



PLANS COMMITTEE

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To: Councillors Bentley (Vice-Chair), Campsall, Capleton, Charles, Forrest, Fryer (Chair), Grimley, Lowe, Ranson, Savage, Tassell, Tillotson and Ward
(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 on Zoom on Thursday, 16th July 2020 at 5.00 pm for the following business.

Chief Executive

Southfields
Loughborough

8th July 2020

AGENDA

1. APOLOGIES
2. MINUTES OF PREVIOUS MEETING 3 - 6

The Committee is asked to confirm as a correct record the minutes of the meeting held on 18th June 2020.

3. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

4. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

5. PLANNING APPLICATIONS

7 - 80

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

6. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

81 - 94

A list of applications determined under powers delegated to officers for the period from 8th June 2020 to 3rd July 2020 is attached at page 81.

PLANS COMMITTEE 18TH JUNE 2020

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

Group Leader Development Management
Team Leader Development Management (KB)
Principal Planning Officer (LM)
Principal Solicitor - Planning, Property and
Contracts
Information Development Manager
Democratic Services Officer (NC) and Democratic
Services Officer (SW)

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.

6. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 21st May 2020 were confirmed as a correct record and signed.

7. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

8. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures was made:

(i) By Councillor Bailey – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Bailey did not read the correspondence and remained impartial.

(ii) By Councillor Bentley – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Bentley did not read the correspondence and remained impartial.

(iii) By Councillor Campsall – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Campsall did not read the correspondence and remained impartial.

(iv) By Councillor Campsall – received correspondence in relation to application P/20/0434/2 35 Naseby Drive, Loughborough but remained impartial.

(v) By Councillor Forrest – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Forrest did not read the correspondence and remained impartial.

(vi) By Councillor Fryer – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Fryer did not read the correspondence and remained impartial.

(vii) By Councillor Grimley – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Grimley did not read the correspondence and remained impartial.

(viii) By Councillor Hamilton – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Hamilton did not read the correspondence and remained impartial.

(ix) By Councillor Lowe – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Lowe did not read the correspondence and remained impartial.

(x) By Councillor Ranson – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Ranson did not read the correspondence and remained impartial.

(xi) By Councillor Savage – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Savage did not read the correspondence and remained impartial.

(xii) By Councillor Snartt – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Snartt did not read the correspondence and remained impartial.

(xiii) By Councillor Tassell – received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Tassell did not read the correspondence and remained impartial.

(xiv) 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 came with an open mind and could take part in the discussion and voting on the item.

(xv) By Councillor Tassell – a personal interest in application P/20/0566/2 (Land at / rear of 31 Garendon, Road Shepshed) but as it was not in her ward she came with an open mind and could take part in the discussion and voting on the item.

(xvi) By Councillor Tillotson - received correspondence from one of the objectors in relation to application P/20/0618/2 64 Iveshead Road, Shepshed. Councillor Tillotson did not read the correspondence and remained impartial.

9. 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/20/0618/2 and P/20/0434/2 were also submitted (also filed with these minutes).

The Committee was advised that there had been a late representation in respect of application P/20/0566/2 by Mr David McDowell. The Committee was asked if they were happy to let Mr McDowell speak on behalf of the item and a vote was taken which was passed.

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:

- (i) Mr Clive Robinson (agent) in respect of application P/20/0618/2;
- (ii) Councillor Radford as Shepshed Town Councillor in respect of application P/20/0618/2;
- (iii) Mr Charles Kean (objector) in respect of application P/20/0434/2;
- (iv) David McDowell (objector) in respect of application P/20/0566/2
- (v) Jonah Mastin (agent) in respect of application P/20/0566/2.

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

- (i) Councillor Popley in respect of application P/20/0618/2;
- (ii) Councillor Boldrin in respect of application P/20/0434/2;
- (iii) Councillor Popley in respect of application P/20/0566/2.

RESOLVED

1. that, in respect of application P/20/0618/2 (64 Iveshead Road, Shepshed) planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration;
2. that, in respect of application P/20/0434/2 (35 Naseby Drive, Loughborough), planning permission be granted 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/20/0566/2 (Land at/rear of 31 Garendon Road, Shepshed), planning permission be granted:

- i. subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration, and subject to the signing of a S106 Legal Agreement and planning conditions to be determined by the Head of Planning and Regeneration.
- ii. a further condition be added to include the installation of swift bird boxes to all properties on the site.

Reason: to minimise disruption to the biodiversity within the area.

10. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A list of applications determined under powers delegated to officers for the period from 11th May 2020 to 5th June 2020 was submitted (item 6 on the agenda filed with these minutes).

11. URGENT PLANNING DECISION TAKING DURING COVID-19 PANDEMIC

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 was submitted to the Committee.

The Group Leader for Development Management and Development Control advised the Committee on the report.

RESOLVED that the Committee 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.

Reason

To acknowledge the Committee's consideration of this item.

NOTES:

1. No reference may be made to these minutes at the next ordinary 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 – 16 July 2020

Index of Committee Items

Item	Application No	Applicant and Location, Description	Recommendation	Page
1	P/20/0642/2	Swithland Homes Ltd Land to the rear of 43 Westfield Drive Loughborough Leicestershire LE11 3QJ Proposed erection of 9 dwellings including access, parking and landscaping.	Grant Conditionally	09
2	P/20/0834/2	Ms M Batley Land and building to rear of 15-17 High Street Barrow upon Soar LE12 8PY Change of use from storage building (use class B8) to a mixed use of shop (use class A1) and cafe (use class A3) including outdoor seating area.	Grant Conditionally	33
3	P/20/0290/2	Mr Adrian Russell 1 Albert Street Loughborough LE11 2DW Partial demolition and conversion and change of use of the host building from Use Class B2 to Use Class C3, and erection of two-storey extension to create a new apartment building comprising of 9 no. apartments.	Grant Conditionally	49
4	P/20/0828/2	Mr James Poland	Grant Conditionally	73

19 Church Hill Road
Thurmaston
Leicestershire
LE4 8DF

Single storey rear extension.

Item No. 01

Application Reference Number P/20/0642/2

Application Type:	Full	Date Valid:	17 th April 2020
Applicant:	Swithland Homes Ltd		
Proposal:	Proposed erection of 9 dwellings including access, parking and landscaping.		
Location:	Land to the rear of 43 Westfield Drive Loughborough Leicestershire LE11 3QJ		
Parish:	N/A	Ward:	Loughborough Southfields
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 Parton.

Description of the Application

The application site comprises a parcel of land to the rear and inclusive of 43 Westfield Drive. The site extends to 0.49 hectares and is undeveloped and bound by existing residential gardens and the grounds of Loughborough College. The site is located within the defined limits of Loughborough. A private right of way runs through the site and the site historically been in use as private allotment land. The site is currently in an overgrown state and is not thought to have been in use as an allotment for a number of years. Segments of adjoining land are still, however, in use as private allotments.

The application seeks full planning permission for the construction of nine dwellings that will consist of a mix of 22% two bed, 55% three bed and 22% 4 bed properties each with private garden and parking space. Seven of the proposed dwellings are bungalows with two 1.5 storey properties. Materials proposed are a mix of light render and red brick. The proposal also includes a wildlife corridor to the site's edge with landscaping to include an attenuation pond. The site would be accessed between 43 and 49 Westfield Drive. The proposal includes the provision of 2 car parking spaces to serve No. 43 and these would be located to the front of the site and perpendicular to the highway boundary with a low hedge being partially retained.

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

- Floor Plans and Elevations
- Site Layout Plan (Rev. A)
- Landscaping Proposals
- Topographical Survey
- Flood Risk Assessment
- Ecological assessment
- Biodiversity Impact Assessment
- Highways Statement

- Site Location Plan

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 in 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.

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 Regulation 122 tests.

Relevant Planning History

Reference	Description	Decision & Date
P/18/2381/2	Erection of four detached dwellings and construction of associated vehicular access and parking facilities (Revised scheme P/18/0996/2 refers)	Refused
P/18/0996/2	Erection of 4 detached dwellings and construction of associated vehicular access and parking facilities	Refused
P/15/1080/2	Erection of bungalow and formation of new access road following demolition of existing extension	Withdrawn
P/90/1579/2	Site for the erection of a bungalow	Refused
P/88/2681/2	Site for the erection of one bungalow	Refused

Application P/18/2381/2 was the subject of an appeal determined by an Inspector appointed by the Secretary of State. Whilst the site area and quantum of development proposed was different to that of the current application, the conclusions of the Inspector in that case are a material consideration in the determination of this application. These are set out within the relevant sections of the report below.

Responses of Consultees

Leicestershire County Council as Highway Authority

The 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)

The Lead Flood Authority raises no objection and advises the Local Planning Authority that the proposals are considered against their standing advice.

The Environment Agency

The Environment Agency raises no objection to the proposals and confirms that the red line site boundary does cover a small area of flood zone 2. The attached flood risk assessment and site block plan confirm that all dwellings will be located within flood zone 1. Therefore The EA has no fluvial flood risk concerns associated with the site. It is also confirmed that there are no other environmental constraints associated with the site.

Severn Trent Water

Severn Trent raises no objection and suggests a condition requiring details of foul and surface water drainage.

Other Comments Received

Ward Cllr. Parton

Cllr Parton has raised an objection to the application on the following grounds:

- There is no unmet housing need for the development and the council has a 5 year supply of housing land.
- Impact on the character and appearance of the area.
- Loss of open space and biodiversity.
- Loss of greenfield land.
- Loss of allotments.
- Loss of amenity to existing residents due to noise from vehicular movements
- No affordable housing proposed nor does the development meet specific local need.
- The site is subject to a restrictive covenant.
- He requests that the application be determined by the Plans Committee

Charnwood Borough Council Open Spaces Planning Liaison Officer

The Open Spaces Study (2017) identifies a need for allotment land in Loughborough. The proposal would result in the loss of land previously used as allotments and therefore a contribution of £60,334.06 towards replacement allotment provision within Loughborough is requested. It is also confirmed that the development is a minor development and therefore is not subject to any other requests for on or off site open space provision. It is recommended that the design incorporate satisfactory outdoor amenity space and appropriate management of any public areas.

Charnwood Borough Council Environmental Protection Officer

Given the extent of the backland development, a degree of amenity loss is inevitable due to the close proximity of the access road to existing habitable rooms. In relation to vehicle noise, this will be particularly so for service vehicle movements and refuse collection services.

Storer and Ashby area Residents Group (SARG)

SARG object to the application on the following grounds:

- The design of the dwellings do not respect the character and appearance of the Westfield Drive
- The access road will cause disturbance to residents at 43 and 49 Westfield Drive
- Loss of allotment land
- Harm and loss to biodiversity
- Requests that a legal age limit of occupants be imposed and secured by legal agreement to prevent occupation by undergraduate students

There have been 36 letters of objection received from 35 different people/addresses through the course of the application raising the following concerns:

- Loss of wildlife habitats
- Loss of allotment land
- Negative impact on health and well being
- Impact on the character and appearance of the area
- Overdevelopment of the site
- Negative impact on tranquility of the area
- Increase in pollution and global warming
- Impact on the enjoyment of the private right of way
- Noise from additional vehicular movements
- Noise during construction
- Additional danger to highway safety
- Additional Parking pressures
- Increased risk of surface water flooding
- Increased security risks
- Loss of privacy and increased overlooking
- Sets precedent for further development
- Loss of trees
- Lack of need for additional housing
- Lack of affordable housing as part of the application
- Restrictive covenants on the land
- Land not in applicants ownership

2 letters of support has been received with the following reasons:-

- The proposal would bring the land back into use
- The proposal would provide much needed bungalows for ageing population
- Highly sustainable location

Consideration of the Planning Issues

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

- Principle of development
- Loss of allotment land
- Housing mix
- 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 NPPF's presumption in favour of sustainable 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 to deliver at least 13,940 new homes to 2028.

In the period between the base date of 2011 and the latest full monitoring period of 1st April 2020 there had been 5,440 commitments and completions within and adjoining Loughborough and Shepshed for the Plan period 2011-2028. The proposal for an additional 9 units would not therefore be adrift from the aims and objectives of Policy CS1 of the Core Strategy in respect of the number of units expected to be provided within and adjoining Loughborough and 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 Loughborough as defined by saved policy ST/2. The proposal would therefore accord with the overarching 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.

The Loss of Allotment Land

Policy CS15 of the Core Strategy seeks to retain open space and recreation facilities unless they are clearly surplus to requirements or replacement provision of at least equal quantity and quality will be made in a suitable location. Paragraph 97 of the NPPF states that existing open space should not be built on unless an assessment has been undertaken which demonstrates the open space is surplus to requirements or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location.

The Councils' Open Spaces Study 2017 identifies that there is a shortfall of allotment land within Loughborough equating to over 9 hectares. The ward where the site lies is deemed to have an excess of provision. However, the potential demand from prospective allotment holders is unlikely to stop at ward boundaries, when the overall shortage in the town is considered. The Open Spaces Study, itself, considers the demand is best served in towns and service centres. That the site is not identified as such does not mean that it is not deemed to have this role, when its historical use and the lack of other intervening uses of the land are also considered. The same applies as regards that the site is not the subject of a similar designation under a development plan.

The proposal would result in the loss of the allotment land with the construction of the dwellings and the associated infrastructure on it. Hence, it would exacerbate this shortfall and, accordingly, the site is not surplus to requirements. With the lack of allotment land that the Open Spaces Study identifies, this shows that the site has a public value. There is also no compelling reason to differentiate between the function of private and public allotments because, in practice, they are typically let out on an individual basis. It is for this reason that in order for the loss of the allotment land to be acceptable, an offsite contribution towards enhancing and creating replacement provision elsewhere in the locality is requested in order to satisfy the requirements of Policy CS15 of the Core Strategy and the National Planning Policy Framework.

It is concluded that the proposal would have an acceptable effect on the provision of open space in relation to allotments taking into account the applicants offer of an offsite financial contribution of £60,334.06p. This contribution would be used to enhance or create new allotment facility elsewhere within Loughborough. As such, it would comply with Policy CS15 of the Charnwood Local Plan 2011 to 2028 Core Strategy (2015), which seeks to meet strategic open space needs, including by way of retaining open space, sport and recreation facilities unless they are clearly surplus to requirements or that replacement provision of at least equal quantity and quality will be made in a suitable location. It is on this basis the principle of development and loss of much of the site as open space is acceptable.

In order to be CIL regulation compliant, a specific project will need to be identified. The project is required to be within Loughborough and should improve capacity at an alternative allotment site to be identified. It is suggested that the sum is paid on commencement of development. Subject to the above being identified and agreed, the planning obligation is considered to be Regulation 122 compliant 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.

Housing Mix

Policy CS3 seeks to deliver an appropriate mix of housing in order to provide for the needs of the borough. The HEDNA indicates there is a need for a greater proportion of smaller two and three bedroom dwellings which should account for approximately 75% of all new homes with the remainder being 1 and 4+ bedroom properties. There is also an identified need for bungalows across the borough. Policy CS3 also requires that the mix has regard for development viability and the character of the area.

The mix proposed in the application consists of 22% two bed, 55% three bed and 22% 4 bed properties.

Given the size of the site, the relatively small number of dwellings and the low density character of the surrounding area, it is considered that the housing mix proposed broadly complies with Policy CS3 of the Core Strategy and the Housing Supplementary Planning Document and therefore no objection is raised to the application on this basis. The provision of bungalows is a positive aspect of the application and is given significant positive weight.

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 the determination of the previous appeal, Inspector Hendley concluded that the development of four dwellings would have an unacceptable impact on the character and appearance of the area.

Westfield Drive comprises a mix of traditional and more modern dwellings that are set out, for the most part, in a linear arrangement along each side of the road. They are positioned towards their site frontages and have expansive rear gardens. The plot sizes are fairly large. The vegetation and trees in the gardens, and in the allotment and the undeveloped land to

the rear, contribute towards a pleasingly verdant character, whether they are maintained or have been left to become somewhat overgrown. The southern and eastern edges of the site more closely relate to development along Radmoor Road, which is defined by bungalows of more modern construction, and larger buildings associated with Loughborough College. Existing forms of backland development are evident within the locality of the site at 57 Radmoor Road and a development of five detached two storey dwellings at Brockington Place which is accessed from Westfield Drive.

Policy EV/1 of the Charnwood Local Plan 2004 seeks 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 had been partially cleared of trees prior to the submission of the 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 although a condition requiring precise details of landscaping features; species, densities, boundary treatments and hard surface materials is recommended.

It is considered that the current proposal addresses the concerns of Inspector Hendley in that it does not propose any development within the rear garden of 43 Westfield Drive and would not therefore form part of Westfield Drive or erode the spacious and verdant pattern of development along Westfield Drive. Instead it proposes a more comprehensive, contained and less fragmented form of development that merges with existing development along Radmoor Road to the south east and Brockington Place to the north east. Seven of the nine dwellings proposed would be single storey thus limiting their visual impact from the surrounding roads of Westfield Drive and Radmoor Road. Two 1.5 storey dwellings are proposed at plots 7 and 8, which are considered appropriate given the distance of these plots from the site boundaries and the two storey scale of adjoining properties within Brockington Place.

It is therefore considered that, on balance, 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 NPPF 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 supplementary planning document (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. It 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. There should be an additional 1m for every 1m increase in ground level.

Objections have been raised on the grounds of the noise and disturbance caused by passing vehicles between 43 and 49 Westfield Drive. This issue was considered by

Inspector Hendley in the determination of the previous appeal for 4 dwellings on the site. The inspector was satisfied that with adequate mitigation in the form of acoustic screening, the noise of vehicles passing in close proximity to the side boundaries of the neighbouring properties would not be sufficient to refuse planning permission. It is acknowledged that the proposed development does propose an increased number of dwellings; however, the number of regular vehicular movements generated by the development would be minimal and would not be so harmful as to conflict with policies CS2 and EV/1 in respect of residential amenity. The Environmental Protection Officer has raised concerns that noise of delivery and refuse vehicles will be of more concern. However, it is considered the number of occurrences is likely to be minimal and would not amount to unacceptable harm to the amenity of existing nearby occupiers that would justify a refusal of planning permission on such grounds.

In terms of the scale and positioning of the proposed development and the impact on light and privacy, the majority of the proposed dwellings are single storey in scale and are not therefore cause for concern because by virtue of their scale they would comply with the guidance contained within the Design Supplementary Planning Document. The height and position of plot 8 and its relationship with neighbouring properties along Brockington Place has been considered and the distances proposed exceed those suggested by the Design SPD. Furthermore, taking into account the drop in ground levels of approximately 1m, the distance exceeds the guidance contained within the design SPD in terms of overbearing and loss of light.

Furthermore, it is considered that the proposal would provide a high standard of amenity for the future occupiers of the development due to the adequate garden sizes proposed and the physical relationship with existing nearby properties.

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.

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 Appraisal and a Biodiversity Impact Assessment.

The proposal is offset on-site by the provision of a wildlife corridor along the southern edge of the site, an attenuation feature and landscape planting. The Councils Senior Ecologist advises 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. The submitted Ecological appraisal makes a series of recommendations that require additional survey work and relevant mitigation is carried out prior to the commencement of development and incorporated as part of the development.

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 NPPF. The NPPF 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 £52,800 towards improving and enhancing biodiversity offsite elsewhere within Loughborough. 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. It is suggested that the sum is paid on commencement of development. Subject to the above being identified and agreed, the planning obligation is considered to be Regulation 122 compliant 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.

Subject to the imposition of a planning condition requiring an ecological mitigation strategy to be submitted and approved, and 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.

The site is located approximately 400 metres from bus stops serving regular bus services to the town centre and railway station and is within walking distance of Loughborough College and Loughborough University. The site is also located on good cycling routes leading to the town centre and surrounding areas of Loughborough.

Leicestershire County Council (Local Highway Authority) were consulted in connection with this planning application. The consultation response received outlines that the Local Highways Authority raises no objection in respect of the proposed development, although they have recommended a number of planning 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 two and three bedroom dwellings and 3 parking spaces for a 4 bedroom dwelling in the interests of highway safety. Notwithstanding the site’s 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 Leicestershire Highways Design Guide, (LHDG). The Leicestershire Highway Design Guide does discourage the use of tandem on plot parking, however in this case is considered to be acceptable as it is unlikely to result in additional on street parking within Westfield Drive due to the nature of the site and the distance of the dwellings from Westfield Drive.

The application site is located on a 30mph section of road within the built up area of Loughborough. The submitted Highway Statement confirms that the minimum 43m visibility splays in either direction along Westfield Drive can be achieved in accordance with the Leicestershire Highways Design Guide. No objection has been raised by the Local Highway Authority on these grounds.

The site is located approximately 400 metres from bus stops serving regular bus services to the town centre and railway station and is within walking distance of Loughborough College and Loughborough University. The site is also located on good cycling routes leading to the town centre and surrounding areas of Loughborough.

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 NPPF. 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 NPPF 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 vast majority of 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 an attenuation feature adjacent to plot 6. 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.

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

and it is recommended that a condition that requires details of foul and surface water management be imposed should planning permission be granted.

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

Concerns have been raised that the granting of planning permission would set an undesirable precedent for further development between Radmoor Road and Epinal Way. Each application must be determined on its individual merits at the time that it is submitted. It is not considered that should planning permission be granted, a precedent will be set for further development within the locality of the site.

An objection has been received that the proposal does not provide any affordable housing as part of the application. It is well established within national and local planning policy that affordable housing is a policy requirement of major development proposals of 10 units or more. The application proposes nine dwellings and is not therefore liable for affordable housing contributions.

An objection has been received citing concerns that the development would cause increased security risks. It is considered that the occupation of the proposed dwellings would reduce potential security risks associated with the application site due to the increased level of surveillance over the site and surrounding footpath networks.

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.

Concerns have been raised that the site is subject to a restrictive covenant. Such matters are not material to the planning considerations of the case and are a private civil matter. Furthermore, concerns have been raised that the applicant is not the owner of the application site. The applicant has served the requisite notice in order for the planning application to be validated and determined. The granting of planning permission does not alter any private legal rights to the land.

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 Loughborough 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 nevertheless be attributed significant positive weight. The provision of bungalows, of which there is an identified borough wide need, should also be given significant positive weight.

The proposals would result in the loss of currently unused private allotment land of which there is an identified need in Loughborough. However, this loss can be mitigated in accordance with policy CS15 and the National Planning Policy Framework with the payment of an offsite contribution towards creating or enhancing allotment land elsewhere in Loughborough.

It is considered that the proposals relate to the built form and settlement character of this area of Loughborough and would preserve amenity for existing residents and create a high quality environment for future 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.

The determination of previous planning applications and the appeal is a material consideration. However, on balance, it is considered that the larger scale, more comprehensive form of development now proposed adequately addresses the previous concerns of the local planning authority.

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 £52,800.00 towards offsite ecological mitigation
- A contribution of £60,334.06 towards offsite allotment creation/enhancement

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:-

18.3529.17A

GL0925 05A

18.3529.16

18.3529.18

18.3529.20

18.3529.21

18.3529.22

18.3529.23

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18.3529.26

18.3529.27

18.3529.28

18.3529.19A

Ecological Appraisal - 1246_02_rpt_mw_v2.docx

Site Location Plan at scale 1:1250 ref. 18.3529

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 areas for bin presentation)

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. Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 5.0 metres and shall be surfaced in a bound material with a 5.5 metre dropped crossing. The access once provided shall be so maintained at all times.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Paragraph 32 of 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 vehicular visibility splays of 2.4 metres by 43 metres have been provided at the site access. These 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 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)

13. No part of the development hereby permitted shall be occupied until such time as 2.0 metre by 2.0 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)

14. 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 8.3529.17. 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).

15. 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.

16. 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 Baker Consultants (Section 6: Recommendations). As a minimum these details shall include;

- 1) Bat Survey and mitigating recommendations
- 2) Badger Survey and mitigating recommendations
- 3) Reptile and amphibian survey and mitigating recommendations
- 4) Bird Survey and mitigating recommendations
- 5) Construction Ecological Management Plan (CEMP) to protect features during the construction phase.
- 6) Post-construction, a Biodiversity Management Plan (BMP) will be prepared and implemented.

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

17. 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.

18. 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 though the entire development construction phase.

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 garage 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. The enlargement of the dwellings may result in additional parking pressures that cannot be met on site. Additionally, to ensure that the approved bungalows remain as bungalows in order to meet identified housing need.

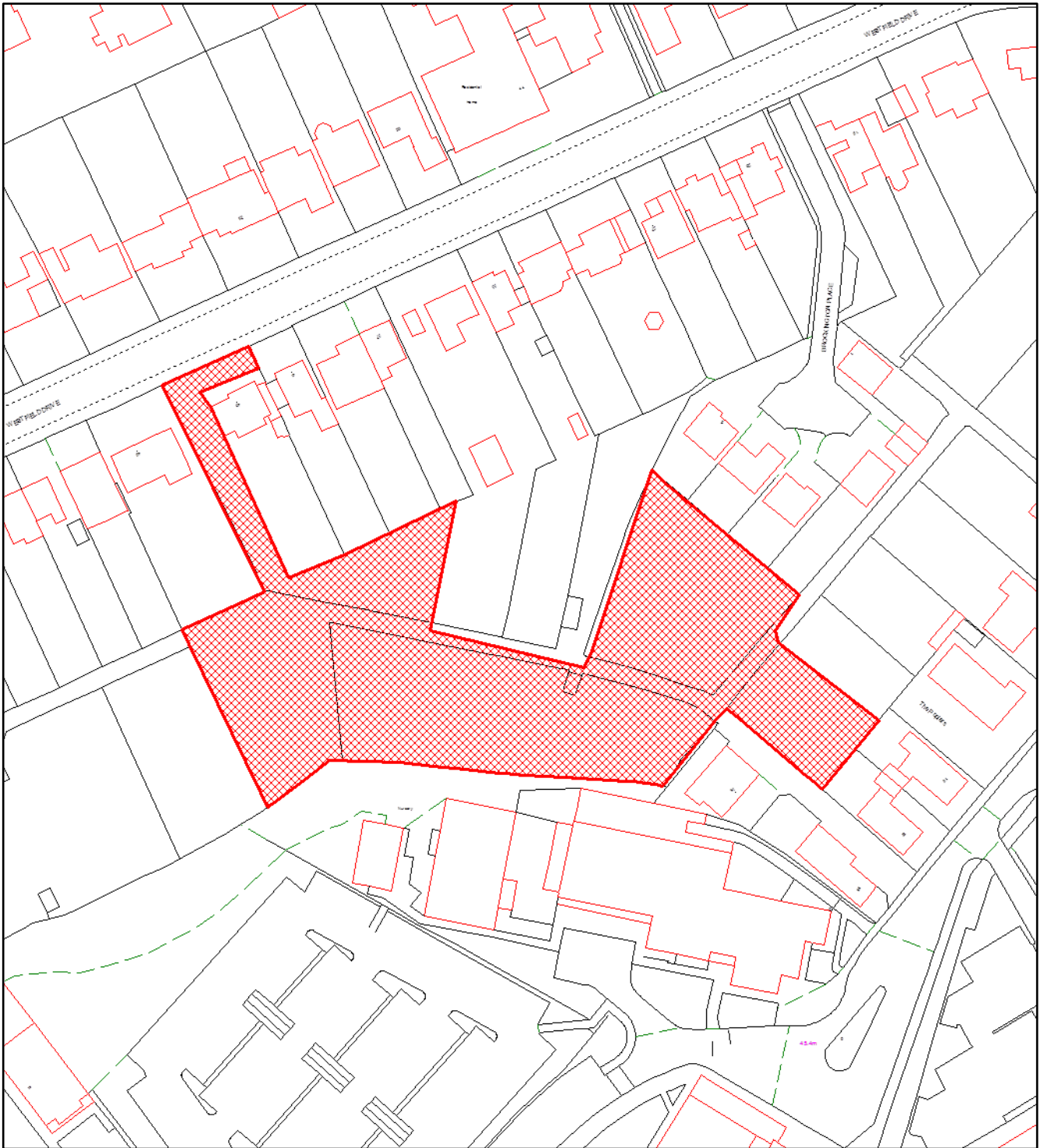
The following advice notes will be attached to a decision

- 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.



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Item. 02

Application Reference Number P/20/0834/2

Application Type:	Full	Date Valid:	18/05/2020
Applicant:	Ms M. Batley		
Proposal:	Change of use from storage building (use class B8) to a mixed use of shop (use class A1) and cafe (use class A3) including outdoor seating area.		
Location:	Land and building to rear of 15-17 High Street Barrow upon Soar LE12 8PY		
Parish:	Barrow upon Soar	Ward:	Barrow & Sileby West
Case Officer:	Deborah Liggins	Tel No:	01509 634733

This item is referred to Plans Committee at the request of Councillors Fryer and Ranson who share concerns about the limited access of the site, the impact of the proposal on other residents, the development not being in character with the High Street and the lack of dedicated car parking.

Description of the Application Site

The proposal relates to a detached brick building to the rear of the main retail high street of Barrow on Soar and is accessed on foot only through a narrow passage between No's 15 & 17 High Street. The building had, for many years been in a dilapidated state but was refurbished, in 2016, including roof repairs. Since then, the western gable of the building has been rebuilt with an opening for the double doors as shown on the plan and a ceiling has been installed and plastered. The building has also been repaired and refurbished internally and externally, with new horizontal sliding plain glazed windows replacing the original ones on the southern elevation.

The building has a lawful storage use following the grant of a Certificate of Lawfulness under P/16/0165/2. Planning permission was granted under P/16/2262/2 for the use of the building as a shop (A1) and café (A3) but the use was not commenced and that consent has now expired.

Although not listed, it is believed the building was originally a framework knitter's workshop and local residents have previously commented that it's the last such building in the village. The site lies within the Barrow-on-Soar District Centre and Barrow- on -Soar Conservation Area.

The site is flanked by No. 15, which is a gift shop with a self-contained flat above (No. 15a). The flat is accessed via an external staircase at the rear of the shop. No. 17 is a florist shop and all occupiers use the gated pedestrian passageway between the two buildings.

A 1.8m fence exists on the southern and western boundaries of the site. To the west is a rectangle of private land between the site and the health centre car park.

Description of the Proposals

The proposal seeks planning permission to change the use of the premises to a mixed retail A1 and café A3 use. The roof has been repaired since the expired change of use consent in 2016 and the western gable of the building has been rebuilt with an opening for the double doors and a ceiling been installed and plastered.

The previous planning permission granted under P/16/2262/2 required the windows in the southern elevation to be obscure glazed in order to protect the privacy of nearby occupiers. It is now proposed that this be glazed with plain glass. However, an email from the agent dated 10th June confirmed the applicant would be willing to accept a condition requiring the topmost panes to be obscure-glazed because it is considered that the existing fence screens views out from the other panes at ground level.

An external seating area is proposed to provide up to 12 covers on tables to the rear of the building. Condition No. 5 of the previous planning permission limited the sale and consumption of food and drink to within the building.

Opening hours have previously been granted as between 1100 hours and 1600 hours on any day. The proposed hours now are Monday-Saturday 0900-1700 hours with no openings on Sundays or Bank Holidays.

The application is accompanied by a Planning and Heritage Statement which describes the site and its surroundings and includes an assessment of the impact on heritage assets. This document describes the existing shops adjacent to the site to have similar opening hours to those proposed and states that the patio area would be restricted to 8 customers at any one time (although seating is provided for 12). The document sets out that securing a viable use of the building will secure its long term preservation.

Development Plan Policies

Charnwood Local Plan 2011-2028 Core Strategy

Policy CS1 – Development Strategy – sets out the housing directions for growth over the plan period and establishes a settlement hierarchy of locations in terms of their sustainability

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 CS9 – Town Centres and Shops - sets out that town centre development will be encouraged for District and Local Centres where it supports their viability and vitality and where it is physically integrated into the defined centre and of an appropriate scale for that centre.

Policy CS14 - Heritage – aims to ensure that development proposals protect heritage assets and their setting.

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 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.

Adopted Neighbourhood Plan

Barrow upon Soar Neighbourhood Plan has now been ‘made’ and forms part of the Development Plan for the Borough. Relevant policies to the proposal are:

Policy BuS4: Design

New development will be required to reflect the guidance in the Barrow upon Soar Village Design Statement.

Policy BuS7: Village Centre

Barrow upon Soar Village Centre, as defined on the Policies Maps, is a District Centre that serves a local catchment area. Planning applications that ensure that the Village Centre continues to provide a diverse range of Village Centre Uses* which appeal to a wide range of age and social groups will be supported. The modernisation and improvement of Village

Centre shops, facilities and services that ensure that they are retained for the benefit of the community will be supported.

A sequential test will be applied to planning applications for main Village Centre Uses* that are not within the Village Centre. Proposals for main Village Centre Uses* should be located in the Village Centre, then in edge of Village Centre locations and only if suitable sites are not available should out of Village Centre sites be considered.

Except where changes of use are allowed through permitted development, Class A1 Shops should remain the dominant use in the Village Centre. Development leading to an over-concentration of any other one use will not be permitted and planning applications for uses other than Village Centre Uses* will not be supported.

*The main Village Centre Uses are classes A1 Shops, A2 Financial and Professional Services, A3 Restaurants and Cafes, A4 Drinking Establishments, A5 Hot Food Takeaways, C1 Hotels, and D1 Non-residential Institutions of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Policy BuS8: Village Centre Car Parking

Additional off-street car parking is essential to maintain the vitality and viability of the Village Centre. The extension and improvement of existing off-street car parks to provide additional spaces and cycle parking to serve the Village Centre will be supported. The loss of Village Centre car parking will not be supported unless it is replaced by equivalent or better car parking provision in terms of quantity, quality and location.

New developments within or on the edge of the Village Centre should incorporate additional car parking spaces in accordance with the parking requirements set out in Appendix 4, unless it can be demonstrated that it would not be practical and the development would not add significantly to the demand for parking space.

Other material considerations

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.

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 (Listed Building and Conservation Areas) Act 1990 (as amended)

This consolidates previous legislation relating to special controls in respect of buildings and areas of special architectural or historic merit. The legislation gives Local Planning Authorities a statutory duty to give special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

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 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.

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 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.

Paragraph 184 states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 185 indicates that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 189 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 190 states that local planning authorities should identify and assess the particular significance of any heritage asset affected by a proposal, including any development affecting its setting, taking account of the available evidence and any necessary expertise in order to minimize any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 193 sets out that in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 196 provides that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 197 states that the effect of a proposal on the significance of non-designated heritage assets should also be considered in the determination of applications and that a balanced judgement would be required having regard to the scale of harm or loss and the significance of the heritage asset.

Barrow on Soar Conservation Area Appraisal

Barrow upon Soar Conservation Area was designated in January 1976. It covers an area of about 29.8 ha (71 acres). The purpose of this appraisal is to examine the historical development of the Conservation Area and to describe its present appearance in order to assess its special architectural and historic interest. The appraisal is then used to inform the consideration of management and development proposals within the Area.

Within the Conservation Area there is a widespread use of local Charnwood granite and Swithland slate along with locally produced Barrow-on-Soar lime-mortar which contribute much to the particular character and appearance of the village. Red brick is now the predominant building material in the village, together with render. Welsh slate is the predominant roofing material although clay tiles and pantiles also feature within the Conservation Area.

The main contributions to the special character of Barrow upon Soar Conservation Area are:

- Church Street and Beveridge Street with their wealth of listed buildings;
- The changing views provided by the gently curving streets;
- The roundhouse on Church Street;
- The focal point of Jerusalem Island;
- The number of traditional shopfronts on High Street which are still intact;
- The two alms-houses, and their continuing use, with their associations to the village and its history;

- The Grand Union Canal and its associated open spaces, which is an integral part of Barrow upon Soar;
- The diversity of wildlife associated with the wetlands adjacent to the canal;
- The riverside scene at Barrow Boating and at Barrow Bridge.

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.

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.

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.

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.

Relevant Planning History

Reference	Description	Decision & Date
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P/16/1607/2	Change of use from storage (Class B8) to café (Class A3)	withdrawn 6/10/2016
P/16/0165/2	Certificate of lawfulness of existing use as storage (Class B8)	Granted unconditionally 21/03/2016
P/16/2262/2	Change of use from storage building (Use Class B8) to shop (Class A1) and café (Class A3)	Granted conditionally 28/11/2016
P/20/0422/2	To amend or remove conditions 4,5, and 6 of P/16/2262/2 (relating to change of use from B8 storage to A1 shop and A3 café)	Withdrawn as consent expired 01/06/2020

Responses of Consultees

The Council's Environmental Health Team has no objections to the principle of the development and notes that no kitchen extraction system is proposed. It recommends that if planning permission is granted, a similar restriction to Condition No. 3 of planning permission P/16/2262/2 should be imposed to limit the type and range of food which is available. This condition would be to prevent potential odour nuisance to nearby residents. The service also recommends that the number of customers using the outside seating area be restricted to 8 but this may be further limited through current social distancing requirements. This is in order to limit noise nuisance.

Borrow up on Soar Parish Council - objects to the proposal on the grounds that the access is not suitable for a public building and the change of use would cause privacy issues for the neighbours.

Other Comments Received

Councillor Fryer and Councillor Ranson have both raised concerns about the limited access of the site, the impact of the proposal on other residents, the development not being in character with the High Street and the lack of dedicated car parking.

Comments have been received from the occupiers and owners of 15 and 15a High Street and 17 Cotes Road

These can be read in full on the Council's website but are summarised below:-

- Noise nuisance from external customer seating area which is adjacent to a residential garden serving 15a High Street and noise would be disruptive to shift worker sleep patterns.
- The narrow passageway between providing access will impede social distancing arrangements.
- The use of clear glazing would result in loss of privacy
- The proposed business hours are considered excessive and should remain as previously approved.
- The gated access has always been locked – keeping it open during business hours would compromise security to the rear of the shops and flats above.
- No cooking of food should be allowed on the site to avoid smell nuisance.
- Any equipment to extract cooking odours would be noisy
- Food waste may attract vermin
- The building is not suitable for the proposed use.

In addition 3 letters of support have been received including comments that:

- The proposal would be a fantastic addition to the High Street & will enhance choice for customers visiting other shops and outlets
- The proposal, because of its location will offer a relaxed retreat
- The building has been beautifully renovated
- The use would complement other High Street shops
- The café would help bring the community together in difficult circumstances
- The proposed use would support a local family business

Non-Material Considerations which have been raised.

The access rights of passageway users are a private matter between all users and is not a relevant issue in the consideration of the planning application.

Consideration of the Planning Issues

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

1. Principle of Development
2. Impact on amenities in terms of noise, privacy & odour.
3. Impact on Heritage Assets
4. Car Parking

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.

Policy CS9 encourages town centre development which supports the vitality and viability of District and Local Centres where it is physically integrated into the defined centre and of an appropriate scale for that centre. The proposed use is considered to be compatible with and complementary to the existing range of shops and services within the village centre.

The site is located within Barrow upon Soar which is identified as a Service Centre within the adopted Core Strategy settlement hierarchy. As such, the village has a number of key services and facilities and good public transport links which allows it to provide for the daily needs of the people living there as well as supporting nearby communities. The site lies within the village centre, to the rear of the High Street frontage and the proposed use is considered to be a main village centre use as defined in and compatible with the adopted neighbourhood Plan.

The proposal therefore accords with Policies CS1, CS9 and Policy BuS7 of the Neighbourhood Plan. The principal of the development is therefore acceptable.

Impact on amenities in terms of noise, privacy & odour

Policies EV/1 and CS2 of the Development Plan seek to ensure development is not harmful to the amenity of adjacent occupiers. The main impacts of this change of use in terms of amenity are considered to be those relating to noise, privacy and odour.

It is acknowledged that the public use of the building would draw customers into what is effectively a private space although it is material to note that the same use has previously been found to be acceptable in this location, given the small scale of the proposal and its lawful use as a commercial store. However it is important to note the current proposal now includes an external seating area and slightly extended opening hours. The proposed opening hours are similar to those of other premises in the locality and it is considered that both placing a limit on these and restricting the use of the outside seating to 8 persons (as recommended by CBC environmental Health) will ensure that the use of the outdoor space remains compatible with the area and that noise and disturbance to local residents, especially the occupiers of No. 15a is kept to a minimum.

Because the proposal is close to residential properties there is the potential for cooking odours to impact on the amenity of these residents. The Council's Environmental health department has indicated that an external extraction system would have difficulty in achieving minimum standards because of the single storey nature of the building, with 2 storey buildings adjacent. A condition restricting the type of food which can be sold would also result in the reduction/elimination of cooking odours to acceptable levels, especially in the absence of an extraction flue to deal with these. As a result it is suggested that such a condition should be attached to any approval.

Owing to its historic use, the building has a very long window in its southern elevation which is close to the boundary of No. 15 and the garden used by the occupiers of the flat above. This window is currently wholly clear glazed and close to the external staircase to the rear of the shop which is used to access the flat. There is concern from the occupiers of No. 15a that privacy would be compromised when they use the staircase – i.e. from people looking up from below; and it is therefore recommended in the event planning permission is granted, a condition be imposed requiring the obscure glazing of the top half of the middle and the entire top row of glazed panes in the window on the southern side of the building. This will ensure that there is no overlooking to the stairs and private garden of No. 15a.

In these ways, the development would comply with policies CS2 and EV/1.

Impact of the proposal on heritage assets

The site lies within the Conservation Area but the building is not readily visible from public vantage points. The Conservation Area Character Assessment alludes to a history of framework knitting within the village during the first half of the 18th century but does not specifically mention the application site although it notes that outworkers from factories principally located in Leicester often worked within their own homes or in purpose built workshops to their rear. The elongated windows on both sides of the building suggest that it was previously used as a knitting workshop and is therefore a significant part of the heritage of the village. The building is not statutorily listed but could be regarded as a 'non-designated' heritage asset as described in Paragraph 197 of the National Planning Policy Framework because of its historic associations. However, the building has been repaired and refurbished with the configuration of its original windows being retained.

Because of its position within the street scene and Conservation Area, the building does not make a significant contribution to its character and appearance. It is therefore concluded that the proposal would cause no harm to the significance of the Conservation Area or its setting. As such, the public benefits of the proposal do not fall to be weighed in accordance with Paragraph 196 of the NPPF.

The proposal therefore accords with Policy CS14 of the Core Strategy and the proposal would at least preserve the character and appearance of the Conservation Area as set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Car parking

Policy BuS8 of the adopted Neighbourhood Plan states that new developments within or on the edge of the Village Centre should incorporate additional car parking spaces in accordance with the parking requirements set out in Appendix 4 of that document, unless it can be demonstrated that it would not be practical and the development would not add significantly to the demand for parking space. In this case the property lies to the rear of existing shop frontages where pedestrian access only is available and in common with many other shop premises there is no additional space to provide car parking. It is considered that the use would complement the range of uses on the High Street and within the village centre and would attract people already visiting for other purposes. It is considered therefore that the proposed use alone would not attract significant numbers of car-borne customers.

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 for various types of development but also accepts that these are to be a starting point for 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 application scale and type is such that the standing advice of the local Highway Authority would usually apply with parking standards set out in the Leicestershire Highways Design Guide and these are a starting point for assessing the requirement for on-site car parking. Policy TR/18 also sets out that the quantity of parking allowed will reflect the proposed use and the location of the development, the availability of public off-street parking and also refers to the potential accessibility of the site by non-car modes.

There is no dedicated off-street car parking associated with the proposed use and this is not unique to the application site. However, the building is sustainably located, on the High Street of the village, where there is good access to public transport including the train station, local bus services and a medium sized public car park within easy walking distance. The highway impacts of the development are not therefore considered to be 'severe' as defined in paragraph 109 of the NPPF and there is no highway related reason to support a refusal of planning permission. 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).

Conclusion

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

The proposed mixed A1/A3 use is considered to be compatible in the District Centre of Barrow on Soar and would not harm the significance of heritage assets and would be acceptable in highway safety terms and these factors have weight in the planning balance. It is considered that amenity harms can be satisfactorily mitigated through the imposition of planning conditions and it is material that there was a previous grant of planning permission for the same use in 2016.

Accordingly, and on balance 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 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 shall be carried out only in accordance with the details and specifications included in the submitted application, as shown on the approved drawings below:

A1200 P001 - 1:500 scale site location plan
A1200 P003 - elevation and floor plans

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

- 3 The food and drink for consumption at the premises shall be limited to that of a tea shop including hot and cold drinks, bakery products, sandwiches and snacks and shall exclude food requiring frying or deep fat frying.

REASON: The proposal excludes any provision for a mechanical fume and grease filtration and extraction system and the design of such a system for this specific site would give rise to visual and functional concerns. A restriction on the type of food available is necessary in order that odour nuisance to adjacent residential properties does not take place and that policies CS2 and EV/1 are met.

- 4 No use of the premises shall be carried out other than between 0900 hours and 1700 hours Monday-Saturday. There shall be no opening on Sundays or Bank Holidays.

REASON: The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents and that policies CS2 and EV/1 are met.

- 5 Notwithstanding the submitted plans, the consumption of food and drink outdoors on the premises shall be limited to 8 customers at any one time.

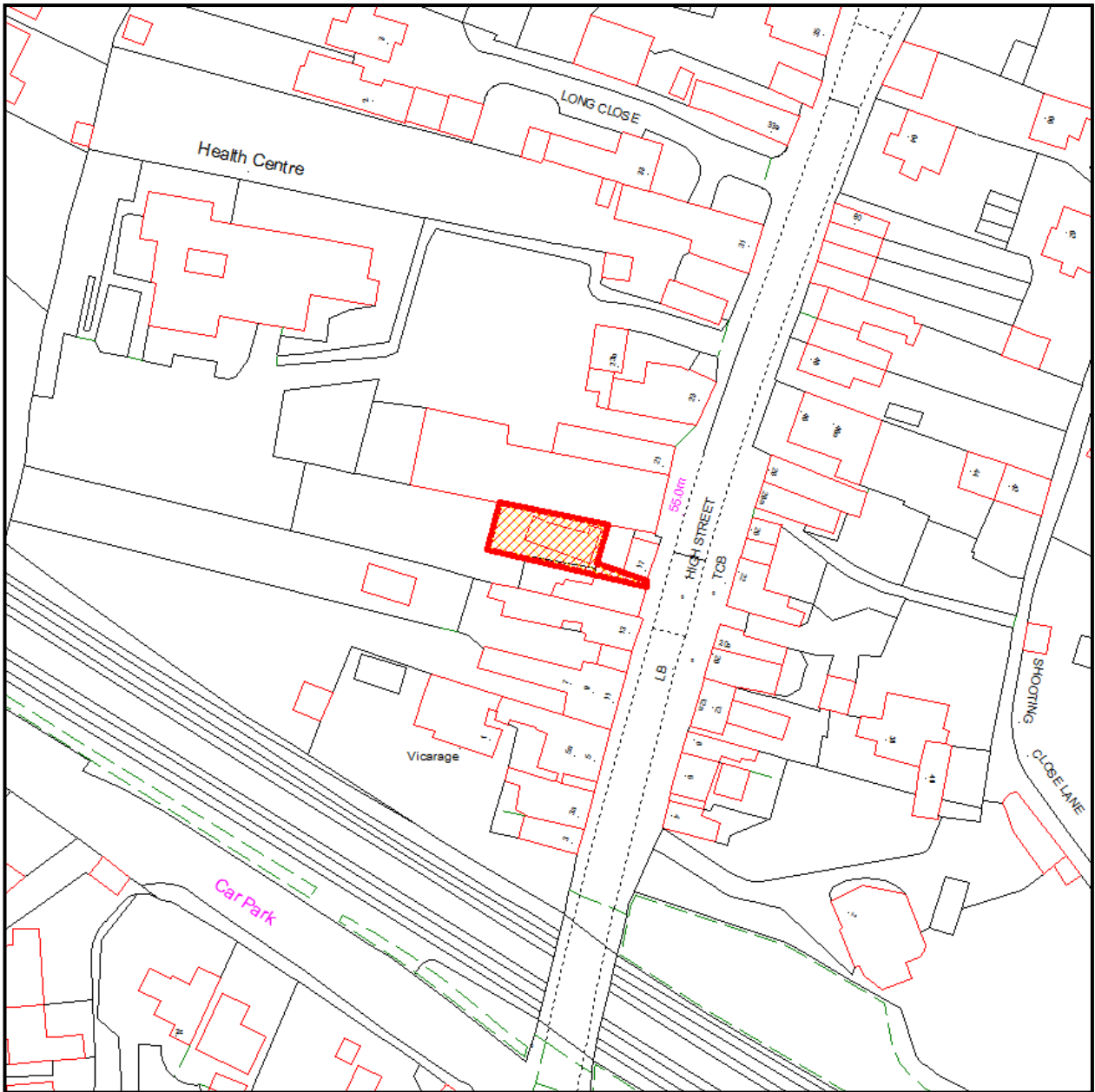
REASON: The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents and that policies CS2 and EV/1 are met.

- 6 Prior to the commencement of the use hereby permitted, the top row of glazed panes and the top half of the middle row of glazed panes in all windows in the southern elevation shall be fitted internally with obscured glazing or obscuring film to the existing glazing equivalent of Privacy Level 3 or above on the Pilkington scale of privacy and which shall thereafter be retained at all times. No changes shall be made to these windows nor shall any additional windows be inserted in this elevation thereafter.

REASON: To minimise the effect of the development on the privacy and amenities of nearby residents.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS2, CS9, CS14 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 and the Policies of the adopted Neighbourhood 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, it is generally in accord with the terms of the above-mentioned policies and, otherwise, no harm would arise such as to warrant the refusal of planning permission.
- 3 In addition, as the proposed development is located within a conservation area, the Council has considered whether it would enhance or preserve its character and appearance. Planning permission has been granted on the basis of the Council's opinion that the development would, at least, preserve that character.



Item. 03

Application Reference Number P/20/0290/2

Application Type:	Full	Date Valid:	12/02/2020
Applicant:	Mr Adrian Russell		
Proposal:	Partial demolition and conversion and change of use of the host building from Use Class B2 to Use Class C3, and erection of two-storey extension to create a new apartment building comprising of 9 no. apartments.		
Location:	1 Albert Street Loughborough Leicestershire LE11 2DW		
Parish:	Loughborough	Ward:	Loughborough Southfields
Case Officer:	Jeremy Eaton	Tel No:	01509 634692

This item is referred to Plans Committee in accordance with the Council's Scheme of Delegation embedded within Section 8.2 of the Constitution, following a 'Call-in' request from the Ward Councillor, Councillor Ted Parton. Councillor Parton objects to the proposed development. Concerns relate to the inadequate provision of off-street vehicular parking provision, increased traffic generation and highway safety.

Description of the site

The application site relates to the premises of No. 1 Albert Street, which is situated to the south-western corner at the highway junction of Albert Street and Royland Road/Bedford Street, within the Development Limits to the town of Loughborough.

The site is adjoined by residential properties, No. 3 Albert Street and an apartment scheme on Royland Road (comprising of 10 no. apartments), to the south-eastern and south-western boundaries respectively.

The site is occupied by a vacant Victorian factory building which is understood to have previously been occupied by GTG Engineering Co. (Loughborough) Ltd. for the purposes of an engineering use under Use Class B2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). The site has been vacant since 1st May 2019.

The factory building is a part single, part two, and part three-storey building. To the north-western end of the application site, adjacent to the host building, is an area of hardstanding which is served by an existing gated vehicular access off Royland Road.

The application site is located within the Loughborough Victoria Street Conservation Area, and lies to the south of the Loughborough Emmanuel Church Conservation Area.

The application site is located within Flood Zone 1.

The Application Proposals

This application seeks full planning permission for the conversion and change of use of an existing factory building and outbuildings to residential use, the demolition of a single storey rear extension to the original Victorian factory building a, a two storey extension and the addition of a third floor to an existing two storey extension. The works would create a residential development of 9 no. apartments.

The external areas around the building are proposed to be landscaped, and would include an area of communal amenity space. Provision will be made for bin and cycle storage, and a laundry facility, to the rear of the building.

The existing vehicular access off of Royland Road is proposed to be stopped-up, and is proposed to be replaced by a pedestrian access. In addition, the existing brick wall to the north-eastern and north-western boundaries of the application site is proposed to be lowered, to approximately 1.5m in height.

The application has been accompanied by the following plans:

- Site Location Plan;
- Drawing No. 1975/01 (Floor Plans and Site Layout As Existing);
- Drawing No. 1975/02 (Elevations As Existing);
- Drawing No. 1975/03 (Floor Plans and Site Layout As Proposed);
- Drawing No. 1975/04 (Existing Streetviews); and
- Drawing No. 1975/05 (Proposed Streetviews).

In addition, the application has been accompanied by the following information:

- Planning, Design & Access and Hertiage Statement;
- Phase I & II Geo-Environmental Investigation Report;
- Daytime Bat Survey Report; and
- Parking Technical Note - June 2020.

Development Plan Policies

Charnwood Local Plan Core Strategy 20011-2028 (Adopted 9th November 2015)

The policies relevant to this proposal include:

Policy CS1 - Development Strategy - sets out the development strategy for the Borough, including a settlement hierarchy. Loughborough, along with Shepshed, is identified within the second settlement tier after the Leicester Principal Urban Area, whereby sustainable development which contributes towards meeting the Council's remaining development needs, supports the Council's strategic vision and makes effective use of land will be more favourably considered.

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; protect the amenity of people who live or work nearby, provide attractive well managed public and private spaces; well defined and legible streets and spaces and reduce their impact on climate change.

Policy CS3 – Strategic Housing Needs - outlines that the Borough Council will manage the delivery of at least 13,940 new homes between 2011 and 2028 to balance our housing stock and meet our community’s housing needs. This will be done seeking an appropriate mix of types, tenures and sizes of homes, having regard to identified housing needs and the character of the area; and seeking all new housing to be built to 'Lifetime Homes', where feasible.

Policy CS7 – Regeneration of Loughborough – supports development that contributes to the regeneration of the town of Loughborough.

Policy CS13 - Biodiversity and Geodiversity - seeks to conserve and enhance the natural environment and to ensure development takes into account impact on recognised features.

Policy CS14 - Heritage - sets out to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make.

Policy CS16 - Sustainable Construction and Energy - supports sustainable design and construction techniques.

Policy CS25 - Presumption in Favour of Sustainable Development - sets out a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

Borough of Charnwood Local Plan 1991-2026 (adopted 12 January 2004) ('saved' policies)

The policies relevant to this proposal include:

Policy ST/2 - Limits to Development - aims to confine development to land within the Limits to Development identified on the Proposals Map.

Policy EV/1 - Design - seeks to ensure a high standard of design for developments which respect the character of the area, nearby occupiers, and is compatible in mass, scale, layout, whilst using landforms and other natural features. It should meet the needs of all groups and create safe places for people.

Policy TR/18 - Parking in New Development - seeks to set the maximum standards by which development should provide for off street vehicular and cycle parking dependent on floorspace or dwelling numbers.

Other material considerations

The National Planning Policy Framework 2019 (NPPF)

The National Planning Policy Framework is a material consideration in planning decisions. The NPPF seeks to achieve sustainable development that fulfils economic, social and environmental objectives.

Paragraph 11 states that where development accords with an up to date Development Plan it should be granted planning permission but that where relevant policies are absent or the policies which are most important for determining the application are out of date permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- policies in the NPPF that protect areas or assets of importance provide a strong reason for refusal.

Paragraph 12 adds further emphasis to the primacy of the development plan stating that where proposals don't accord with an up to date development plan they should normally be refused unless material considerations indicate otherwise.

In terms of the remainder of the National Planning Policy Framework, sections relevant to the consideration of this application include the following:

Paragraph 59 outlines that in order to support the Government's objective of significantly boosting the supply of homes, it is important that, amongst other things, the needs of groups with specific housing requirements are addressed.

Paragraph 61 states that planning policies should consider the need for housing for different groups in the community.

Paragraph 63 outlines that affordable housing should not be sought for residential development proposals that do not constitute major developments, other than in designated rural areas.

Paragraph 68 states that to promote the development of a good mix of residential sites Local Planning Authorities should, amongst other things, support the development of windfall sites through their decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 108 states that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, given the type and location of development; and that safe and suitable access to the site can be achieved for all users.

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

Paragraph 117 promotes the effective use of previously-developed or brownfield land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 118 outlines that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

Paragraph 127 seeks to foster high quality design.

Paragraph 155 outlines that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk; however, where development is necessary in such areas, it should be made safe without increasing flood risk elsewhere.

Paragraph 163 states that planning decisions should ensure that flood risk is not increased elsewhere. Development should only be allowed in areas at risk of flooding where it can be demonstrated that: within the application site, the most vulnerable development is located in areas of lowest risk, unless overriding reasons exist; the development is appropriated flood resilient; it incorporates sustainable drainage systems (where relevant); any residual risk can be safely managed; and safe access and escape routes are included (where appropriate) as part of an emergency plan.

Paragraph 170 outlines that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, minimising impacts on and providing net gains for biodiversity, and preventing new development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of pollution and should remediate and mitigate any contaminated land.

Paragraph 184 outlines that heritage assets should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 190 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).

Paragraph 192 outlines that in determining planning applications, Local Planning Authorities should take account of, amongst other things, the desirability of sustaining and enhancing the significance of heritage asset, and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraphs 193 to 199 relate to the assessment of the impact of development proposals on designated and non-designated heritage assets.

National Planning Practice Guidance (NPPG)

This document provides additional guidance to ensure the effective implementation of the planning policy set out in the NPPF. The NPPG is a web-based resource that is continually updated.

Design Supplementary Planning Document (SPD)

This document sets out the Local Planning Authority's design guidance to support the Charnwood Local Plan 2011-2028 Core Strategy (2015) and the "saved" policies of the Borough of Charnwood Local Plan 1991-2026, which is intended to encourage, promote and inspire a higher standard of design.

Housing SPD

This document sets out the Local Planning Authority's guidance to support the Charnwood Local Plan 2011-2028 Core Strategy (2015) and the "saved" policies of the Borough of Charnwood Local Plan 1991-2026.

Leicestershire Highways Design Guide

This document sets out the Local Highways Authority's design guidance in respect of highway matters.

Loughborough Victoria Street Conservation Area Character Appraisal

This document sets out a character appraisal for the Loughborough Victoria Street Conservation Area.

Loughborough Emmanuel Church Conservation Area Character Appraisal

This document sets out a character appraisal for the Loughborough Emmanuel Church Conservation Area.

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

The 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. Whilst the objectively assessed need figure remains untested in a plan making environment and is therefore not to be relied upon at the current time, the housing mix evidence can be accorded significant weight as it reflects known demographic changes.

Relevant Planning History

The application site has the following planning history:

- P/19/1749/2 - Partial demolition of existing single-storey extensions, erection of a two-storey extension and conversion to create 5 no. apartments (Advice) - Pre-Application Advice Provided (23.09.2019); and
- P/19/2338/2 - Partial demolition of existing single-storey extensions, erection of a two-storey extension and conversion to create 5 no. apartments and creation of 4 self-contained studio apartments (Advice) - Pre-Application Advice Provided (09.12.2019).

Response of Consultees

Charnwood Borough Council (Councillor Ted Parton)

Objection raised by Councillor Parton. Concerns relate to the inadequate provision of off-street vehicular parking provision, increased traffic generation and highway safety.

Charnwood Borough Council (Environmental Health)

No objection raised.

Leicestershire County Council (Local Highway Authority)

No objection raised. The Local Highway Authority advise that, in their view, the impacts of the proposed development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Subject to Planning Conditions (see Planning Conditions No.'s 12-14, below) and Informative Notes (see Informative Note No. 5, below), the proposed development is considered to be in accordance with the relevant provisions of Paragraph 109 of the National Planning Policy Framework.

Leicestershire County Council (Lead Local Flood Authority)

No objection raised. The Lead Local Flood Authority have referred the Local Planning Authority to their Standing Advice.

Other Comments Recieved

Six letters of objection have been received in connection with this planning application. The comments made are summarised below:

- It is suggested that the local road network already experiences on-street parking problems;
- It is suggested that the proposed development has inadequate provision of off-street vehicular parking, which will lead to an increased demand for on-street parking in the local area, which in turn would exacerbate the existing on-street parking problems within the local area; and
- a further representation encloses a Parking Capacity Survey. This Survey covers the local road network, including Albert Place, Albert Street, Burton

Street, Gray Street, Park Street, Princess Street and Victoria Street, over the period 6th March 2020 to 16th March 2020.

Six letters of support have been received and the comments are summarised below:

- It is suggested that the proposed development will provide affordable, smaller-sized residential units within the town of Loughborough;
- It is suggested that the re-development of the application site and the host commercial building is a positive response, which would result in the retention and extension/alteration of the host building which, in turn, will enhance the character and appearance of the application site and the wider local area;
- It is suggested that the proposed development will represent sustainable development within a sustainable location, where future residents would have access to local services and amenities available within Loughborough, and access to public transport; and
- It is suggested that the proposed development would improve highway safety by virtue of the proposed stopping up of the vehicular access to the application site off of Royland Road.

Consideration of the Planning Issues

This application is for Full Planning Permission, and the principal issues for consideration in this case relate to the following matters:

- The principle of the proposed development;
- Housing mix;
- Design;
- The impact on designated heritage assets;
- Residential amenity;
- Land contamination;
- Ecology;
- Flood risk/drainage; and
- Highway matters.

Principle of the proposed development

The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The relevant parts of the Development Plan for Charnwood in terms of this application comprise the Charnwood Local Plan 2011-2028 Core Strategy (2015) and those saved policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy.

The application site is located within the Development Limits to the town of Loughborough, as established under “saved” Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026.

“Saved” Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026 outlines that built development will be confined to sites within Limits to Development, unless

specific exceptions exist under other Development Plan policies that would otherwise allow for development outwith Limits to Development.

Policy CS1 of the Charnwood Local Plan Core Strategy 20011-2028 sets out the development strategy for the Borough, including a settlement hierarchy. Loughborough, along with Shepshed, is identified within the second settlement tier after the Leicester Principal Urban Area, whereby sustainable development which contributes towards meeting the Council's remaining development needs, supports the Council's strategic vision and makes effective use of land will be more favourably considered.

Policy CS7 of the Charnwood Local Plan Core Strategy 20011-2028 outlines that proposals which contribute to the regeneration of the town of Loughborough will be supported.

In this case, whilst the proposed development will result in the loss of a building used for employment, this will not result in the loss of any designated Employment Land, either within the town or within the Borough. The extant planning policies of the Development Plan would not restrict the loss of this non-designated employment site, in which case this element of the proposal would be considered to be acceptable in principle.

With regard to the proposed residential development, the site lies within the town of Loughborough, which is considered to be a sustainable location for housing growth. As a result, there is no conflict with the Development Plan in terms of housing growth. In addition, by virtue of the proposed development including the re-use of a currently vacant building, this will assist in terms of the regeneration of the town. Accordingly, this element of the proposal would be considered to be acceptable in principle.

Charnwood Borough Council are currently able to demonstrate a 5-year supply of deliverable housing sites. This is outlined within the Council's 'Five Year Housing Land Supply – 31st March 2020' statement, which indicates a supply of 5.52 years. Accordingly, the Development Plan policies which restrict the supply of housing (notably Policy CS1 of the Charnwood Local Plan Core Strategy 20011-2028 and "saved" Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026 in this case) are considered to be up-to-date in respect of Paragraph 11 of the National Planning Policy Framework (the presumption in favour of sustainable development), in which case they are wholly relevant to the determination of this planning application submission, and full weight of the Development Plan therefore applies to them.

In view of the above, it is considered that the principle of the proposed development would be acceptable in this case, in line with the relevant provisions of Policies CS1 and CS7 of the Charnwood Local Plan Core Strategy 20011-2028 and "saved" Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026. Furthermore, it is considered that the proposed development would likely be in accordance with the relevant provisions of the National Planning Policy Framework.

Housing mix

Policy CS3 of the Charnwood Local Plan Core Strategy 20011-2028 outlines a requirement to secure an appropriate housing mix having regard to the identified housing needs and the character of the area. The Housing SPD provides further guidance in support of Policy CS3.

The Leicestershire Housing and Economic Development Needs Assessment (HEDNA) 2017 outlines a recommended housing mix for the Borough in respect of both market and affordable housing. This includes the following market housing mix: 0-10% 1-bedroom, 25-35% 2-bedroom, 45-55% 3-bedroom and 10-20% 4-bedroom.

The housing mix proposed as part of the proposed residential development scheme includes 9 no. studio apartments, all of which will comprise market housing. This equates to 100% of all units comprising 1-bedroom dwellings.

In this case, it is considered that the housing mix proposed would not be in line with the recommended housing mix contained within the Housing & Economic Development Needs Assessment (HEDNA), and this is a material consideration in this case. Notwithstanding the above, this proposal relates to the conversion of an existing and vacant building within a town centre location where the limitations of the building and the development economics dictate the size of the flats that can be realised. Having regard to Policy CS3 of the Charnwood Local Plan Core Strategy 20011-2028, it is considered that the housing mix proposed would be acceptable in this case as it would result in the creation of smaller-sized residential units within the town of Loughborough, which in turn would be considered to be compatible with the adjoining and wider residential development located within the town centre.

In view of the above, it is considered that the proposed development would be in accordance with the relevant provisions of Policy CS3 of the Charnwood Local Plan Core Strategy 20011-2028.

Design

Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026 seek to ensure high quality design and layout, which respects the character and appearance of the building and is compatible with the streetscene and wider built context.

In support of this application, the Applicant has submitted a Planning, Design & Access and Heritage Statement.

The proposed development will retain the original Victorian factory building on-site, proposing only demolition of the later single-storey extensions to the rear of the building.

In respect of the retained building, the proposed conversion works will include minor alterations to the existing fenestration/door design to the front elevation, the insertion of new windows and Juliet balconies to the rear and side elevations, the replacement of existing doors and windows and the re-rendering of the building’s facades. The proposed extensions to the retained building will include the creation of two

subservient two-storey, hipped-roof elements to the rear together with a third-floor extension above an existing two-storey rear extension.

It is considered that these works, by virtue of siting, scale, massing, material treatment and overall appearance, would be in keeping with and would enhance the character and appearance of the existing building on-site. In combination with the proposed landscaping scheme, it is considered that the proposed development would improve the character and appearance of the application site, in comparison to that existing, and would result in an enhanced street frontage along Royland Street, on a prominent corner plot. It is considered that this form of proposed development would enhance the character and appearance of the street scenes along Albert Street, Browns Lane and Royland Road, and the wider local area.

In the event that Members are minded to approve the proposal, given the prominent town centre location of the site, it is recommended that a planning condition is attached to any approval which secures further details of the proposed materials and constructional details. Conditions requiring further details of landscaping and boundary treatments are also recommended for the same reason.

In view of the above, and subject to planning conditions, it is considered that the proposed development would be acceptable on design grounds, in accordance with the relevant provisions of Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 and "saved" Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026. Furthermore, it is considered that the proposed development would be in accordance with the relevant provisions of Chapter 12 of the National Planning Policy Framework.

The impact on designated heritage assets

The application site is located within the Loughborough Victoria Street Conservation Area, whilst it lies outside, to the south of, the Loughborough Emmanuel Church Conservation Area, both of which comprise designated heritage assets.

In context of Conservation Areas, Section 72(1) of The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 advises Local Planning Authorities that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Policy CS14 of the Charnwood Local Plan Core Strategy 20011-2028 seeks to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make.

Chapter 16 (Paragraphs 184 to 202) of the National Planning Policy Framework sets out Central Government's policy in respect of heritage assets, and seeks to conserve and enhance historic assets for current and future generations. Paragraph 190 outlines that an assessment of the significance of the heritage asset to be affected is required before than assessing the level of impact caused to the heritage asset by virtue of that proposed. The assessment of harm to the heritage asset is addressed under Paragraphs 193 to 202.

In support of this application, the Applicant has submitted a Planning, Design & Access and Heritage Statement.

The Loughborough Victoria Street Conservation Area Character Appraisal outlines that the Conservation Area forms an integral part of Loughborough's inner urban area, and its essential character of the area is one of being a quiet residential area. The application site is located within the Victoria Street – Burton Street part of the Conservation Area, which largely comprises a residential area containing a variety of housing ranging from detached and semi-detached houses to substantial terraced villas and terraces of smaller houses; however, there are a few non-residential buildings within the Conservation Area, including the application site premises.

Albert Street, along with a few other streets within the Victoria Street – Burton Street part of the Conservation Area, are particularly significant as they comprised the first streets to be developed outside the tight-knit medieval and Georgian town. Albert Street represents the most-intensively developed street within the Conservation Area, and comprises terraced properties located within relatively small-sized plots.

Buildings located within the Conservation Area are generally of a modest scale of no more than three-stories in height. The larger institutional and non-residential buildings within the Conservation Area tend to have a presence within the streetscene; however, they are modest in scale, and do not dominate the surrounding buildings. Material treatments for the buildings are drawn from a relatively small palette of materials, including red brick (typically laid in Flemish bond, often with contrasting headers), and to a lesser extent stucco render, to the walls under plain clay tile or Welsh slate roofs. Stone is largely used as a decorative rather than a principal building material. Timber has traditionally been used for fenestrations and doors, and there is a whole range of surviving timber sash and casement windows and panelled doors throughout the Conservation Area. The buildings within the Conservation Area tend to have a wealth and variety of surviving architectural details that make a positive contribution to the character and appearance of the Conservation Area. These details often display the individuality of the builder or developer. As a result of the above, this results in a pleasant, consistent appearance within the Conservation Area, which in turn contributes to the sense of place.

The application site is not specifically referred to within the Loughborough Victoria Street Conservation Area Character Appraisal, nor is the building statutory or locally listed. Notwithstanding this, in this case, it is considered that the significance of the application site and host building in context of the Conservation Area is predominantly in connection with its historic industrial use, and architecturally, the fenestration design which is associated with its past use.

The proposal would preserve the character, appearance, and architectural details of the former works. The link to its past use, would be retained. In addition, in combination with the proposed landscaping scheme, it is considered overall that the proposal will enhance the character and appearance of the application site.

In this case, it is considered that the proposed development would not result in an incongruous form of development which would be out of keeping with the prevailing character and appearance of the local area. Indeed, it is considered that the proposal

would blend in with the surrounding built context, and in turn would assimilate well into the existing street scenes to Albert Street, Browns Lane and Royland Road. As a result it is considered the proposal would not result in harm to the significance of the Loughborough Victoria Street Conservation Area or its setting.

With regard to the Loughborough Emmanuel Church Conservation Area, which lies to the north of the application site, the character of this Conservation Area is focused on the Emmanuel Church and a short section of Victorian and Edwardian residential development located along Forest Road, that were constructed during the 19th Century. These buildings form the architectural core of the Conservation Area. The character of the Conservation Area is further enhanced by the areas of green space and landscape planting located across the Conservation Area, which form an important backdrop to the built development. Due to the siting of the proposal and its level of separation from this asset it is not considered that there would be any harm to its significance

Accordingly, it is considered the proposal would not harm the significance of designated heritage assets (Loughborough Victoria Street Conservation Area and Loughborough Emmanuel Church Conservation Area), or their settings. Additionally the proposal would conserve the significance of these assets which meets the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS14 and the relevant provisions of Chapter 16 of the National Planning Policy Framework.

Residential amenity

Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026 seek to protect the amenities of nearby properties.

Whilst this application proposes the conversion of the existing building, it also includes proposals for a two-story extension and a third floor addition to an existing two-storey rear extension, which need to be considered in terms of its impact on existing residential amenity.

In order to objectively assess the impact of the proposed development upon existing residential amenity, the Council has adopted the Design SPD, which relates to matters of design and residential amenity. The guidance outlines that there are three main ways in which development can impact upon residential amenity:

- Loss of light (overshadowing);
- Loss of privacy (overlooking); and
- The erection of an over dominant or overbearing structure (outlook).

The neighbouring residential properties which would potentially be most affected by the proposed development in respect of the above matters include No. 3 Albert Street and the apartment building on Royland Road, which adjoin the south-eastern and south-western boundaries of the application site respectively, and No.'s 29-33 Albert Street which are located opposite the application site to the north-eastern side of Albert Street. It is not considered that the amenity of the other neighbouring residential properties would be significantly impacted by the proposal.

No. **3 Albert Street**, has previously been extended to the rear following the grant of Planning Permission reference P/00/2356/2 by the Local Planning Authority on 6th February 2001. This property has a part single-storey, part two-storey rear extension projecting from its original rear elevation building line. Its side elevation forms a blank, un-fenestrated façade; whilst its rear elevation incorporates a principal habitable room window at ground floor level, which serves a kitchen, with a non-habitable room window at first floor level, which serves a bathroom.

In this case, based on the guidance contained within the Design SPD, there would be no significant loss of natural day light to the adjoining property (No. 3 Albert Street), specifically in context of the ground floor habitable room window. In addition, it is considered that the proposed development would not unduly affect the outlook from these ground floor windows and be overbearing in nature. Furthermore, by virtue of the orientation of the two properties, i.e. the application site and proposal being located to the north-west of No. 3 Albert Street, it would be expected that no loss of access to sunlight would occur. Whilst there are no concerns that the proposed development would result in any opportunities to overlook the rear elevation of No. 3, there are concerns that the proposed development would result in increased opportunities to overlook the private amenity space to this neighbouring property by virtue of the first floor windows that are proposed to the south-eastern elevation of the proposed extension. However, given that these windows serve a corridor/landing area, and hallway and bathroom to Apartment No. 8, it is considered that these windows could be restricted to be made to be obscurely glazed and non-opening, which could be secured by way of a planning condition, in order to overcome such concerns. Accordingly, it is considered that the proposed development would not be detrimental to the residential amenities to the current occupants of this neighbouring residential property.

With regard to the **apartment building on Royland Road**, it is considered that the the proposed development has been sensitively designed to ensure a satisfactory relationship can be achieved. The proposal would be sited between 1.35m and 1.76m from the side elevation to this building. As the side elevation is largely a blank, un-fenestrated façade, (with the exception of a roof light located with the north-eastern roof slope, which serves a staircase), there would be no material loss of light, privacy or outlook to this side elevation.

Although the proposed building would sit approximately 3.54m forward of the front elevation of the neighbouring apartment building, the closest windows serve an entrance door and bathroom. These are both non-habitable room windows, meaning there would be no material loss of light or outlook. The rear elevation of the building would not be impacted as the proposal does not project back behind this. Accordingly, it is considered that the proposed development would not be detrimental to the residential amenities of the current occupants of this neighbouring apartment building.

With regard to **No.'s 29-33 Albert Street**, the proposal is sited approximately 8.43m from the front elevations of these residential properties, orientated to the south-west and separated by the road. Whilst the building will be subject to a proposed change of use, these elevations will largely remain as existing, with the exception of some

relatively minor changes to the existing fenestration/door design. As a result, it is considered that the proposed development would not result in any adverse harm to the current occupiers of these neighbouring residential properties by reason of being overbearing in nature and loss of light both natural day and sun light. Whilst the proposed residential use of the building could result in increased opportunities to overlook the front elevations of these neighbouring properties, in comparison to the existing use, it is considered that the relationship with these neighbouring properties would be similar to the relationship of the surrounding residential development along Albert Street, accordingly it is considered that the proposed development would not result in any significant harm in respect of the residential amenities to these neighbouring properties by reason of overlooking, and consequent loss of privacy.

In summary of the above, and subject to planning conditions, it is considered that the proposed development would not adversely affect the residential amenities of the current occupants of the neighbouring residential properties.

With regard to the proposed apartments, it is considered that the proposed development would provide a good standard of amenity to its future occupants. The apartments are all of a good size and have access to suitable outdoor amenity areas.

It is considered that the proposed development would be in accordance with the relevant provisions of Paragraphs 127 of the National Planning Policy Framework, Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

Land contamination

Paragraph 170 of the National Planning Policy Framework outlines that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, preventing new development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of pollution, and remediating and mitigating contaminated land where appropriate.

In support of this application, the Applicant has submitted a Phase I & II Geo-Environmental Investigation Report, prepared by Geo Matters Ltd, dated November 2019.

This report outlines that whilst the application site has elevated concentrations of metals and Polycyclic Aromatic Hydrocarbons (PAHs) within localised made ground materials, no feasible pollutant linkages have been identified at this stage in connection with the application site. Remediation measures in respect of the hard and soft landscaping of the application site have been identified within this report.

Charnwood Borough Council’s Environmental Health Team have been consulted in connection with this planning application. No objection has been raised.

In view of the above, and subject to the imposition of a planning condition to ensure that the remediation measures outlined within the Phase I & II Geo-Environmental Investigation Report are secured, it is considered that the proposed development would not be adversely affected by reason of land contamination.

In view of the above, and subject to planning conditions, it is suggested that the proposed development would be in accordance with the relevant provisions of the National Planning Policy Framework, notably Paragraph 170.

Ecology

Policy CS13 of the Charnwood Local Plan Core Strategy 20011-2028 seeks to ensure protected species are not harmed as a result of development proposals and wherever possible enhance the potential through landscaping and drainage solutions to provide development that promotes ecological benefit.

In support of this planning application, the Applicant has submitted a Daytime Bat Survey Report, prepared by Emec Ecology, dated November 2019.

This report outlines that a site survey was undertaken on 19th November 2019. No evidence of roosting bats was found during the site survey, and it outlined that the application site has no features that were considered suitable for roosting bats. As a result, no further requirement for additional survey work was identified, and no mitigation was deemed to be required.

This report also considered the potential impact on nesting birds. Whilst historical evidence of bird nesting materials were found within the roof void of the host building, it is understood that this dates to before the existing roof was re-lined. No evidence of any subsequent bird nesting was found during the site survey, and it outlined that the application site has no features that were considered suitable for nesting birds, with no access points identified. As a result, no mitigation was deemed to be required.

In this case, it is considered that no harm would arise in context of biodiversity.

In view of the above, it is considered that the proposed development would be in accordance with Policy CS13 of the Charnwood Local Plan Core Strategy 20011-2028, and the relevant provisions of the National Planning Policy Framework.

Flood risk/drainage

Policy CS16 of the Charnwood Local Plan Core Strategy 20011-2028 encourages sustainable design and construction and directing development to location 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.

Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 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.

Paragraph 163 of the National Planning Policy Framework requires local planning authorities to ensure that, when determining planning applications, flood risk is not increased elsewhere and to only consider development in areas of flood risk where,

informed by a site-specific flood risk assessment and will not put the users of the development at risk.

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. This is supported by the Council's own mapping data.

With regard to the proposed development, the proposed residential use is classified, under Table 2: Flood Risk Vulnerability Classification within the National Planning Practice Guidance, as 'more vulnerable' development. As per Table 3: Flood Risk Vulnerability and Flood Zone 'Compatibility' within the the National Planning Practice Guidance, 'more vulnerable' development would be considered acceptable within Flood Zone 1. Therefore, residential development within Flood Zone 1 is considered to be acceptable in principle in line with Paragraph 163 of the NPPF and Policy CS16 of the Charnwood Local Plan (Core Strategy).

The Application Form outlines that the method of foul and surface water drainage will be achieved by way of the mains sewer. This matter would be covered under Part H of the Building Regulations procedure and accordingly, there would be no grounds to refuse planning permission in respect to drainage.

Leicestershire County Council (Lead Local Flood Authority) were consulted, and no objection has been raised although Standing Advice is referred to.

In view of the above, it is considered that the proposed development would be in compliance with the relevant provisions of Policies CS2 and C16 of the Charnwood Local Plan Core Strategy 20011-2028, and the relevant provisions of the National Planning Policy Framework.

Highway matters

"Saved" Policy TR/18 of the Borough of Charnwood Local Plan 1991-2026 sets out vehicular and cycle parking standards in respect of development proposals.

Paragraph 108 of the National Planning Policy Framework states that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, given the type and location of development; and 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.

In support of this planning application, the Applicant has submitted a Parking Technical Note, prepared by Mewies Engineering Consultants Ltd., dated June 2020.

As part of the proposed development, it is intended that the existing vehicular access off Royland Road would be stopped-up. A new pedestrian access off Royland Road would be created to serve the proposed development.

It is considered that this would result in improvements in respect of matters of highway safety, given that this proposal would remove an existing vehicular access that is sited at the T-junction of Royland Road and Browns Lane. The Highway Authority have supported the closure of this access point.

In terms of vehicular and cycle parking provision, "saved" Policy TR/18 of the Borough of Charnwood Local Plan 1991-2026, states a maximum 14 vehicular spaces should be provided. In addition, this Policy outlines that the proposed development should provide a maximum of 2 no. cycle spaces.

No off-street vehicular parking provision is provided within the application site; however, space for 10 cycles is proposed in a cycle store.

With regard to the immediate local highway network, Browns Lane and Royland Road are subject to parking restrictions, including double-yellow lines and time restrictions in parts, whilst the other residential roads in close proximity to the application site, are subject to these restrictions as well as resident only permit parking schemes. As a result, it is considered that these parking restrictions would restrict indiscriminate vehicular parking within the public highway. Furthermore, given that the proposed development would comprise a multi-occupation development, it would be expected that the future occupiers of the proposed apartments would not be allocated a residents parking permit to park within the local highway network, as confirmed by the Local Highway Authority. Therefore, the future occupiers of the proposed development would be reliant upon the public car parks which are available within walking distance of the application site, such as the Bedford Square, Beehive Lane and the Leisure Centre car parks, in order to park their vehicles. Given the availability of public car parks within the local area, it would be expected that the proposed development would not lead to on-street vehicular parking, nor would the proposal exacerbate any existing parking issues within the vicinity of the application site.

Additionally the application site is located within walking and cycling distances of the town centre, and the available amenities and facilities available within Loughborough, and is also accessible via public transport. Therefore, it would not be expected that the future occupiers of the proposed development would be wholly reliant on the private car.

In respect of the cycle parking provision, a cycle store would be created within a retained outbuilding to serve the 9 no. apartments. A total of 10 no. cycle parking spaces would be provided with the cycle store. This provision would be in line with the guidance contained within the Leicestershire Highways Design Guide, which outlines a minimum provision of 1 no. cycle space per 5 no. dwellings. It is considered that this over-provision would encourage future occupiers to cycle, and would also assist in terms of offering future residents a viable alternative means of travel as opposed to being reliant on the private car.

Leicestershire County Council (Local Highways Authority) was consulted in connection with this planning application. The consultation response received outlines that the Local Highways Authority raises no objection in respect of the proposed development, and it has advised that, subject to Planning Conditions (see Planning Conditions No.'s 12-14, below) and Informative Notes (see Informative Note No. 5, below), the impacts of the proposed development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.

On balance, whilst the proposed development would not include any off-street vehicular parking provision, and, therefore, would be contrary to the relevant provisions of "saved" Policy TR/18 of the Borough of Charnwood Local Plan 1991-2026, it is considered this is balanced by the location of the proposal close to public car parks, within walking distance of the town centre and the provision of cycle storage facilities. Therefore the proposed development is considered acceptable and would not merit refusal of planning permission in this case subject to the proposed Planning Conditions and Informative Notes outlined by the Local Highway Authority

Conclusion

The proposed development would be acceptable in principle in accordance with the relevant provisions of Policies CS1 and CS7 of the Charnwood Local Plan Core Strategy 20011-2028 and "saved" Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026.

In addition, the proposed development is considered to be acceptable in respect of the matters of housing mix, design, heritage, residential amenity, land contamination, ecology, flood risk/drainage and highway safety, in accordance with the relevant provisions of "saved" Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026 and Policies CS2, CS13, CS14, CS16 and CS25 of the Charnwood Local Plan Core Strategy 20011-2028. Furthermore, it is considered that the proposed development would be in accordance with the relevant provisions of the National Planning Policy Framework.

In view of the above, it is recommended that Planning Permission be granted.

RECOMMENDATION

That planning permission be granted subject to the following Planning Conditions and Informative Notes:

Planning Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site Location Plan;
- Drawing No. 1975/01 (Floor Plans and Site Layout As Existing);
- Drawing No. 1975/02 (Elevations As Existing);
- Drawing No. 1975/03 (Floor Plans and Site Layout As Proposed);
- Drawing No. 1975/04 (Existing Streetviews); and
- Drawing No. 1975/05 (Proposed Streetviews).

Reason: For the avoidance of doubt.

3. Notwithstanding the details submitted in support of the planning application, before materials are first brought on to site, a detailed schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include walling, roofing, windows, doors and Juliet balconies, soffit/fascia boards and rainwater goods. Thereafter, the development shall be implemented in accordance with these approved details, and shall be retained as such in perpetuity.

Reason: In order to safeguard the character and appearance of the host building and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

4. Notwithstanding the approved drawings listed under Condition 2, prior to the occupation of the development hereby permitted, details of the following matters shall be submitted to, and approved in writing by, the Local Planning Authority:

- (a) Large scale details of all windows and doors (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of these features within openings, depth of reveal, heads, sills and lintels;
- (b) Large scale details of all proposed Juliet balconies (1:5 elevation and section);
- (c) Large scale details of proposed eaves and verges (1:5 elevation and section); and
- (d) Details of rainwater goods.

Thereafter, the development shall be implemented in accordance with the approved details, and retained as such in perpetuity.

Reason: In order to safeguard the character and appearance of the host building and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

5. Notwithstanding the details submitted in support of the planning application, prior to the occupation of the development hereby permitted, details of the proposed demolition, infilling and restoration works associated with the existing brick wall to the north-eastern and north-western boundaries of the application site shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details, and retained as such in perpetuity.

Reason: In order to safeguard the character and appearance of the application site and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

6. Prior to the occupation of the development hereby permitted, details of the design, external appearance and decorative finish of any new railings, fences, gates, walls, bollards and other means of enclosure (as appropriate) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and shall be retained as such in perpetuity.

Reason: In order to safeguard the character and appearance of the application site and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

7. Prior to the occupation of the development hereby permitted, a scheme of hard and soft landscaping shall be submitted to, and approved in writing by, the Local Planning Authority, the details of which shall include:
 - (a) Details of planting species, sizes and planting densities,
 - (b) site levels and finished floor levels;
 - (c) hard surfacing materials;
 - (d) minor artefacts and structures (e.g. raised planters, signs, lighting etc), where relevant; and
 - (e) programme of implementation.

Thereafter the development shall be implemented in accordance with the approved details, and retained as such in perpetuity.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

8. All soft landscaping comprised in the approved details of landscaping under Condition 7 shall be carried out in the first planting and seeding season

following the first occupation of the building(s) or the completion of the development, whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years from the date of first occupation of the development, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory landscaped setting for the development and to enhance the appearance of the development in the interest of the visual amenities of the area and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

9. Before the development hereby permitted is first occupied, the windows to be installed to the side (south-eastern) elevation of the two-storey rear extension at first floor level, to serve a corridor/landing area, and hallway and bathroom to Apartment No. 8, shall be glazed with obscure glass or film (to at least Privacy Level 3 of the Pilkington Texture Glass Privacy Levels, or similar) and fixed below 1.7m above finished floor level. Thereafter, the windows shall be permanently maintained as such at all times.

Reason: In the interests of residential amenity and privacy of No. 3 Albert Street, and to accord with Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

10. The development hereby permitted shall be implemented in accordance with the approved mitigation measures detailed in the Phase I & II Geo-Environmental Investigation Report, prepared by Geo Matters Ltd, dated November 2019, submitted in support of the planning application.

Reason: To ensure that the land is fit for purpose and to accord with Chapter 15 of the National Planning Policy Framework 2019.

11. The development hereby permitted shall not be occupied until such times as the cycle parking provision indicated on Drawing No. 1975/03 Rev – (Floor Plans and Site Layout As Proposed) has been provided on-site. Thereafter, it shall be maintained and kept available for use in perpetuity.

Reason: To promote travel by sustainable modes in accordance with the National Planning Policy Framework 2019.

12. Prior to the occupation of the development hereby permitted, the existing vehicular access on Royland Road shall be permanently closed and the existing vehicular crossings (highway kerbstone arrangement) reinstated in accordance

with details which are first to be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development is to be implemented in accordance with the approved details, and shall be so maintained in perpetuity.

Reason: In the interests of highway and pedestrian safety, and in accordance with the National Planning Policy Framework 2019.

13. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, 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.

Informative Note(s):

1. Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the above-mentioned policy/ies and there are no other issues arising that would indicate that permission should be refused.
2. The Local Planning Authority has acted pro-actively through early engagement with the applicant at the pre-application stage. 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.
3. The Applicant is requested to note that this proposal may require separate consent under the Building Regulations and that no works should be undertaken until all necessary consents have been obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section, Charnwood Borough Council (Tel. 01509 634924 or 01509 634757). As such please be aware that complying with building regulations does not mean that the planning conditions attached to this permission have been discharged and vice versa.
4. The Applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

5. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.



Item. 04

Application Reference Number P/20/0828/2

Application Type:	Householder	Date Valid:	14/05/2020
Applicant:	Mr J Poland		
Proposal:	Erection of single storey extension to rear of dwelling		
Location:	19 Church Hill Road Thurmaston Leicestershire LE4 8DF		
Parish:	Thurmaston		
Ward:	Thurmaston		
Case Officer:	Steven Holmes	Tel No:	01509 634770

This application is referred to Plans Committee in accordance with exceptions contained within the Council's scheme of sub-delegation to Heads of Service embedded within the Constitution.

Description of the Application

The application site is a two storey Semi-detached property on the South side of Church Hill Road in Thurmaston. The site is on a residential street with No.17a to the west, No.21 to the East and No.19 Rutland Drive to the south, all of which are separately owned.

The proposal is for the erection of a single storey extension to the rear of the dwelling.

It would extend up to 9 metres from the rear elevation of the original house and measure a maximum of 3.2 metres to the eaves at its highest point and 4.7 metres to the top of the mono-pitch roof at its highest point. It does, however not project any further to the rear than the existing single storey extension which it replaces.

The extension is to create a dining room, downstairs washing facilities and an additional bedroom, (all at ground floor level).

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 Design Guide

This guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice.

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

Relevant Planning History

P/20/0144/2 - Erection of single storey extension to rear of dwelling. –This was refused for the following reasons:

- *It is the opinion of the local planning authority that the proposed extension, by reason of its height, scale and mass close to the boundary with No.21 Church Hill Road, would have an intrusive and over dominant impact on that property, and, also give rise to a loss*

daylight to the rear garden area of No.21, to the detriment of the residential amenity of the occupiers. The proposed development is, therefore, contrary to policy CS2 of the adopted Charnwood Local Plan 2011-2028 Core Strategy, saved Policies EV/1 and H/17 of the Borough of Charnwood Local Plan and the provisions of the National Planning Policy Framework. These seek to ensure that extensions to dwellings are not detrimental in terms of over dominance or loss of light to adjacent properties. In these terms, the proposal is also in conflict with the advice given in the Borough Council's adopted Design Supplementary Planning Document.

- *It is the opinion of the local planning authority that, by reason of its design, mass, scale and height, the proposed extension would substantially and unacceptably change the scale and character of the existing dwelling to the extent that it would appear over-dominant, discordant and incongruous in relation to the dwelling and from views within the public footpath adjoining the site. Furthermore, the differing pitch of the roof would appear at odds with the existing dwelling and would add the incongruity of the proposal. It would, therefore, be severely detrimental to visual amenity. In this respect, the proposal is contrary to policies CS2 of the Charnwood Local Plan 2011-2028 Core Strategy, policies EV/1 and H/17 of the Borough of Charnwood Local Plan (2004) and the Council's adopted Design Supplementary Planning Document (2020). These seek to ensure that extensions to dwellings are compatible in scale and design with the original and other dwellings and that they are not detrimental in terms over dominance.*

Responses of Consultees

None received

Other Comments Received

No additional comments have been received

Consideration of the Planning Issues

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

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

Impact on the character and appearance of the street scene

The proposed works are predominantly to the rear with none of the alterations visible from public areas within Church Hill Road.

However, a public footpath runs along the western boundary of the site which the extension would be clearly visible from. The falling ground level from north to south and from east to west would add to this visibility.

The proposal has been reduced in height and mass from that refused as part of application P/20/0144/2.

The extension retains design features commonly utilised in residential properties such as the simple mono-pitch roof. It is considered that the overall scale of the works would no longer be excessive and demonstrates subservience to the main dwelling that is appropriate for a single storey extension.

It is considered the height and length of the proposal would not be unduly incongruous from wider views particularly while using the public footpath adjacent to the site.

The pitch of the roof as proposed does not match that of the dwelling, however, given its single storey height and location to the rear of the property this is not considered sufficient to justify a refusal of planning permission on design grounds. Views of the extension from the public footpath would be limited to the side elevation and partly screened by the existing boundary treatments. The shallow pitch also ensures the height of the roof overall can be kept to a minimum thus reducing its visual impact overall. The reduction in the length of the extension, between this and the previously approved scheme, reduces impact on the character of the area to an acceptable level.

Overall, the works would appear as an acceptable form of development which will benefit from the use of matching materials. The proposal would therefore comply with policies CS2, EV/1 and H/17, the NPPF and the Design SPD in this regard.

Impact on the amenity of neighbouring residential properties

Policies CS2, EV/1 and H/17 require that new extensions do not have an unacceptable impact on the amenity of adjacent properties. The Council's adopted Design SPD sets out guidelines as to how this can be assessed.

Impact on No.17a

This dwelling is located to the west of the application site. The 45-degree test (as defined in the Design Supplementary Guidance) is met due to the scale, position and orientation of the proposal. As a result, there would be no material loss of light to 17a. The presence of the footpath and the offset of the extension from the boundary line at No.19 would prevent over-dominance or loss of outlook to this neighbouring dwelling.

The dining room bi-fold doors and washroom window within the proposed extension will face to this property. Being situated on significantly higher ground level, these windows would exceed the height of the boundary treatments to No.19, however, they would immediately face the side elevation of No.17a and an existing outbuilding serving this dwelling. As a result, there would be no clear views into the

rear amenity space of No.17a. Furthermore, the washroom window would be obscure glazed thus ensuring privacy is maintained for both occupants and neighbouring properties.

Impact on No.21

This dwelling adjoins the application site to the east and forms the other part of the semi detached pair. It has a single storey extension to the rear which mirrors the existing single storey extension on the rear of the application property. Within this there is a large window facing onto the garden. The previous refusal was based, in part, on the loss and outlook to this window. The current submission seeks to overcome this by reducing the height and length of the proposed extension. It has been reduced from 5.2m to 4.7m in height at the boundary and no longer projects any further than the existing single storey extension. As a result the current proposals would not lead to a material loss of light or outlook to this window.

No side facing windows are proposed meaning there would be no loss of privacy to this neighbour.

Other properties

There are no other properties which are considered to be affected by the development given the distance from the proposed works.

Taking in to consideration the above assessment, the proposed works would not therefore comply with policy H/17 in relation to residential amenity particularly with respect to No.188

Impact on the highway

The proposed development does increase the number of bedrooms at the property to four. Policy TR/18 states a maximum of three spaces should be provided for properties of this size and that this should be the starting point of any assessment.

The frontage of No.19 is predominantly laid to hard-standing and can accommodate two parking spaces at a size which meets the highway standards.

However, the property is within close proximity to the centre of Thurmaston with good access to amenities including those for retail and public travel. The Local Highway Authority permits a more relaxed approach to parking requirements in these circumstances and this is material in assessing the application against TR/18. The works are considered to comply with saved policy TR/18 and para 109 of the NPPF in respect to highway safety.

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, on balance, not considered detrimental to the amenities of neighbouring properties and wouldn't cause a severe impact upon the highway.

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

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 plans:
 - Application Form - received by the Local Planning Authority on 14 May 2020
 - Site Location Plan - Drawing No. 46106(P-08) 004B - received by the Local Planning Authority on 7th July 2020.
 - Site Block Plan - Drawing No. 46106(P-08)001C - received by the Local Planning Authority on 7th July 2020.
 - Proposed Elevations - Drawing No. 46106(P-20)02F - received by the Local Planning Authority on 7th July 2020
 - Proposed Plans - Drawing No. 46106(P-20)01F - received by the Local Planning Authority on 7th July 2020REASON: For the avoidance of doubt and to define the terms of the permission

3. 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.
REASON: To ensure the satisfactory appearance of the completed development.

The following advice notes will be attached to a decision

1. 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 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 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



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/20/0699/2	CL (Proposed)	159 Cropston Road Anstey LE7 7BR	Erection of storage shed to rear of residential dwelling.	CLDPGRANT, Certificate of Lawful Proposed Development	08-Jun-2020	Anstey
P/20/0213/2	Full	Gynsill Court Gynsill Lane Anstey LE7 7AH	Erection of walls to either side of the existing access at a maximum height of 2.7 metres.	GTDCON, Permission be granted subject to the following conditions:	10-Jun-2020	Anstey
P/20/0416/2	Householder	173 Cropston Road Anstey LE7 7BR	Single storey rear extension and erection of porch to front of dwelling	GTDCON, Permission be granted subject to the following conditions:	15-Jun-2020	Anstey
P/20/0698/2	Householder	159 Cropston Road Anstey LE7 7BR	Erection of raised decking with associated balustrading to rear & side of dwelling and erection of children's climbing frame in rear garden.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2020	Anstey
P/20/0521/2	Full	1 Groby Road Anstey Leicestershire LE7 7FN	Change of use of 3 rooms from a mixed use comprising hairdressing (A1), beauty therapy (Sui Generis), tattooing services (sui generis) and massage (D1) to residential (Class C3).	GTDCON, Permission be granted subject to the following conditions:	25-Jun-2020	Anstey
P/20/0638/2	Householder	99 Cropston Road Anstey LE7 7BQ	Erection of detached single storey building for residential annexe and agricultural store (revised application P/19/2364/2 refers).	GTDCON, Permission be granted subject to the following conditions:	30-Jun-2020	Anstey
P/20/0709/2	Householder	4 Woodgate Drive Birstall LE4 3JU	Proposed single storey side and rear extension (revised scheme P/18/1200/2 refers)	GTDCON, Permission be granted subject to the following conditions:	09-Jun-2020	Birstall Wanlip

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0464/2	Householder	19 Lyngate Avenue Birstall LE4 3HG	Proposed single storey extension to rear, porch to front, dormer extension to side and rear, removal of chimneys to bungalow. Single storey extension to side and rear of detached garage.	GTDCON, Permission be granted subject to the following conditions:	09-Jun-2020	Birstall Wanlip
P/20/0627/2	Householder	54 Elmfield Avenue Birstall LE4 3DE	Partial garage conversion to create wet room for disabled person.	GTDCON, Permission be granted subject to the following conditions:	25-Jun-2020	Birstall Wanlip
P/20/0773/2	Householder	20 Henson Close Birstall LE4 3AR	Single storey extension to front and two storey extensions to side and rear of dwelling	GTDCON, Permission be granted subject to the following conditions:	25-Jun-2020	Birstall Wanlip
P/20/0753/2	Householder	77 Moorgate Avenue Birstall LE4 3HJ	Proposed two storey extension to side and porch to front of dwelling.	REF, Permission be refused for the following reasons:	25-Jun-2020	Birstall Wanlip
P/20/0728/2	Full	24 Walker Road Birstall LE4 3BN	Erection of one detached dwelling. (Revised scheme P/20/0237/2 refers).	REF, Permission be refused for the following reasons:	01-Jul-2020	Birstall Wanlip
P/20/0408/2	Householder	68 Bramley Road Birstall LE4 4FG	Proposed single storey extension to rear	GTDCON, Permission be granted subject to the following conditions:	10-Jun-2020	Birstall Watermead
P/20/0505/2	Full	473 Loughborough Road Birstall LE4 4BJ	Erection of detached house and triple garage to rear	GTDCON, Permission be granted subject to the following conditions:	17-Jun-2020	Birstall Watermead
P/20/0158/2	Householder	499 Loughborough Road Birstall LE4 4BJ	Proposed single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	22-Jun-2020	Birstall Watermead
P/19/2525/2	Householder	11 Beechfield Avenue Birstall LE4 4DB	Proposed single and two storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	30-Jun-2020	Birstall Watermead

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0653/2	Householder	33 Main Street Newtown Linford Leicestershire LE6 0AE	Single storey rear extension including partial demolition and raised roof on existing rear extension.	GTDCON, Permission be granted subject to the following conditions:	08-Jun-2020	Forest Bradgate
P/20/0712/2	Full	Browns Hay Markfield Lane Newtown Linford LE67 9PS	Proposed retention of residential property 'Browns Hay' and use of dwelling as overnight (self-catered) tourist accommodation	REF, Permission be refused for the following reasons:	12-Jun-2020	Forest Bradgate
P/20/0745/2	Householder	4 Briscoe Lane Woodhouse LE12 8UF	Single storey rear extension to dwelling following the demolition of existing conservatory	GTDCON, Permission be granted subject to the following conditions:	17-Jun-2020	Forest Bradgate
P/20/0729/2	Householder	White Cottage 520 Bradgate Road Newtown Linford LE6 0HB	Demolition of existing garage. Erection of 1.5 storey detached double garage together with the installation of external staircase, retaining wall, garden steps and stone walling and gate to front boundary and alterations to vehicular access.	GTDCON, Permission be granted subject to the following conditions:	22-Jun-2020	Forest Bradgate
P/20/0736/2	Discharge of Conditions	532 Bradgate Road Newtown Linford Leicestershire	Discharge of condition 19 of P/19/2119/2	CONDIS, Conditions discharged - Confirmed	22-Jun-2020	Forest Bradgate
P/20/0669/2	Householder	Thatched Cottage 45 Main Street Newtown Linford LE6 0AE	Erection of greenhouse and 1.8m high lattice fencing to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	26-Jun-2020	Forest Bradgate
P/19/2624/2	Full	99 Hermitage Road Loughborough LE11 4PB	Proposed single storey covered passage to side and single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	22-Jun-2020	Loughborough Ashby

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0658/2	Householder	152 Old Ashby Road Loughborough Leicestershire LE11 4PQ	Erection of 1.5 storey extension to rear of terraced dwelling.	GTDCON, Permission be granted subject to the following conditions:	01-Jul-2020	Loughborough Ashby
P/20/0639/2	Full	Charnwood College Thorpe Hill Loughborough Leicestershire LE11 4SQ	Creation of tennis hard court with associated lighting & fencing, hardstanding path & spectator area and relocation of long jumping track & sand pit.	GTDCON, Permission be granted subject to the following conditions:	10-Jun-2020	Loughborough Garendon
P/20/0386/2	Householder	37 Kinross Crescent Loughborough Leicestershire LE11 4UQ	Proposed single and two storey extension to rear and first floor extension to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	22-Jun-2020	Loughborough Garendon
P/20/0673/2	Advert Consent	80 Leicester Road Loughborough LE11 2AG	Replacement of an existing 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display	GTDCON, Permission be granted subject to the following conditions:	09-Jun-2020	Loughborough Hastings
P/20/0216/2	Full	3 Gregory Street Loughborough LE11 1AS	Erection of single storey extension to rear following the removal of outbuildings	REF, Permission be refused for the following reasons:	12-Jun-2020	Loughborough Hastings
P/20/0789/2	Householder	73 Albert Promenade Loughborough LE11 1RB	Single storey extension to front and rear of dwelling. Conversion of garage to shower room & utility room.	GTDCON, Permission be granted subject to the following conditions:	30-Jun-2020	Loughborough Hastings
P/19/2069/2	Full	Jaylets Budget Motel, Managers Accommodation (Formerly Leys Guest House) Loughborough Road Hathern LE12 5JB	Erection of 1.5 storey extension to rear of managers accommodation.	GTDCON, Permission be granted subject to the following conditions:	16-Jun-2020	Loughborough Hathern & Dishley

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0577/2	Full	Field South of Pasture Lane Hathern Leicestershire LE12 5LJ	Erection of barn (revised scheme - P/18/0267/2 refers)	GTDCON, Permission be granted subject to the following conditions:	19-Jun-2020	Loughborough Hathern & Dishley
P/20/0429/2	Householder	36 Wide Lane Hathern LE12 5LN	Erection of pre-fabricated wooden double garage, repair of existing loose stone driveway with chippings and erection of low retaining wall to boundary with 32 Wide Lane.	GTDCON, Permission be granted subject to the following conditions:	25-Jun-2020	Loughborough Hathern & Dishley
P/20/0281/2	Full	Rendell Primary School Rendell Street Loughborough Leicestershire LE11 1LL	Single storey extension to school building and facing onto Howard Street.	GTDCON, Permission be granted subject to the following conditions:	29-Jun-2020	Loughborough Lemyngton
P/20/0279/2	Full	Rendell Primary School Rendell Street Loughborough Leicestershire LE11 1LL	Erection of replacement mobile classroom	GTDCON, Permission be granted subject to the following conditions:	29-Jun-2020	Loughborough Lemyngton
P/20/0513/2	Householder	183 Nanpantan Road Loughborough LE11 3YB	Erection of 3 storey extension to front of dwelling; a front porch extension; installation of dormer windows to front roof and a single storey rear extension. (Revision of previous permission P/16/2411/2 refers)	GTDCON, Permission be granted subject to the following conditions:	10-Jun-2020	Loughborough Nanpantan
P/20/0571/2	Householder	26 Shepherds Close Loughborough Leicestershire LE11 3LA	2 storey and single storey extensions to rear of detached dwelling (revised scheme of P/19/0087 refers).	GTDCON, Permission be granted subject to the following conditions:	12-Jun-2020	Loughborough Nanpantan

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0488/2	Householder	9 Coniston Crescent Loughborough LE11 3RQ	Single storey side and rear extension to a house in multiple occupation together with an extension of the dropped kerb in front of the property.	GTDCON, Permission be granted subject to the following conditions:	18-Jun-2020	Loughborough Nanpantan
P/20/0772/2	Householder	2 Langdale Avenue Loughborough LE11 3RP	Proposed single storey extension to side of dwelling (Revised scheme P/19/1027/2 refers).	REF, Permission be refused for the following reasons:	24-Jun-2020	Loughborough Nanpantan
P/20/0852/2	Householder	209 Nanpantan Road Loughborough LE11 3YD	Demolition of detached garage; demolition of rear conservatory/store and the erection of single-storey extension together with associated alterations; erection of a detached garage to the site frontage and increase in height of boundary wall to 1.2m.	GTDCON, Permission be granted subject to the following conditions:	30-Jun-2020	Loughborough Nanpantan
P/20/0711/2	Householder	14 Cricket Lane Loughborough LE11 3PD	Erection of a garage attached to side of dwelling and conversion of existing integral garage to living accommodation.	GTDCON, Permission be granted subject to the following conditions:	11-Jun-2020	Loughborough Outwoods
P/20/0541/2	Householder	123 Parklands Drive Loughborough LE11 2TA	Proposed single storey extension to side and beauty salon (Sui Generis) to the side of dwelling.	GTDCON, Permission be granted subject to the following conditions:	16-Jun-2020	Loughborough Outwoods
P/20/0820/2	Householder Prior Notification	45 Atherstone Road Loughborough Leicestershire LE11 2SH	Erection of single storey rear extension extending beyond the rear wall of the original house by 3.35m, with a maximum height of 3.5m, and height to the eaves of 2.8m.	PRINOT, Prior approval from the Council is not required	24-Jun-2020	Loughborough Outwoods
P/20/0732/2	Householder	247 Beacon Road Loughborough Leicestershire LE11 2QZ	Single storey rear extension to dwelling	GTDCON, Permission be granted subject to the following conditions:	03-Jul-2020	Loughborough Outwoods

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0398/2	Householder	83 Parklands Drive Loughborough Leicestershire LE11 2SZ	Proposed single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	18-Jun-2020	Loughborough Shelthorpe
P/20/0350/2	Householder	9 Wheatland Drive Loughborough LE11 2AR	Single storey extension to front, side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	03-Jul-2020	Loughborough Shelthorpe
P/20/0694/2	Householder	27 & 29 York Road Loughborough LE11 3DA	Single storey extensions to rear of x2 existing houses in multiple occupation.	GTDCON, Permission be granted subject to the following conditions:	09-Jun-2020	Loughborough Southfields
P/20/0771/2	Householder	34 Beacon Road Loughborough LE11 2BQ	Erection of single storey extension to rear of existing house in multiple occupation (Revised scheme P/20/0203/2 refers).	GTDCON, Permission be granted subject to the following conditions:	24-Jun-2020	Loughborough Southfields
P/20/0677/2	Equipment PD Notification	Loughborough College Radmoor Road Loughborough Leicestershire LE11 3BT	Installation of telecommunication equipment in accordance with plans submitted to include: 2x roof pods each with 4x antennae and upgrading of existing stub tower to include the removal of existing antenna to be replaced by 6x apertures, existing dishes to remain, works within the cabin and development of ancillary equipment.	MNAAU, The application be agreed without conditions.	03-Jul-2020	Loughborough Southfields
P/20/0602/2	Householder	120 Paget Street Loughborough LE11 5DU	Single storey rear extension to existing house in multiple occupation.	REF, Permission be refused for the following reasons:	10-Jun-2020	Loughborough Storer
P/19/2501/2	Full	39B Leopold Street Loughborough LE11 5DL	Proposed loft conversion and dormer window to rear to house in multiple occupation.	GTDCON, Permission be granted subject to the following conditions:	12-Jun-2020	Loughborough Storer

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0746/2	Full	91 Storer Road Loughborough LE11 5EH	Demolition of outbuilding and single storey extension to rear and loft conversion to provide 2 no. additional bedrooms to existing house in multiple occupation		18-Jun-2020	Loughborough Storer
P/20/0746/2	Full	91 Storer Road Loughborough LE11 5EH	Demolition of outbuilding and single storey extension to rear and loft conversion to provide 2 no. additional bedrooms to existing house in multiple occupation		18-Jun-2020	Loughborough Storer
P/20/0532/2	Full	72 Leopold Street Loughborough LE11 5DN	Change of use from C3 Residential dwelling to C4 House in Multiple Occupation.	REF, Permission be refused for the following reasons:	01-Jul-2020	Loughborough Storer
P/20/0516/2	Full	38 Oxford Street Loughborough LE11 5DR	Change of use from dwelling (Use Class C3) to House in Multiple Occupation (Use Class C4), two storey rear & single storey rear extensions and creation of internal cycle store & external bin store (Revised scheme for application P/19/0086/2).	GTDCON, Permission be granted subject to the following conditions:	03-Jul-2020	Loughborough Storer
P/20/0093/2	Householder	5 Cloud Lea Mountsorrel LE12 7DX	Proposed single storey extension to front and side of dwelling.	REF, Permission be refused for the following reasons:	12-Jun-2020	Mountsorrel
P/20/0799/2	Householder	255 Leicester Road Mountsorrel LE12 7DD	Proposed single storey extension to side and rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	30-Jun-2020	Mountsorrel
P/20/0468/2	Householder	201 B Swithland Lane Rothley LE7 7SJ	Raising of roof height above garage to create bedroom over garage and addition of 2 no dormer windows in side elevation of raised roof.	GTDCON, Permission be granted subject to the following conditions:	03-Jul-2020	Mountsorrel

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0715/2	Householder	50 Queniborough Road Queniborough LE7 3DG	Dropped kerb to public highway to provide off-road parking	GTDCON, Permission be granted subject to the following conditions:	25-Jun-2020	Queniborough
P/20/0780/2	Householder	3 Springfield Farm The Standings Main Street Queniborough LE7 3DB	Single storey front and rear extensions to dwelling	GTDCON, Permission be granted subject to the following conditions:	26-Jun-2020	Queniborough
P/20/0757/2	Householder	31A Main Street Queniborough LE7 3DB	Single storey extension to the rear of existing dwelling.	GTDCON, Permission be granted subject to the following conditions:	29-Jun-2020	Queniborough
P/20/0621/2	Householder	2 Badgers Walk Quorn LE12 8FG	Single storey extension to rear, conversion of existing detached garage to rear to gymnasium and erection of detached single garage to side of detached house.	GTDCON, Permission be granted subject to the following conditions:	10-Jun-2020	Quorn & Mountsorrel Castle
P/20/0851/2	Equipment PD Notification	Quorn Football Club Farley Way Quorn Leicestershire LE12 8RB	Removal and replacement of 3no Antennas, internal upgrade of existing equipment cabin and associated works.	MNAAU, The application be agreed without conditions.	11-Jun-2020	Quorn & Mountsorrel Castle
P/20/0266/2	Householder	62 Hawcliffe Road Mountsorrel LE12 7AH	Two storey and single storey extensions to rear of semi-detached dwelling.	GTDCON, Permission be granted subject to the following conditions:	12-Jun-2020	Quorn & Mountsorrel Castle
P/20/0049/2	Full	53 Unitt Road Quorn LE12 8BX	Erection of two storey extension to side and single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	18-Jun-2020	Quorn & Mountsorrel Castle
P/20/0755/2	Householder	42 Hawcliffe Road Mountsorrel Leicestershire LE12 7AH	Retrospective application for the retention of single storey rear/side extension with 2 roof lights and conversion of rear outbuilding to include one roof light.	GTDCON, Permission be granted subject to the following conditions:	23-Jun-2020	Quorn & Mountsorrel Castle

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/19/2632/2	Full	Bull In The Hollow Farm Loughborough Road Quorn LE12 8UE	Erection of replacement building and conversion of existing building for use as offices (Class B1a), improvements to vehicular access and provision of associated car parking and landscaping.	GTDCON, Permission be granted subject to the following conditions:	25-Jun-2020	Quorn & Mountsorrel Castle
P/20/0833/2	Householder Prior Notification	7 The Pingle Quorn Leicestershire LE12 8FQ	The erection of a single storey rear extension extending beyond the rear wall of the original house by 5.4m, with a maximum height of 4m, and height to the eaves of 2.9m.	PRINOT, Prior approval from the Council is not required	25-Jun-2020	Quorn & Mountsorrel Castle
P/20/0857/2	Householder Prior Notification	25 Loughborough Road Quorn Leicestershire LE12 8DU	The erection of a single storey rear extension extending beyond the rear wall of the original house by 5.0m, with a maximum height of 3.2m, and height to the eaves of 2.5m.	PRINOT, Prior approval from the Council is not required	29-Jun-2020	Quorn & Mountsorrel Castle
P/20/0298/2	Full	117 - 127 Loughborough Road Mountsorrel LE12 7AR	Raise roof height by 86mm, rise and fall brackets with lead flashing, lead cover flashing on eaves, and new roof slates to No's 117 - 127.	GTDCON, Permission be granted subject to the following conditions:	01-Jul-2020	Quorn & Mountsorrel Castle
P/20/0640/2	Householder	157 Mountsorrel Lane Rothley Leicestershire LE7 7PU	Retrospective application for the retention of 1.5 storey garage located forward of the principal elevation of the main dwelling.	GTDCON, Permission be granted subject to the following conditions:	08-Jun-2020	Rothley & Thurcaston
P/20/0354/2	Full	7 Breech Hedge Rothley LE7 7RN	Single storey rear extension to dwelling	GTDCON, Permission be granted subject to the following conditions:	16-Jun-2020	Rothley & Thurcaston
P/20/0503/2	Householder	69 Main Street Swithland LE12 8TG	Two storey side extension and single storey conservatory to rear of proposed extension.	GTDCON, Permission be granted subject to the following conditions:	17-Jun-2020	Rothley & Thurcaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0624/2	Full	Rothley Ivanhoe Tennis Club Mountsorrel Lane Rothley Leicester LE7 7 PS	To install 3x 7m high lighting columns with flood light units on each to an existing unlit tennis Court together with the installation of additional flood light units to 3 existing lighting columns.	GTDCON, Permission be granted subject to the following conditions:	22-Jun-2020	Rothley & Thurcaston
P/20/0761/2	Full	Rothley Ivanhoe Tennis Club Mountsorrel Lane Rothley Leicester LE7 7 PS	Variation of condition 3 of application P/97/1530/2 regarding the hours of operation of the floodlights.	GTDCON, Permission be granted subject to the following conditions:	25-Jun-2020	Rothley & Thurcaston
P/20/0781/2	Householder	175 Main Street Swithland LE12 8TQ	Erection of outbuilding to the rear of dwelling	GTDCON, Permission be granted subject to the following conditions:	26-Jun-2020	Rothley & Thurcaston
P/20/0440/2	Full	Rothley Park Golf Club Westfield Lane Rothley Leicestershire LE7 7NX	Change of use of agricultural land to be included within the existing golf course (Use Class D2)	GTDCON, Permission be granted subject to the following conditions:	29-Jun-2020	Rothley & Thurcaston
P/20/0248/2	Outline Planning Permission	40A Sullington Road Shepshed Leicestershire LE12 9JG	Erection of one dwelling	GTDCON, Permission be granted subject to the following conditions:	16-Jun-2020	Shepshed East
P/20/0168/2	Householder	11 Tickow Lane Shepshed Leicestershire LE12 9LY	Proposed detached double garage to front of existing dwelling, conversion of existing garage to living accommodation and construction of wall and timber fence 1.8m high with gated entrance along front boundary	GTDCON, Permission be granted subject to the following conditions:	09-Jun-2020	Shepshed West
P/20/0477/2	Full	Land off Tickow Lane Shepshed LE12 9EY	Erection of x3 walls as public art feature on main road into development site.	GTDCON, Permission be granted subject to the following conditions:	17-Jun-2020	Shepshed West

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0723/2	Householder	3 Marshall Avenue Sileby LE12 7QT	Single storey extension to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	15-Jun-2020	Sileby
P/19/1525/2	Full	114 Cossington Road Sileby LE12 7RT	Erection of a single storey rear extension and two storey side extension. Erection of outbuilding to rear.	GTDCON, Permission be granted subject to the following conditions:	15-Jun-2020	Sileby
P/20/0749/2	Outline Planning Permission	11 Quaker Road Sileby LE12 7SA	Erection of detached dwelling including demolition of existing garage (outline planning permission with all matters reserved).	REF, Permission be refused for the following reasons:	18-Jun-2020	Sileby
P/20/0803/2	Householder	2 Finsbury Avenue Sileby LE12 7PJ	Single storey extension to rear of detached bungalow	GTDCON, Permission be granted subject to the following conditions:	30-Jun-2020	Sileby
P/20/0514/2	Householder	9 Marshall Avenue Sileby LE12 7QT	Erection of garage to front and side of dwelling together with a canopied porch to the front door.	GTDCON, Permission be granted subject to the following conditions:	30-Jun-2020	Sileby
P/20/0153/2	Reserved Matters	Land to the rear of 195 Seagrave Road Sileby Leicestershire LE12 7NH	Reserved Matters (scale, appearance, layout and landscaping) of approved application P/17/2391/2 for the erection of up to 23 dwellings including access and associated works	GTDCON, Permission be granted subject to the following conditions:	01-Jul-2020	Sileby
P/20/0664/2	Full	21 High Street Syston Leicestershire	Extension and conversion of storage room to rear of apartment building to form two storey dwelling (revised scheme P/19/0025/2 refers).	REF, Permission be refused for the following reasons:	30-Jun-2020	Syston West
P/20/0609/2	Householder	4 Brickwood Place Burton On The Wolds Leicestershire LE12 5AW	Single storey side extension.	GTDCON, Permission be granted subject to the following conditions:	09-Jun-2020	The Wolds

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0014/2	Householder	7 Hubbard Road Burton On The Wolds LE12 5AX	Proposed enclosure of balcony to create first floor extension with juliet balcony to rear of dwelling.	GTDCON, Permission be granted subject to the following conditions:	18-Jun-2020	The Wolds
P/20/0764/2	Full	Land rear of 1-5 Loughborough Road Hoton Leicestershire LE12 5SF	Change of use of vacant land to the provision of private parking (class use Sui Generis) Retrospective application.	GTDCON, Permission be granted subject to the following conditions:	29-Jun-2020	The Wolds
P/20/0839/2	Full	17 Hall Drive Burton On The Wolds LE12 5AD	Variation of condition 5 of P/19/0888/2 (working hours)	GTDCON, Permission be granted subject to the following conditions:	01-Jul-2020	The Wolds
P/20/0756/2	Householder Prior Notification	80 Church Hill Road Thurmaston Leicestershire LE4 8DE	The erection of a single storey rear extension extending beyond the rear wall of the original house by 4.838m, with a maximum height of 3.577m, and height to the eaves of 2.622m.	PRINOT, Prior approval from the Council is not required	09-Jun-2020	Thurmaston
P/20/0693/2	Householder	29 Ferndale Road Thurmaston LE4 8JE	Extension to dropped kerb to front of dwelling.	GTDCON, Permission be granted subject to the following conditions:	10-Jun-2020	Thurmaston
P/20/0700/2	Householder	53 Southdown Drive Thurmaston LE4 8HX	Proposed two storey extensions to rear and side, porch to the front and single storey extension to rear of dwelling.	REF, Permission be refused for the following reasons:	16-Jun-2020	Thurmaston
P/20/0816/2	Householder Prior Notification	60 Parkdale Road Thurmaston Leicestershire LE4 8JP	The erection of a single storey rear extension extending beyond the rear wall of the original house by 4m, with a maximum height of 4m and height to the eaves of 3m.	PRINOT, Prior approval from the Council is not required	22-Jun-2020	Thurmaston
P/20/0611/2	Householder	8 Windmill Close Thurmaston Leicestershire LE4 8GX	Single storey side extension and alterations to conservatory at rear to include pitched roof	GTDCON, Permission be granted subject to the following conditions:	30-Jun-2020	Thurmaston

Application number	Application type	Location	Proposal	Decision	Decision date	Ward
P/20/0744/2	Householder	42 Manor Road Thurmaston LE4 8AG	Proposed first floor extension to covert loft including raised ridge height, and extend roof over porch.	REF, Permission be refused for the following reasons:	01-Jul-2020	Thurmaston
P/20/0835/2	Agricultural for Prior Approval	60 Green Lane Seagrave LE12 7LU	Erection of agricultural building for the storage of straw (Agricultural Prior Approval)	NRQ, The submission of details are not required for consideration.	12-Jun-2020	Wreake Villages
P/20/0705/2	Full	The White Horse 6 Church Street Seagrave Leicestershire LE12 7LT	Single storey rear extension to public house	GTDCON, Permission be granted subject to the following conditions:	19-Jun-2020	Wreake Villages