Knights Close Earls Way Thurmaston Leicestershire	Replacement of 3no. existing antennas with 3no. upgraded antennas affixed to the lattice tower, the installation of 1no, GPS unit located on an antenna support pole and ancillary development thereto.	MNAAU, The application be agreed without conditions.	14-May-2020	Thurmaston
P/20/0447/2	Telecom Determination with mast	Colby Road SW1 Colby Road/Humberstone Lane Thurmaston Leicestershire LE4 8HH	Prior approval for the siting and appearance of installation of electronic communications (Under Class A of Part 16 of the GPDO) for the installation of 1x 20m telecoms pole together with 1x equipment cabinet, 1x meter cabinet and associated ancillary development.	NRQ, The submission of details are not required for consideration.	22-May-2020	Thurmaston
P/20/0687/2	Householder	26 Highway Road Thurmaston Leicestershire LE4 8FQ	First floor one and a half storey extensions and single storey extension to rear to create a one and half storey dwelling (revised scheme - P/20/0131/2 refers)	REF, Permission be refused for the following reasons:	02-Jun-2020	Thurmaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0162/2	Full	Unit A Rear of Paddock View Seagrave Road Thrussington Leicestershire LE7 4TR	Change of use of agricultural building to industrial unit (Use Class B2) for repairs & restoration of cars & motorcycles including installation of wall with 2 roller shutters to existing building.	REF, Permission be refused for the following reasons:	15-May-2020	Wreake Villages
P/20/0593/2	Householder	19-21 Ten Steps Church Street Seagrave LE12 7LT	Erection of fence on western boundary of the site	GTDCON, Permission be granted subject to the following conditions:	21-May-2020	Wreake Villages
P/20/0683/2	Householder	8 Orton Close Rearsby Leicestershire LE7 4XZ	Single storey & first floor rear extensions and front porch extension.	GTDCON, Permission be granted subject to the following conditions:	01-Jun-2020	Wreake Villages
P/19/2528/2	Full	117 Main Street Cossington LE7 4UW	Proposed single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	03-Jun-2020	Wreake Villages
P/20/2109/2	Full	Old Gate Road Thrussington LE7 4TN	Erection of x4 agricultural buildings and an agricultural workers dwelling	GTDCON, Permission be granted subject to the following conditions:	04-Jun-2020	Wreake Villages

PLANS COMMITTEE – 18TH JUNE 2020

Report of the Chief Executive

ITEM 07 URGENT DECISION TAKEN DURING COVID-19 PANDEMIC

Purpose of Report

This is a report on the action taken by the Head of Planning and Regeneration to determine planning application P/20/0271/2 which was made under urgency provisions due to the pandemic.

Action Requested

To note the decision taken by the Head of Planning and Regeneration to approve planning application P/20/0271/2 which was made under urgent provisions due to the pandemic.

Policy Justification and Previous Decisions

Under section 8.2 of the constitution which relates to the delegation of Council functions there is provision for the Chief Executive, Strategic Directors and Heads of Service to take such action as is required in the case of an emergency or urgency subject to:

- (i) consultation with the Mayor, the Chair of the relevant committee, or, in the Chair's absence, the Vice-Chair;
- (ii) consultation with the Chief Executive and relevant Strategic Directors in each case; and
- (iii) report on the action taken being made to the next meeting of the Council or relevant committee, as appropriate.

The meeting of the Plans Committee held on 19th March 2020 was cancelled due to the pandemic and a planning application that was due to be considered at that meeting was therefore determined by the Head of Planning and Regeneration on 15th April 2020.

As required in the Constitution this action is now being reported to this meeting of Plans Committee for information. The planning application details are set out below:

- DD066 2020 - Planning Application - Kings Ave, Loughborough - P.20.0272.2

The decisions of the Head of Planning and Regeneration can be found in the Annex to this report.

Implementation Timetable including Future Decisions

As detailed within the report of the Head of Planning and Regeneration, attached as an Annex.

Report Implications

As detailed within the report of the Head of Planning and Regeneration, attached as an Annex.

Background Papers: None

Officer to Contact: Karen Widdowson
Democratic Services Manager
(01509) 634785
karen.widdowson@charnwood.gov.uk

Annex

The report of the decision taken by the Head of Planning and Regeneration.

Decision under Delegated Powers

Officer Requesting Decision

Development Management Group Leader

Officer Making the Decision

Head of Planning and Regeneration

Recommendation

That the following recommendations set out on page 11 and 12 of the attached report for planning application P/20/0272/2 be approved:

RECOMMENDATION:

Grant Conditionally

- 1 The development, hereby permitted, shall be begun not later than 3 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
1:1250 scale site location plan
Unnumbered floor plan received on 10th February 2020

REASON: To define the terms of the planning permission.

The following advice notes will be attached to a decision

- 1 **DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT** - Policies CS2, CS3, CS4, CS16 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies EV/1 and TR/18 of the Borough of Charnwood Local Plan have been taken into account in the determination of this application.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal and it does not fully accord with current car parking standards, the degree of harm that might be caused to highway safety is insufficient to warrant the refusal of planning permission.
- 3 Discussion with the applicant to seek an acceptable solution was not

considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reasons

To take action in relation to a matter which would otherwise have been submitted to the Plans Committee.

The attached report sets out the planning justification for the decision.

Authority for Decision

Delegation of Council functions - Section 8.2 of the Constitution states that the Chief Executive, Strategic Directors and Heads of Service can take such action as is required in the case of an emergency or urgency subject to:

- (i) consultation with the Mayor, the Chair of the relevant committee, or, in the Chair's absence, the Vice-Chair;
- (ii) consultation with the Chief Executive and relevant Strategic Directors in each case; and
- (iii) a report on the action taken being made to the next meeting of the Council or relevant committee, as appropriate.

Decision and Date



15 April 2020

Background

Planning application P/20/0272/2 falls outside the scope of the delegations to the Head of Planning and Regeneration. It would therefore normally have been considered by the Plans Committee. The Coronavirus pandemic resulted in the meeting of the March Plans Committee being cancelled and there is therefore no means of determining the planning application prior to the end of the statutory time period on 16th April 2020. The current circumstances constitute an emergency and the use of delegated powers are therefore appropriate. In accordance with the Constitution the required consultation has been undertaken and the matter will be reported to the Plans Committee as the relevant committee in due course.

The planning background is set out in the attached report.

Consultation with the Mayor, the Chair of the relevant Committee, or in their absence the Vice Chair

Both the Mayor and the Chair of the Plans Committee have been consulted on planning application P/20/0272/2 and are content with the recommendations set out on page 11 and 12 of the report.

Consultation with Chief Executive and relevant Strategic Director(s)

Consultation has been effectively concluded via the Council's COVID-19 organisational response to the pandemic. The Chief Executive and all Directors have concluded that the recommendations of this report are both necessary and urgent.

Financial Implications

None

Risk Management

No specific risks have been identified with this report.

Background Papers:
Contained in the planning file