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| Plans Committee Date: | 12th April 2023 |
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Item No:

Application Reference Number: P/23/0169/2

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|--------------------------|---|--------------------|------------------------------|
| Application Type: | Householder | Date Valid: | 02/02/2023 |
| Applicant: | Mr Robert Mitchell | | |
| Proposal: | Two storey extensions to side and rear and single storey extension to rear and formation of patio to rear and hard-surfaced area to frontage (Revised scheme P/22/0655/2 refers). | | |
| Location: | 6 Elms Drive, Quorn | | |
| Parish: | Quorn | Ward: | Quorn and Mountsorrel Castle |
| Case Officer: | Deborah Liggins | Tel No: | 07864 603401 |

1. Background

- 1.1 This application is referred to Plans Committee in accordance with the Council's scheme of delegation embedded within Section 8.2 of the Constitution.

2. Description of the application site

- 2.1 The application site is a two storey, 3 bedroom detached house standing in a generous plot and located on the south-western side of the street and within an established residential area within the Quorn Limits to Development. Dwellings in the street vary in type, style and in the materials used. They are individually designed and with varying depth of frontages, giving a varied architectural character to the street. The application property is constructed of brick with a Flemish bond and has a clay tiled roof. It features a forward projecting two storey gable with boarding in its gable. On the southern side of the house and recessed 5.5m from the front elevation is an attached flat roofed single garage and a covered way. To the northern side is a less substantial flat roofed carport. The property has a hard-surfaced frontage and twin driveway accesses (each being 2.3m wide) and is bounded to the street with a low brick wall with 1m high piers. A young Holly tree and various shrubs are planted behind this wall and are proposed to be retained. To the rear the property has a garden depth of 33m defined by a 1.8m close board fence which adjoins the perpendicular garden boundaries of dwellings on Craddock Drive.

2.2 Properties bounding the application site are:

| Boundary | Adjacent land use |
|-----------------|--|
| South | 4a Elms Drive a gabled bungalow with a flat roofed extension on its northern side to the boundary and with a blank facing elevation and roof plane. This property is the subject of a current application for planning permission under reference P/23/0171/2 in relation to proposed first floor / two storey front and side extension including porch, single storey side extension, side dormer roof extension and rendering of dwelling. This proposal would present a new blank gable and dormer cheeks to the southern boundary of No. 6 Elms Drive. |
| North | 8 Elms Drive – an ‘L’ shaped bungalow which turns the corner of the street and which has both an attached flat roofed garage and integral garage on its southern side closest to the application site. |
| East | Residential properties on Elms Drive opposite the site. |
| West | The long garden of No. 24 Craddock Drive and the gardens of Craddock Drive dwellings beyond. |

3. Description of the proposal

3.1 The application proposal is a revised scheme to P/22/0655/2 which was also considered by the Plans Committee on 27 July 2022. The current proposal now has the following main elements:

- A single storey rear extension projecting 2.059m by 9.865m wide. This extension would have a flat roof behind a 3.41m parapet wall. This element of the proposal would be finished with render in a colour to be agreed. This extension would provide an extended kitchen/dining/snug area and would be a metre shorter in depth than the scheme previously granted planning permission.
- A two-storey extension on the southern side of the property which incorporates part of the existing garage and utility room. The two-storey side extension would be 3.6m wide and 9.635m long and would be inset from the existing front elevation of the house. This element would incorporate a storage garage, w.c. and utility room to the ground floor with a master bedroom suite and additional bedroom above and would present a blank elevation to the neighbour at No.4a. The extension would present with a hipped roof and brickwork finish to the front of the property which would match the roof pitch of the original dwelling but with a lowered ridge line. The extension would include a small flat roofed area which would not be discernible at street level. To the rear, the extension would feature a new gabled roof with the new works being finished in render to match the proposed single storey extension with a tiled roof to match those of the original dwelling.

- External alterations to the rear garden to form a raised patio area spanning the width of the plot (as per previously approved scheme).
- The previously approved first floor extension to the northern rear side of the house is omitted from the current scheme.
- The previously approved alterations to the site frontage including new block paving and the widening of the vehicular accesses each to 3.5m is also omitted from the current scheme, with both vehicular accesses serving the site remaining as existing. The frontage of the property which is capable of accommodating at least 3 vehicles is to remain unaltered.

4. Development Plan Policies

4.1 The relevant parts of the Development Plan comprise the Charnwood Local Plan Core Strategy (adopted 9 November 2015), the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies), The Minerals & Waste Local Plan (2019) and the Quorn Neighbourhood Plan made on June 6th 2019.

The policies applicable to this application are as follows:

4.2 Charnwood Local Plan Core Strategy

- Policy CS2 – High Quality Design
- Policy CS25 - Presumption in favour of sustainable development

4.3 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 EV/1 – Design
- Policy H/17 – Extensions to dwellings (including garages)
- Policy TR/18 - Parking in New Development

4.4 Minerals and Waste Local Plan (2019)

This document includes the County Council's spatial vision, spatial strategy, strategic objectives, and core policies which set out the key principles to guide the future winning and working of minerals and the form of waste management development in the County of Leicestershire over the period to the end of 2031.

Policy M11 seeks to safeguard mineral resources including sand, gravel, limestone, igneous rock, surface coal, fireclay, brick clay and gypsum. The policy sets out that planning permission will be granted for development that is incompatible with safeguarding minerals within a Mineral Safeguarding Area provided certain criteria are met.

Planning applications for non-mineral development within a Mineral Safeguarding Area should be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to it.

4.5 Quorn Neighbourhood Plan 2018-2036 (Made: June 2019)

- Policy S2 – Design Guidance

5. Other material considerations

The National Planning Policy Framework (NPPF 2021)

5.1 This confirms that planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. The Framework contains a presumption in favour of sustainable development and defines 3 roles a development must fulfil in order to be sustainable:

- 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

5.3 Paragraph 8 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.

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

5.5 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.

5.6 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.

- 5.7 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.
- 5.8 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, including mitigating noise.

Planning Practice Guidance

- 5.9 This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework. The guidance sets out relevant guidance on aspects of flooding, air quality, noise, design, the setting and significance of heritage assets, landscape, contaminated land, Community Infrastructure Levy, transport assessments and travels plans, supporting the policy framework as set out in the NPPF.

National Design Guide

- 5.10 This is a document created by government which seeks to inspire higher standards of design quality in all new development.

Leicestershire Highways Design Guide

- 5.11 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 expected to be provided in new housing development.

Design Supplementary Planning Document (January 2020)

- 5.12 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.

Leicestershire Highways Design Guide

- 5.13 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 expected to be provided in new housing development.

Quorn Village Design Statement (2008)

- 5.14 This document seeks to record the natural and built features of Quorn that are valued by its residents with the purpose of safeguarding and enhancing the village with appropriate and contextually sympathetic development. This document states that new development should respect the diverse origins of the village and avoid uniformity. Variety and innovative contemporary design is encouraged subject to harmonizing with the scale and character of the immediate locality and the village as a whole. The document seeks to ensure that future developments preserve the essential character of Quorn and to suggest opportunities for appropriate restoration or enhancement. The aim of the document is to safeguard the integrity and independence of the village so that succeeding generations will continue to enjoy, understand and defend its historic foundation.

Equality Act 2010

- 5.15 Section 149 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality.

Draft Charnwood Local Plan 2021-2037

- 5.16 This document sets out the Council's strategic and detailed policies for the Borough over the period 2019-37. The local plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events is dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2023.

5.17 In accordance with NPPF paragraph 48, the relevant emerging policies in the plan may be given weight in determining applications, according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight it may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- c) the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

5.18 The following policies are considered applicable to this application, and the weight they can be assigned is addressed below:

DS5 – High Quality Design – This policy requires all new developments to make a positive contribution to Charnwood, by responding positively to the local distinctiveness of the area and providing attractive and functional places where people will want to live, work and visit. The policy sets out how this might be achieved and includes a requirement for development to protect the amenity of people who live or work nearby and those that will live in the new development. The plan is at an advanced stage and there are no unresolved objections in the Examination process – this policy can therefore be given moderate weight.

T3 – Car Parking Standards – This seeks to ensure that there is adequate provision for all users of residential and non-residential parking in the Borough and requires development proposals to accord with the latest guidance of the Leicestershire County Council and Charnwood Borough Council. Any variation from the guidance should be supported by robust evidence and be thoroughly justified. The plan is at an advanced stage and there are no unresolved objections in the Examination process – this policy can therefore be given moderate weight.

6. Relevant Planning History

| Reference | Description | Decision & Date |
|-------------|--|-------------------------------------|
| P/20/2306/2 | Two storey extensions to rear and side of detached house, widening of vehicular accesses and formation of patio to rear and hardsurfaced area to frontage. | Granted conditionally 26/02/2021 |
| P/22/0655/2 | Two storey extensions to side and rear and single storey extension to rear, widening of vehicular accesses and formation of patio to rear and hardsurfaced area to frontage (Revised scheme P/20/2306/2 refers). | Granted conditionally 27/07/2022 |

7. Responses of Consultees & Other Comments Received

| Ward Councillor and Parish Council Response | |
|---|----------------------|
| Cllr Shepherd | No comment received |
| Cllr Hunt | No comment received |
| Quorn Parish Council | No comment received |
| Responses to publicity | |
| From | Comments |
| Neighbours | No comments received |

8. Consideration of the Planning Issues

- 8.1 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 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 (2011-2028), Minerals and Waste Local Plan (2019) and the content of the Quorn Neighbourhood Plan (2020).
- 8.2 The main planning considerations applicable to this application are considered to be:
- Design and impact on the street scene
 - Design and impact on residential amenities
 - Impact on Mineral Resources
 - Car parking.

9. Key Issues

Design and impact on the street scene

- 9.1 The existing frontage of the property would retain its current appearance for the most part. The proposed two-storey side extension to the southern side of the dwelling is set back from the front elevation and highway boundary and is subordinate in appearance with a hipped roof sloping away from No. 4a and a lowered ridge height in accordance with adopted design guidance. The single storey extension to the rear and the creation of the patio at the back of the house will make no contribution to the street scene and will not be detrimental to it.
- 9.2 Combined with the use of matching materials to the front elevation, this would ensure the extensions are not incongruous in the street scene. There are now no alterations proposed to the site frontage and vehicular accesses and, as such their appearance within the street scene would remain as existing.

- 9.3 The design, scale and appearance of the proposed extensions and the use of materials (to be agreed by condition) would complement the existing dwelling and would be in-keeping with the varied residential character of the area. The design is therefore considered to be acceptable. In summary, it is considered that the proposal would not be visually harmful or incongruous in the street scene and would accord with Policy CS2 of the Charnwood Local Plan 2011-2028 Core Strategy, saved Policies EV/1 and H//17 of the Borough of Charnwood Local Plan, Policy S2 of the Quorn Neighbourhood Plan, the adopted Supplementary Planning Document 'Design' and Policy DS5 of the Draft Charnwood Local Plan (2021-2037).

Impact on residential amenities

- 9.4 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seek to protect the amenity of existing and future residents. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity. Saved policy EV/1 of Local Plan and policy CS2 of Core Strategy require high quality design that does not impact on the amenity of adjacent properties or create poor standards of amenity for future occupiers. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity is achieved.
- 9.5 The southern extension involves a hipped roof which slopes away from the blank flanking elevation of No. 4a (with a nearer proposed blank flanking gable if its planning proposals under P/23/0171/2 are found to be acceptable).
- 9.6 The proposal accords with the 45 degree 'angle of light' rule and because of the position of the dwelling in relation to those either side, the proposal would not cause significant losses of daylight or sunlight to neighbouring properties. The creation of the patio to the rear will be at existing ground levels, with steps leading down to the lower lawn where levels already fall away from the house. It is considered that this element of the proposal would not increase overlooking to neighbouring properties any more than the existing situation.
- 9.7 This further revised (and reduced) proposal is therefore considered to be acceptable in terms of preserving the amenities and particularly the light, privacy and outlook of neighbouring occupiers in accordance with Policy CS2 of the Charnwood Local Plan (2011-2028) Core Strategy, saved Policies EV/1 and H/17 of the Borough of Charnwood Local Plan, Policy S2 of the Quorn Neighbourhood Local Plan, Policy DS5 of the Draft Borough of Charnwood Local Plan and the adopted Supplementary Planning Document on Design.

Impact on Mineral Resources

- 9.8 The site is located within a sand and gravel Mineral Safeguarding Area. Policy M11 of the Leicestershire County Council Mineral and Waste Local Plan aims to prevent non-mineral related development from potentially sterilising any mineral present within a Mineral Safeguarding Area. The site is previously developed land with residential development surrounding it and it is a material consideration that there are two extant planning permissions for extensions to be undertaken to the dwelling. The site is not of a scale whereby there would be any real possibility of any minerals found to be below the site, ever being worked.
- 9.9 Consequently, the proposed development would not be in conflict with Policy M11 of the Leicestershire County Council Minerals and Waste Local Plan (2019). Furthermore, it is considered that the proposed development would not be in conflict with the relevant provisions of the National Planning Policy Framework, notably Paragraph 210.

Car Parking

- 9.10 Policy CS2 of the Core Strategy and TR/18 of the Borough of Charnwood Local Plan seek to ensure safe access and an appropriate quantum of car parking is provided to serve new development. These policies generally accord with the National Planning Policy Framework and do not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them. Paragraph 111 of the NPPF seeks to ensure new development does not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network.
- 9.11 The development is of a scale and nature whereby the standing advice of the local highway authority would apply. This relates to the quantum of parking provision within new developments and access geometry. The existing parking provision would be retained and there are at least 3 frontage car parking available to serve the needs of the extended dwelling. The proposed garage would be considered insufficiently dimensioned to contribute to proposed car parking provision but may well accommodate a smaller vehicle, bicycles, or be used for storage purposes. The existing external parking provision is therefore considered to be sufficient to meet the needs of the enlarged dwelling and would accord with the current standards of the local highway authority.
- 9.12 Having regard to the above, it is considered that the proposal accords with the National Planning Policy Framework, saved Policy TR/18 of the adopted Local Plan and Policy T3 of the Draft Charnwood Local Plan and that severe highway impacts as described in Paragraph 111 of the National Planning Policy Framework would not be caused by the development.

10. Conclusion

- 10.1 The proposal is considered to accord with relevant development plan policies and national planning guidance. It is not considered that the proposal would result in material harm to residential amenity or highway safety and there are no other matters raised which provide justifiable grounds for refusing this application. It is recommended, therefore, that planning permission be granted, subject to the following conditions.

11. Recommendations

RECOMMENDATION:

To grant planning permission conditionally, subject to the imposition of the following draft planning conditions and reasons and that the Head of Planning and Growth, in consultation with the Chair of the Plans Committee for amendments to the conditions and reasons, be given delegated authority 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:

WAA099 01 - Site location plan

WAA099 02 - Existing and proposed site layout plans

WAA099 10 Rev P - Proposed floor plans

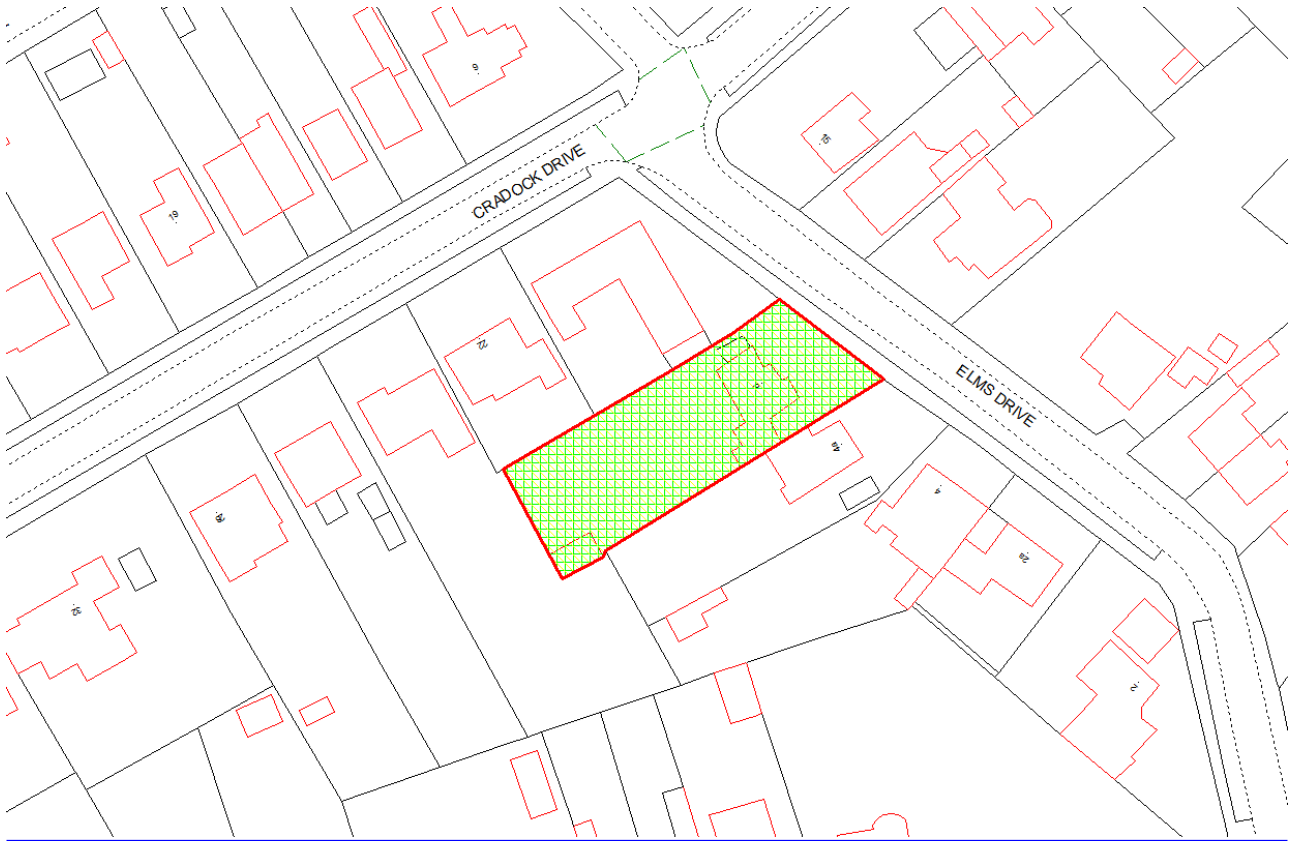
WAA099 13 Rev Q - Proposed elevations

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 for the agreement of 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 and in order to accord with Policy CS2 of the Charnwood Local Plan (2011-2028) Core Strategy, saved Policy EV/1 of the Borough of Charnwood Local Plan, Policy S2 of the Quorn Neighbourhood Plan and Policy DS5 of the Draft Charnwood Local Plan (2021-2037).

APPLICATION SITE



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