

Plans Committee Date:	25 May 2023
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Item No:

Application Reference Number: P/22/1830/2

Application Type:	Householder	Date Valid:	04/10/2022
Applicant:	Mr & Mrs Vijay Limbachia		
Proposal:	Remodelling of house including erection of two storey extensions to side and rear, single storey extension to rear, alterations to roof form to facilitate first floor accommodation, render and timber cladding to external walls of house		
Location:	49 Thorpe Acre Road Loughborough		
Parish:	Loughborough	Ward:	Dishley Hathern & Thorpe Acre
Case Officer:	Paul Oxbrough	Tel No:	07591 947040

1. Background

1.1 This item is being brought to Plans Committee as the recommendation to approve is contrary to development plan policy H17(i).

2. Description of the application site

- 2.1 The application site relates to a detached bungalow located within the Limits to Development for Loughborough. The site is adjacent to the bungalow number 51 to the west, the rear garden of the two storey 25 Kinross Crescent to the rear (north), abuts the public right of way White Bridge Way to the east and is opposite the two storey public house, The Plough Inn, to the south. The nearest dwellings to the east are single storey and detached from the site by the public right of way and a small parking area.
- 2.2 Thorpe Acre Road is made up of a mixture of properties such as two storey houses, bungalows, sheltered accommodation and a historic public house, all built at various times and in various styles in its history. Consequently, the variation of architectural styles does not produce a coherent character to the street scene.
- 2.3 The application house is not in a prominent location but has a large front garden that extends approximately 20m to the front of the property setting the house back from the street. There is a reasonable sized rear garden to the property. There is a drive to the front providing existing vehicular parking for three cars and a pedestrian access off Thorpe Acre Road.
- 2.4 An existing detached garage is situated to the rear of the house close to the boundary with the neighbouring property at number 51.

- 2.5 There is a change in ground levels between the application property and the neighbouring property to the west of around 200mm. There is an existing 1.8m fence situated along the boundaries to the rear of the application site and a 2.0m wall between the application site and neighbouring property at number 51 Thorpe Acre Road. The proposed extension is set away from the boundary and the existing boundary treatment will therefore be retained.

3. Description of the proposal

- 3.1 The proposal is to remodel and extend an existing bungalow to create an individually designed two storey house. The proposal will include removing the existing dual pitched roof and replacing this with an asymmetric roof. Also proposed is an extension to the front and side (east) of the house, which the new roof will incorporate into the enlarged footprint. A flat roof extension is also proposed to the rear.
- 3.2 The proposed side extension increases the footprint towards a public footpath that shares the boundary to the east of the dwelling. This will increase the width of the property from 6.8m to 10.0m. The proposal will not result in the footprint of the dwelling extending towards the neighbouring property at number 51. The proposed increase in footprint to the front will bring the dwelling closer to the street by 2.0m. The proposed rear extension will project from the rear wall of the dwelling by 3.0m. The rear extension does not extend the full width of the dwelling and it is located to the east away from the nearest neighbouring property at number 51.
- 3.3 An asymmetric roof with an overall height of 6.2m will result in an overall increase in height for the property of 1.2m.
- 3.4 Materials proposed are a combination of weathered red brick, white render and timber cladding to the flat roof extension at the rear.
- 3.5 Amended plans were sought to improve the layout of the windows and require materials to be similar in appearance to existing materials within the streetscene. Amended plans (Rev G) have been received for the application specifying the colour of the render, the brick type and the cladding as detailed above. Amendments also changed the fenestration to the front of the proposal and re-ordered the area and location of external material and cladding.

4. Development Plan Policies

- 4.1 The Development Plan comprises the Charnwood Local Plan Core Strategy (adopted 9 November 2015) and the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies).

4.2 The policies applicable to this application are as follows:

Charnwood Local Plan Core Strategy

4.3 Policy CS1 – Development Strategy
Policy CS2 – High Quality Design

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

4.4 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 H17 – Extensions to Dwellings
Policy EV/1 – Design
Policy TR/18 - Parking in New Development

5 Other material considerations

The National Planning Policy Framework (NPPF 2021)

5.1 The National Planning Policy Framework is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development. Sections relevant to this proposal include:

- Section 3 ; Plan Making
- Section 4: Decision making
- Section 9: Promoting Sustainable Transport
- Section 11: Making effective use of land
- Section 12: Requiring well-designed places

Planning Practice Guidance

5.2 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

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

Design Supplementary Planning Document (SPD) (January 2020)

- 5.4 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

- 5.5 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.

The Draft Charnwood Local Plan 2019-37

- 5.6 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 are dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2023.
- 5.7 In accordance with NPPF paragraph 48, the relevant emerging policies in the plan may be given weight in determining applications, according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight it may be given);
 - 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);
 - 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).
- 5.8 The following policies are considered applicable to this application, and the weight they can be assigned is addressed in the 'Planning Considerations' part of this report.

Policy DS5: High Quality Design
Policy T3: Car Parking Standards

6 Relevant Planning History

6.1

Reference	Description	Decision & Date
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The relevant planning history for the site is:

P/85/2008/2	Extension to side of detached bungalow for bathroom and bedroom and erection of garage to rear	Granted – 04/10/1985
P/75/0057/2	Use of land for residential development	Refuse – 06/03/1975
P/76/0750/2	Use of land for the erection of two dwellings	Granted – 10/06/1976
P/76/2216/2	Erection of a pair of bungalows and garages (76/0750/2 refers)	Granted – 11/11/1976

7 Responses of Consultees and Other Comments Received

7.1 The table below sets out the responses that have been received from consultees. Please note that these can be read in full on the Council's website www.charnwood.gov.uk

Responses to publicity	
From	Comments
Two letters of objection have been received from a neighbouring property raising the following concerns:	<ul style="list-style-type: none"> The proposed design is out of character with the area and is not sympathetic with the surrounding buildings which are all mainly single storey. The proposed design is an awkward contemporary house conversion. The jutting apex of the second roof level is at odds with the lower roof lines of the bungalows in this section of Thorpe Acre Road. Nos 49 and 51 built at same time as a matching pair of bungalows. The enlargement of No 49 will overshadow No 51 and impact on its appearance. Neighbouring kitchen window approximately 5 metres from the enlarged building will be impacted by the proposal by overlooking and loss of privacy. First floor windows will overlook neighbouring house. Small bungalows with gardens suitable for retired people are in very short supply. This will result in an overbearing development.
This neighbour also raises the following matters which are not considered to be	<ul style="list-style-type: none"> These factors will have a detrimental effect health and mental wellbeing. Will impact property prices.

determinative to the proposal:	
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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),
- 8.2 The main planning considerations applicable to this application are considered to be:
- Principle of development
 - Design & impact on the Street Scene
 - Highway matters
 - Other matters

Key Issues

Principle of the Development

- 8.3 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 application site is within Loughborough, one of the main urban areas of the Borough, where the principle of extending dwellings is acceptable. The proposal is therefore considered to accord with Policy CS1 of the Core Strategy.

Design and Impact on the Street Scene.

- 8.4 Core Strategy Policy CS2 and saved Local Plan policies EV/1 and H/17 promote high quality design standards. Further guidance on design is set out in the Design Supplementary Planning Document. NPPF Paragraph 134 provides for significant weight to be given to innovative designs which promote high levels of sustainability. The emerging Local Plan Policy DS5 promotes development which enhances the character of the area having regard to scale, density, massing, height, landscape, layout, materials. The emerging local plan is at an advanced stage with no further discussion planned for design and it is considered there are no unresolved objections thus far DS5 is therefore is considered to carry moderate weight.

- 8.5 The existing dwelling is a brick bungalow with a small render section of the front elevation under a tiled roof, with brown UPVC windows. The proposal is a re-modelling of the original house and results in a design that is overtly modern in character with an asymmetrical shaped roof at two levels and floor to ceiling glazing at first floor level. A concern has been raised regarding the contemporary design of the proposal. However, the roofscape of the street is a mixture of single and two storey buildings that vary in pitch, architectural style and materials with some historic and some more modern materials used. Despite this, the resulting modern design would be a distinct contrast to the surrounding area. The proposed shape of the first floor and asymmetric roof would result in the property becoming a more pronounced feature in the street scene.
- 8.6 The property is set around 20m back from the highway with a large front garden, which is a common feature in the immediate area. Although the property is not readily visible on the approach from the east it is more visible along Thorpe Acre Road on the approach from the west. Other houses along Thorpe Acre Road are situated to the back of the highway on the approach from the West and the application site is not therefore considered to be situated within a prominent location within the street scene but does still remain visible.
- 8.7 This area of Thorpe Acre Road does not have a strong sense of character, but is defined by a unique mix of styles of both two storey and single storey properties, some flatted accommodation and an early 18th Century pub building opposite the application site. Due to this mix, it is therefore considered that the proposed design would not appear invasive to the existing street scene but would create a feature of interest and thereby enhance an area which is otherwise limited in its architectural design and character.
- 8.8 The proposed external materials incorporate brick work and render which have been chosen to reference materials of other nearby properties within the area and would therefore reflect the mixture of brick and render finishes in the area. The proposed timber cladding to the flat roof element situated to the rear will not be prominent within the street scene, but will present an interesting contrast to the proposal viewed from the rear of the property that will not be detrimental but compliment the overall modern character of the property
- 8.9 Local residents have raised concerns about the roofline and how it is at odds with nearby properties. This is recognised but it is not considered that this would be harmful in the street scene because the scale of the dwelling will remain similar to the existing (a modest 1.2m height increase) and the extensions will predominantly be to the side and rear, limiting their visibility in the street scene. The dwelling is to be extended to the front by 2.0m with feature windows at first floor level, but given the set back position in the plot, this will not be prominent in the street scene. It is also noted that there is a similar angled roof design close to the site, and visible behind the dwelling when viewed from Thorpe Acre Road. It is therefore considered that the proposal will not be an intrusive or incongruous feature in the street scene.

- 8.10 The changes proposed will alter the property in scale, mass, design and materials. Due to the extent of changes, the original property identity is changed, and the changes are not compatible with the original dwelling. This is a conflict with policy H/17(i), which is reproduced below at paragraph 8.12. However, this conflict is considered to be acceptable in this instance as the resultant dwelling will be compatible with the varied street scene.
- 8.11 Local residents have also expressed concern that the existing property is part of a pair of bungalows erected at the same time and that the proposed extensions and alterations would dominate the neighbouring bungalow. It is acknowledged that the bungalows at present are similar in their character and appearance. However, they are not prominent features in the street scene and their design doesn't have any special merit. The fact that the properties are a pair built at the same time is not a reason to prevent future development and the assessment is whether the proposal would result in harm to the character and appearance of the street scene and the surrounding area. For the reasons set out in this report it is considered that is not the case and that there would be no detrimental visual impact.
- 8.12 Saved Policy H17 of the Local Plan states:
- “Where Planning permission is required for a residential extension to an existing dwelling or for a garage, permission will be granted provided the development meets all of the following criteria:*
- I. it remains compatible in scale, mass, design and use of materials with the original dwelling;*
 - II. it would not appear as an intrusive or incongruous feature in the streetscene to the detriment of visual amenities;*
 - III. it would not prove detrimental to the amenities of occupiers of nearby properties by reason of overshadowing, dominance, or substantial loss of privacy or light;*
 - IV. it would not involve the removal of areas of existing landscaping important to the character of the location”.*
- 8.13 For the reasons set out above it is considered that the proposed extensions and alterations would comply with requirements (ii) to (iv) of this policy, but not requirement (i). Neighbouring amenity is covered later in this report.
- 8.14 Overall, the proposal conflicts with policy H/17 as criterion (i) is not met; however, it is considered that whilst the proposal is of a modern design this will not result in an invasive element in the street scene but on balance will make a positive contribution and enhance the character of the area in this case. The proposal otherwise accords with Saved Policy EV/1 of Local Plan, policy CS2 of Core Strategy and emerging policy DS5 of the Local Plan together with adopted Design SPD and the NPPF.

The Impact on Residential Amenity

- 8.15 Core Strategy Policy CS2 and saved Local Plan policies EV/1 and H/17 promote high quality design and layouts to preserve residential amenity for both occupiers of existing neighbouring properties and the future occupiers of new development.

No.51 Thorpe Acre Road

- 8.16 There is an existing boundary fence between 51 and the site. The drop in ground levels results in number 51 being situated at a slightly lower ground level than the application property. The combination of the wall and drop in ground levels serves to screen the application property from direct views to a neighbouring kitchen window located to the side and facing the boundary. This serves to protect the privacy for the occupants of the neighbouring bungalow.
- 8.17 Three high level windows are proposed to the side elevation of the application property at first floor level which would face towards number 51. The internal floor layout shows these will serve two bathrooms and a landing. These windows are situated 1.8m above the internal floor levels and at this height these windows will not result in an unacceptable impact upon the amenity of the neighbouring property at number 51 in respect to privacy in this case, as they will not enable overlooking due to their high level. The proposal is therefore considered compliant under Core Strategy CS2, Local Plan Policy EV/1 and satisfies emerging Local Plan Policy DS5 in respect to privacy and complies with the adopted Design SPD.
- 8.18 The existing drop in ground levels increases the potential impact on the neighbouring property at no.51 in terms of loss of light, overshadowing and overbearing impact. The proposed extensions to the front and rear of the property will not break a 45 degree line taken from the centre of the habitable room windows to the rear of the neighbouring house. Due to the orientation of the property the increase in height does not result in excessive overshadowing of the rear facing windows of this neighbouring property.
- 8.19 The proposed alteration does not bring the side elevation closer to the boundary between these two properties. The proposal will result in an increase to the eaves height from the existing 2.4m to 2.9m along this side of the property. Additionally, the original ridge which is 5.0m in height will be replaced by a central wall supporting the new asymmetric roof 1.2m above the height of original ridge line.
- 8.20 The existing boundary fence is situated around 2.5m from the neighbouring side facing kitchen window. The application property is situated 2.5m beyond the boundary wall. The outlook from the neighbouring kitchen window is therefore compromised by the existing proximity to the boundary and the application property and the proposed extensions will have minimal impact on that window over and above the existing arrangement.
- 8.21 The application dwelling is situated to the east of number 51 and in this location there is some overshadowing of the neighbouring kitchen window early in the morning, but not for the majority of the day. In consideration of the existing situation for the kitchen window, the separation distances to the boundary wall and relationship to the original house, it is considered that the increase in height of the eaves and overall height of the roof will not result in excessive loss of light, outlook, overshadowing or cause an

overbearing impact to this neighbouring property sufficient to justify a refusal of the application in this case.

- 8.22 All other nearby properties would be located far enough away from the proposal such as to not result in any detrimental harm in terms of overlooking, overshadowing or overbearing impact. The proposal is therefore considered on balance to be compliant under Core Strategy CS2, Local Plan Policies EV/1 and H/17iii), satisfies emerging Local Plan Policy DS5 in respect of residential amenity and complies with the adopted Design SPD.

Highway Safety

- 8.23 Saved Local Plan Policy TR/18 requires new development to provide off-street parking for vehicles and promotes standards that requires a maximum of three parking spaces for a four or more-bedroom dwelling in the interests of highway safety. Paragraph 111 of the NPPF states that new development should only be resisted on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe. Policy T3 of the Emerging Local Plan relates to Car Parking Standards. T3 is consistent with NPPF paras 104, 107, 108. 12 representations which were considered during the Feb 23 hearing sessions and the policy is considered to carry little weight for this reason.
- 8.24 The proposal would result in the increase in the number of bedrooms from two to three, with one of the bedrooms on the ground floor marked as an annex. The existing provision of three parking spaces for the property would be in accordance with the relevant provisions of "saved" Policy TR/18 of the Charnwood Local Plan 2004, and in accordance with the guidance contained within the Leicestershire Highways Design Guide.

9 Conclusion

- 9.1 The proposed extensions at 49 Thorpe Acre Road are a contemporary design approach which is considered modern in character. The character of the surrounding area is not considered to provide a high standard environment or any special qualities and within this context it is considered the proposed development and remodelling of the property could be accommodated without causing undue harm to the character of the area. The development will make a positive contribution and respect and enhance the character of the area and on balance is considered beneficial to the area and therefore acceptable. Notwithstanding the conflicts with the Borough of Charnwood Local Plan policy H/17 (i), requiring proposed extensions to dwellings to remain compatible in scale, mass, design and use of materials with the original dwelling, it is considered that the proposal will not be an invasive feature in the street scene and will not be detrimental to the character of the area but on balance will add a positive contribution to it. The proposal satisfies Saved Policy EV/1 of the Local Plan, policy CS2 of Core Strategy and policy DS5 of the Emerging Local Plan.

- 9.2 Furthermore, it is considered that the development would not unreasonably impact upon the amenities of the residents of neighbouring dwellings, and would not impact on highway safety. It is considered that the proposed development accords with “saved” Policy H/17 of the Borough of Charnwood Local Plan in this regard, together with Core Strategy Policy CS2, saved policies EV1 and TR/18 of the Borough of Charnwood Local Plan (12th January 2004) and Policies DS5 and T3 of the Emerging Local Plan with regards to amenity and highways consideration and would be considered to be in compliance with the Design SPD of Charnwood Borough Council and the National Planning Policy Framework.
- 9.3 It is therefore recommended that planning permission should be granted, subject to conditions.

10 Recommendation

- 10.1 Grant conditionally.

11 Recommended 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 plans:
 - Application Form;
 - Site plan ref X16 – 01;
 - Location plan drawing titled existing plans and elevations ref X16 – 10; all received by the Local Planning Authority on 4th October 2022;
 - Proposed plans and elevation ref X16 – 02 Rev G received by the Local Planning Authority on 5th January 2023.REASON: To define the terms of the planning permission.

APPLICATION SITE

