

Item No. 3

Application Reference Number P/22/0958/2

Application Type:	Full	Date Valid:	17.05.2022
Applicant:	Orange Est8		
Proposal:	Proposed conversion of existing dwelling into 2no. two-bedroom self-contained flat, with conversion of roofspace, rear dormer, rooflight, and single storey rear extension		
Location:	21 York Road, Loughborough, Leicestershire, LE11 3DA		
Parish:	Loughborough	Ward:	Loughborough Southfields
Case Officer:	Harry White	Tel No:	01509 634579

Background

This application is presented to Plans Committee at the request of Cllr Parton in accordance with the scheme of delegation.

The grounds for the request are as follows:

1. Impact on character of the area – by allowing family homes to be split into flats, the potential for family use is destroyed permanently.
2. Scale and dominance these properties were never designed to be halved –who for example has use of the rear garden?

Description of the application site

The application site is located in the settlement limits for Loughborough and is in the Loughborough Ashby Road Conservation Area. The site is within Flood Zone 1.

No.21 York Road is a two-storey terraced house, and dates from the year 1900. The building is constructed in red-brick and fenestrated with white uPVC. Decorative tiling lines the porch.

Pedestrian access to the site is from York Road which is an unclassified road subject to a 30mph speed limit. True Lovers Walk, a public footpath, runs along the rear boundary of the site. The site has no off-road parking. On-road permit parking is available along both sides of York Road.

Description of the Proposal

This application seeks planning permission to convert an existing single dwellinghouse no.21 York Road into 2x 2-bedroom flats, with a single storey rear extension and a dormer window within the rear roof slope. No trees would be affected by the proposals.

The proposed single storey rear extension is dimensioned at 5.8m x 3.7m at its greatest extent. The highest point of the flat roof extension is dimensioned at 3.0metres.

The dormer is dimensioned at 1.4m in breadth, with a maximum depth of 2.6m from the roof slope. The height to its eaves of approximately 1.1m, and a height to its ridge of

approximately 1.8m. The ridge of the dormer would sit 0.4m below the ridge of the host dwellinghouse. The proposed palette of materials is to match those of the existing property.

Development Plan Policies

The Development Plan for Charnwood currently consists of:

The Charnwood Local Plan Core Strategy 2011-2028
Saved Policies of the Borough of Charnwood Local Plan Document (2004)

Development Plan policies relevant to the determination of this planning application are set out below.

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

Policy CS1 – Development Strategy – Sets out a growth hierarchy for the borough that sequentially guides development towards the most sustainable settlements. This identifies Loughborough as a “Sub Regional Centre” which acts as a social and economic focus for the area.

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.

Policy CS14 – Heritage – requires development proposals to protect heritage assets.

Policy CS17 Sustainable Travel – Seeks to increase sustainable travel patterns and ensure major development is aligned with this.

Policy CS25 Presumption in favour of sustainable development - echoes the sentiments of the National Planning Policy Framework in terms of sustainable development.

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

Where they have not been superseded by Core Strategy policies previous Local Plan policies remain part of the development plan. In relation to this proposal the relevant ones are:

Policy ST/2 Limits to Development – this policy sets out limits to development for settlements within Charnwood.

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

Policy TR/18 Parking in New Development - This seeks to set the maximum standards by which development should provide for off street car parking.

Other material considerations

The Emerging Charnwood Local Plan 2021-37

This document was submitted for examination in December 2021. It sets out the Council's strategic and detailed policies for the plan period 2019-37. A number of hearing sessions have been held on some matters in June 2022. An adjournment of hearing sessions is underway to address the specific matter of Leicester's unmet need. Following the further consideration of this issue by the Council and the Planning Inspectorate it is expected that hearing sessions will resume later this year. At this stage the emerging Local Plan is given limited weight.

The National Planning Policy Framework (NPPF 2021)

The NPPF is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development.

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are 3 dimensions to this;

- An economic role – 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 role – 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 role – contributing to protecting and enhancing our natural, built and historic environment.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of 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 55 sets out that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 60 states that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 74 sets out that local planning authorities are expected to maintain a 5 year housing land supply and should identify and annually update their supply of specific deliverable sites as measured against the overall housing requirement for the plan period. This should include a buffer and in Charnwood this is an additional 5% in order to ensure choice and competition in the market for land.

Chapter 8 of the NPPF relates to the promotion of healthy and safe communities and sets out how planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Chapter 12 (Paras 126-136) 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 134 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an

area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between the permission and completion, as a result of changes being made to the permitted scheme.

Paragraph 185 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 and the sensitivity of the site.

Paragraph 195 states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking into account the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 199 sets out that when 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

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.

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.

Housing and Economic Needs Assessment (HENA) 2022

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

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

- 1 bed – 5%
- 2 bed – 30%
- 3 bed – 45%
- 4 bed – 20%

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.

Housing Supplementary Planning Document (adopted May 2017 – updated December 2017)

The SPD provides guidance on affordable housing to support Core Strategy Policy CS3.

Technical Housing Space Standards (2015)

Seeks to encourage minimum space standards for housing. This document has not been adopted for the purposes of Development Management at Charnwood Borough

Council; it is however a material consideration.

Planning (Listed Buildings and Conservation Areas) Act 1990

Sets out the regulations relating to developments affecting listed buildings and conservation areas.

Loughborough Ashby Road Conservation Area Appraisal (2005)

The conservation area is a key reminder of two important developments of Loughborough town. The vast expansion of the town at the end of the 1800s which created the streets of villas and terraced housing and the development of Ashby Road in the 1920s and 1930s when Dr Schofield built Loughborough University.

The Equality Act 2010

This Act requires local planning authorities, when making strategic decisions about the exercise of their functions to have regard to the desirability of reducing socio-economic inequalities in society. It consolidates 7 Acts including the Disability Discrimination Act. Whilst the accessible design of buildings is regulated by Part M of the Building Regulations, the Equality Act does require 'reasonable adjustments' to be made when providing access to goods, facilities, services and premises and this also applies to the design of proposed development. In terms of planning decisions, there is a need to have 'due regard' to the impact of planning application decisions and policies on anyone with a Protected Characteristic who may be affected by the decision.

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.

Relevant Planning History

Reference	Description	Decision & Date
P/97/0034/2	Demolition of outhouse and extension to rear of mid-terrace house for kitchen extension, toilet and shower room	Permission 11.02.1997
P/89/2908/2	Ground floor bathroom extension to rear of terraced house for disabled person	Permission 24.01.1990

Consultation responses

The table below sets out a summary of the responses that have been received from consultees with regard to the application. Please note that these can be read in full on the Council's website.

Consultee

Responses

Ward Councillor Councillor Parton	Called in the application for the following reasons: Impact on character of the area –by allowing family homes to be split into flats, the potential for family use is destroyed permanently. Scale and dominance these properties were never designed to be halved –who for example has use of the rear garden.
The Local Highway Authority	The impacts of the development on highway safety would not be unacceptable or severe.
Charnwood Housing	Both bedrooms on the ground floor are ‘inner’ rooms and therefore escape windows will be needed as an alternative escape route in the event of a fire.
Charnwood Built Heritage	No objection.

Other comments received

Objection letters have been received from 6 nearby addresses, The Storer & Ashby area Residents’ Group (SARG), The Samuel Bernard Frost Charity, and one other individual. The list below summarises the areas of concern that have been raised by residents about the application. Please note that resident’s comments can be read in full on the Council’s website at:

<https://portal.charnwood.gov.uk/Northgate/PlanningExplorerAA/ApplicationSearch.aspx>

- Use for student accommodation
- HMOs at saturation point
- Rubbish
- Anti-social behaviour
- Bypass of Article 4 HMO rules
- Loss of a family home
- Community imbalance
- Design and use of the flat roof
- Parking
- Affect upon the conservation area

Consideration of the Planning Issues

- Principle of the Proposed development
- Design
- Amenity impacts
- Highway Impact

Principle of the Proposed development

The vision for the Borough as set out in the Charnwood Local Plan 2011-2028 Core Strategy (2015) sets out that by the end of the plan period Charnwood will be one of the most desirable places to live, work and visit in the East Midlands. To achieve this, development will have been managed to improve the economy, quality of life and the environment.

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 most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Charnwood Local Plan 2011-2028 Core Strategy (2015), those “saved” policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy. It is acknowledged that the Core Strategy and the Local Plan are over 5 years old; therefore, it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. Except for those policies which relate to the supply of housing, the relevant policies listed above are up to date and compliant with national advice. Accordingly, there is no reason to reduce the weight given to them.

Policy CS1 of the Core Strategy represents the strategic vision of the Borough and is an expression of a sustainable growth pattern. It takes the form of a hierarchical, sequential approach guiding development first to the northern edge of Leicester, then to Loughborough and Shepshed before directing development to the smaller towns and villages.

The site is within the settlement boundary of Loughborough, as defined in the Policy ST2. The provision of housing within the settlement boundary of a sustainable settlement and at a time when new homes are most needed, is a benefit of the scheme. The proposal is considered to comply with Policy CS1.

The Council is currently unable to demonstrate a 5-year supply of housing land (currently 3.04 years) and some of the key policies relating to the provision of housing are more than 5 years old and considered out of date, and attract reduced weight in terms of decision making on proposals. Accordingly, Policy CS1 carries only moderate weight. The shortfall in the supply of deliverable housing sites also means that, in accordance with the presumption in favour of sustainable development (at Paragraph 11d of the NPPF), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits for planning permission to be refused and the ‘tilted balance’ is engaged (paragraph 11d)ii)).

Part i) of Paragraph 11d sets out that there are NPPF policies which protect areas or assets, this can be a clear reason to refuse an application and these are generally nationally designated areas such as SSSI’s. In this case, the land benefits from the special designation of a conservation area.

The Housing and Economic Needs Assessment 2022 (HENA) suggests a large percentage of housing need is 2 or 3 bedroom properties. This application seeks to provide 2x 2-bedroom dwellings within close proximity to local amenities and public transport. The proposal therefore complies with the evidence provided by HENA.

Given the proposal would provide 2x 2-bedroom dwellings within the limits to development of a principal urban area in the borough, it is considered that the proposal would in principal accord with Policy CS1 and the NPPF as being a sustainable form of development. The compliance with the housing needs identified by HENA is a consideration that attracts positive weight.

Design and impact upon the Conservation Area

Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved Policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality and uses materials appropriate to the locality. Policy CS14 requires development proposals to protect heritage assets and their setting and support developments that have been informed by conservation area character statements.

The Charnwood Design SPD sets out what the Council considers to be high quality design in Charnwood and, in doing so, provides applicants greater clarity on how their proposals can meet the policy requirements in the adopted Charnwood Local Plan Core Strategy.

The principles of Good Design are based around the six principles outlined below:

- 1) Respecting and enhancing local character
- 2) Providing attractive public and private spaces
- 3) Well connected and legible streets and spaces
- 4) Creating multi-functional, safe and inclusive places
- 5) Adapting to climate change
- 6) Protecting the amenity of existing and future occupiers

The special interest of the Loughborough Ashby Road Conservation Area is principally derived from the following:

“The conservation area is a key reminder of two important developments of Loughborough town. The vast expansion of the town at the end of the 1800s which created the streets of villas and terraced housing and the development of Ashby Road in the 1920s and 1930s when Dr Schofield built Loughborough University.

Within the terraced streets, housing, employment, recreation, religion and education still contribute to the street scene. The predominant building materials are red brick under slate roofs, sash timber windows with white painted joinery. The front gardens of the villas and the terraced houses which have them are marked by low brick walls or hedges. Many of the streets contain houses with beautiful decorative terracotta panels and brickwork, original stained glass panelled doors and some have tiled front porches that form a double entrance to the house. Original decorative foot scrapers and cellar coal grills are still common. There is a significant number of houses which are still intact.

Along Ashby Road, the mature trees and parkland settings of the large, detached houses in their gardens create a fascinating evolution as one progresses along this gently curving gateway route into the town. The part of the university campus which is included in the conservation area is marked by the formal setting of the two halls fronting the circular lawn and fountain. The style of the houses is more varied but red brick, sometimes rendered and painted, white painted joinery, tiled and slate roofs dominate. There are superb examples of decoration.”

The nearest Listed Building is the Grade II Listed Church of St Mary described as follows:

“Roman Catholic church and house adjoining, 1833-4, by William Flint of Leicester. Stucco. Original church forms chancel of present church, which was enlarged in the 1920s by a 5-bay nave to the south. Massive 4-column south portico flanked by aisle windows in lugged architraves. Ceramic panel of the Annunciation above central door. Original church has ceiling with coved sides rising from cornice and west gallery with iron railing enriched with

palmettes. C20 fittings otherwise. House to west: 2-storey, double-fronted, 3 window range. Giant pilasters supporting entablature. Lugged architraves and bracketed cills. Pilastered doorcase, rectangular fanlight, 6-panelled door (2 panels now glazed). C20 casement windows.”

This nearby listed asset is located roughly 130m away to the north of the application site. It is a result of this significant separation distance there is not considered to be any relationship between the two sites and the proposal will not impact the setting of the designated heritage asset.

The proposed extensions to the rear include a single storey rear extension, and a dormer window. The proposed single storey rear extension would add an additional 3.1m of depth to the existing rear projection, and a width of approximately 3.7m. This would have a flat roof with a height of 3.0m and is considered to have a no harm upon the character of the conservation area due to its modest scale, and siting to the rear of the property behind 2m high walls. The extension will therefore be of limited visibility from the public footpath 'True Lover Walk' to the rear of the dwelling.

The proposed dormer design has been amended from a flat roof to pitched roof. The proposed pitched roof dormer window would be built in the same style as is found elsewhere within the conservation area, namely the original feature dormer windows found on properties in Radmoor Road. The new dormer window and rear window to the ground floor flat are not directly in line with the existing windows, as recommend in the Design SPD, but this is due to the internal arrangement of the bathrooms and not considered to warrant refusal of the proposal.

The development proposed in this application is situated to the rear of the property and will not be visible from the street-scene. Notwithstanding this, the design of the extension will correspond with the design of the host property and other extensions in the area. The Conservation Officer does not object and considers that the proposal follows the guidelines for new development identified in the conservation area character appraisal and the Design SPD.

Consequently, it is considered that the proposed new dwelling would at least preserve the character of York Road and thus the wider area in accordance with Policy CS2 and CS14 of the Core Strategy and Policy EV/1 of the Local Plan and the adopted SPD on Design.

It is therefore concluded that the proposed development would not harm the significance of the Conservation Area and as such, the public benefits of the scheme do not fall to be weighed in accordance with Paragraph 196 of the National Planning Policy Framework. The proposal would at least preserve the character and appearance of the Conservation Area and would accord with the Planning (Listed Buildings and Conservation Areas) Act 1990.

Amenity impacts

Policy CS2 of the Core Strategy requires new developments to protect the amenity of people who live or work nearby and those who will live in the new development. Policy EV/1 of the Local Plan states that the Council will seek to ensure a high standard of design in all new developments. Planning permission will be granted for new development which safeguards

the amenities of adjoining properties, particularly the privacy and light enjoyed by adjoining residential areas.

Focusing firstly on occupier amenity, the habitable rooms of the ground floor flat have been appropriately positioned appropriately to avoid undue disturbance from the upper floor. Each flat includes windows to rooms to allow for suitable daylight in each room.

The ground floor flat would have a floor area of approximately 62 square metres, and the upper floor flat would have a floor area of approximately 70 square metres. The floor area is in accordance with the National Space Standards. The smaller ground floor flat would be accessed from the rear garden and thus is more likely to have use of the garden.

To the north of the site is no.19 York Road, a two-storey terraced property. This property has been extended to the rear with a single storey rear extension. These properties are separated by a 1.6m high fence. However, the limited additional depth to this side, of roughly 3.1m, and 3.0m height of the flat roof would not result in any significant loss of light or overshadowing impacts on number 19.

To the south of the site is no.23 York Road, the other half of the Baden Villas dating from 1900, it was common for terraced properties to be built in pairs during this era, using one to live in and one to rent out. This sister dwelling has been extended into the roof space with a large box-dormer, and a conservatory at the rear. The two properties are separated by a brick wall of roughly 1.7m in height. The windows within the side elevation of the ground floor bedroom would look out towards the rear courtyard. As ground level windows, overlooking is of little concern here. A new ground floor dining room window will be added. Other windows exist on this existing elevation, which are to be bricked up. The amenity impact on 19 will be similar to the existing situation and overlooking is reduced by the boundary wall. The proposed rear extension would be deeper than the furthest point of this adjacent property by roughly 1.8m.

The properties on the western side of York Road benefit from largely uninterrupted views towards the Radmoor Park across the garden area of the Radmoor House student accommodation. Therefore, the occupiers of these properties benefit from a high standard of amenity despite their modest garden sizes. Due to the low height of the proposed ground floor extension, there is not considered to be any significant additional loss of sunlight to the neighbouring occupants. The layout also ensures that the neighbouring properties benefit from good levels of light, in that there would be no conflict with the 45-degree rule.

The proposed dormer in the roof would introduce some degree of overlooking of neighbours gardens, however this would not be over and above that which is provided from the dormer at no.23 or a roof light at the host dwelling. The plot orientation is highly regular and rectangular; therefore the proposed roof dormer would mainly overlook the host property and not any other property as views to the side would be obscured by the two-storey rear outriggers.

The existing use of the site is C3 dwellinghouse, the proposed use as two flats is also C3. Consequently, there is no change of use, but a new planning unit is created. It is not considered that there would be any significant change to the levels of anti-social behaviour as a result of the proposed development. The site was used as an HMO prior to 2015.

In summary, it is considered that the proposal accords with Policies CS2 of the Core Strategy, EV/1 of the Local Plan and meets the standards within the Design SPD in terms of amenity impact.

Transport and Highway Impact

Policy TR/18 of the Local Plan states 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 adopted standards included as Appendix 1 will be used as the starting point in assessing the level of provision and represent the maximum level.

In the Central areas of Loughborough and Shepshed and at District Centres the quantity of parking allowed will 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.

Paragraph 111 of the NPPF (2021) sets out that planning permission should only be refused on highway grounds if there would be an unacceptable highway safety impacts or 'severe' residual cumulative impacts to the highway network.

It is noted that off-street car parking is not available for this site. Ideally, dwellings that are located in an area where car ownership may be low - such as a town centre and other locations where services can easily be reached by walking, cycling or public transport – should have one-off-street car parking space to accord with paragraph 3.151 of Part 3 of the Leicestershire Highway Design Guide (LHDG). The site is approximately 700 metres from Loughborough Town Centre and some 200 metres from bus stops with frequent services to Leicester, Loughborough, Holywell Park (outside), Shepshed and Coalville. The Local Highways Authority (LHA) considers this guidance equally suitable for flats.

Nevertheless, it is noted that there is already a shortfall of one space for the existing 4 bed dwelling, and that there is an extensive package of Traffic Regulation Orders in force along York Road (and the surrounding streets) to prevent indiscriminate parking (including 'double yellows', on-street parking bays and waiting restrictions (with resident permit holders exempted)).

Consequently, the LHA does not consider that a further shortfall of 1 off-street car parking space would materially increase indiscriminate parking in the vicinity to the detriment of highway safety. As such, the LHA does not consider that the proposal could be demonstrated to be 'severe' in the context of paragraph 111 of the National Planning Policy Framework (2021).

The proposal accords with Policy TR/18 and the Leicestershire Highways Design Guidance.

Other matters

Concern has been raised that the development would be used as student accommodation as a way to circumvent the Article 4 Directive that is in place in Loughborough to require planning permission for change of use of a dwellinghouse (C3) to a small HMO (C4) (a property with three to six unrelated residents). It is worth reiterating that the proposal is for the conversion of one dwelling into 2x 2-bedroom apartments. The proposed use is not for

a small HMO. Any report of occupation as a HMO can be investigated. The use class would be C3 for the two flats, and no change of use would occur as the existing 4 bed dwelling is a C3 use.

Concern has been raised that the proposed creation of one additional residential unit may affect the residential balance of the area. The additional residential unit can be rented to anybody. A two-bedroom apartment would not necessarily invite a transient population, it would be suitable for a variety of different demographics. A two-bedroom apartment is equally suitable to be used as a family home.

Rubbish is a key concern for many local residents, as litter can be an issue in the area. The proposed dwellings benefit from a rear garden, where wheelie bins can be stored out of site.

Concerns have been raised with use of the flat roof extension as a possible terrace. A terrace is not shown on the plans and there is no indication in this application of use of the roof as a terrace.

Conclusion

The proposed development is considered to accord with all relevant policies of the Development Plan, the Design SPD and Leicestershire Highways Design Guidance are material considerations in favour of the development. The presumption in favour of sustainable development of NPPF paragraph 11(d)ii) is applied.

The provision of 1 additional dwelling in an accessible location would make a limited yet useful contribution to housing supply within the Borough and would support the Government's objective of significantly boosting the supply of homes. At a time where there is a Borough wide housing shortfall and the Council can demonstrate only 3.04 years supply, the benefits of such housing provision are afforded positive weight. The compliance with the HENA is also considered to have positive weight.

The site lies in a location for which housing development is encouraged under policy CS/1 and as such conflict with housing policies is avoided. In accordance with policies CS2 and EV/1, the proposed dwelling would not be detrimental to the appearance of both the property and the street in design and character. The proposed development will not cause any significant adverse impact upon residential amenity in line with policies CS2, EV/1 and H/17.

It is not considered that the proposed development would cause harm to the significance of the Conservation Area in accordance with policy CS14, the NPPF and Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

The site's proximity to Loughborough town centre and the existing permit parking on street ensures the impact to highway safety will not be severe. The proposals therefore adhere to paragraph 111 of the NPPF and TR/18 of the Local Plan.

RECOMMENDATION:-

Grant Conditionally, subject to the imposition of the following draft conditions and reasons and that the Head of Planning and Regeneration, in consultation with the Chair of the Plans Committee for amendments to the conditions and reasons, be given powers to

determine the final detail of planning conditions:

1. The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Application form – received 17 and 25 May 2022
Site Location Plan and Block Plan - Drg. No. 04 – received 17 May 2022
Plans and Elevations – Drg. No. 03 Rev.a – received 05 September 2022

REASON: To define the terms of the planning permission.

3. No materials shall be placed on the site until such time as details of the type, texture and colour of the materials to be used on the external surfaces of the proposed development, have been submitted to and agreed in writing by the Local Planning Authority. Only materials agreed in writing by the Local Planning Authority shall be used in carrying out the development.

REASON: To make sure that the appearance of the completed development is satisfactory in accordance with Policies CS2 & CS14 of the Core Strategy and policy EV/1 of the Charnwood Local Plan.

4. Prior to the first occupation of the hereby approved development, details of a bicycle store for at least four bicycles, to the rear of the properties, shall be submitted to and approved in writing and shall be provided and available for use by all occupants. The bicycle store shall be retained for bicycle storage thereafter.

REASON: In the interests of delivering the modal shift set out within Policy CS17 of the Core Strategy.

5. Prior to the first occupation of the hereby approved development, a designated storage bin area for at least four wheelie bins to the rear of the properties shall be provided and available for use and retained for such use thereafter.

REASON: In the interests of safeguarding residential amenity in accordance with Policy CS2 of the Core Strategy.

The following advice notes will be attached to a decision.

1. The decision has been reached taking into account paragraph 38 of the National Planning Policy Framework and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. This permission does not give any legal right for any work affecting neighbouring property, including buildings, walls, fences and vegetation within that property. The responsibility for meeting any claims for damage to such features lies with the applicant.



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