

Plans Committee Date:	22 June 2023
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Item No:

Application Reference Number: P/23/0320/2

Application Type:	Householder	Date Valid:	25/05/2025
Applicant:	Mr Michael Burke		
Proposal:	Proposed conversion of garage into habitable space, single storey rear extension (linked to former garage) and changes to fenestration		
Location:	12 Wren Close Loughborough Leicestershire LE11 3HL		
Parish:	Loughborough	Ward:	Loughborough
Case Officer:	Christine Beresford	Tel No:	01509 63 4977

1. Background

- 1.1 The application has been called in at the request of Ward Councilor Parton. The application was called in citing the following reasons:
- Fears other student landlords will follow in expanding their HMOs.
 - Parking issues.
 - Waste management concerns.

2. Description of the application site

- 2.1 The property subject to this application has a lawful use as a C4 dwelling house (House in Multiple Occupation) Planning ref: app No. P/18/0791/2 - certificate of lawful development, approved on the 30th May 2018.
- 2.2 The site is located in a predominantly residential area, which is characterised by dwellings similar in appearance and age.
- 2.3 The property sits at the end of a small terrace of three on a relatively standard size plot. It comprises a red brick and cream rendered 3-storey, 4-bedroom modern townhouse. A detached garage is located to the northern side of the property and set back sufficiently to provide for two off street parking spaces.
- 2.4 The standard advice from County Highway Authority confirms that the garage does not meet parking standards in relation to its size and is discounted from the available parking at the site. The total of useable parking spaces (two) therefore remains unchanged.

- 2.5 The site is located in a landfill area.
- 2.6 The site is located in an article 4 area that restricts the use of dwellings as Houses in Multiple Occupation. However, the site currently has a lawful use as a C4 dwelling (small House in Multiple Occupation, 3-6 residents).

3. Description of the proposal

- 3.1 The proposal seeks planning permission for the conversion of the garage into habitable space, a single-storey rear extension (linked to the garage) and changes / additional fenestration.
- 3.2 The proposed single storey rear extension that links to the former garage would have an overall width of 2.78 metres, have a length of 7.32 metres and would have a ridge height of 2.95 metres. In addition, the fenestration on the extension would include two windows and a door.
- 3.3 The conversion of the garage into habitable space will remain as existing in relation to footprint, apart from the modest link extension. The changes to the external appearance include the introduction of windows and a door. As discussed above, the existing garage, which is proposed to be converted, is not considered as counting towards the existing parking provision as it does not meet the Local Highway Authority size requirements.

4. Development Plan Policies

- 4.1 The Development Plan comprises the Charnwood Local Plan Core Strategy (adopted 9 November 2015), the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies) and the Minerals and Waste Plan. The policies applicable to this application are as follows:

[Charnwood Local Plan Core Strategy](#)

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

[Borough of Charnwood Local Plan \(adopted 12 January 2004\) \(saved policies\)](#)

- 4.2 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
 - TR/18 – Highways and parking

5. Other Material Considerations

- 5.1 [The National Planning Policy Framework \(NPPF 2021\)](#)

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

- Section 2: Achieving sustainable development
- Section 8: Promoting healthy and safe communities.
- Section 9: Promoting Sustainable Transport
- Section 12: Requiring well-designed places.

5.3 Planning Practice Guidance (PPG)

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.

5.4 National Design Guide

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

5.5 Design Supplementary Planning Document (SPD) (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.

5.6 Leicestershire Highways Design Guide

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.

5.7 Equality Act 2010

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.

5.8 The Draft Charnwood Local Plan 2021-37

This document sets out the Council's strategic and detailed policies for the Borough over the period 2021-37. 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.

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).

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.

- DS5 High Design Quality - Moderate Weight, as the plan is at advanced stages and all issues and comments are resolved, the planning policy is in accordance with paragraph 130 of the NPPF.
- T3 Car Parking Standard - Moderate Weight, as the 12 representations received were considered in February 2023 and resolved. The planning policy is in accordance with para's 104, 107 and 108 of the NPPF.

6. **Relevant Planning History**

Reference	Description	Decision & Date
P/18/0791/2	Certificate of Lawfulness (Existing) for use of property as a C4 house in multiple occupation.	Grant Conditionally 30.05.2018

7. **Responses of Consultees and Other Comments Received**

- 7.1 The table below sets out 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 www.charnwood.gov.uk.

Consultee	Response
<p>Charnwood Borough Council Environmental Health</p>	<p>No objections subject to conditions and informative:</p> <ol style="list-style-type: none"> 1) Devise and implement a property management plan (PMP) which should be submitted to and agreed in writing with the local planning authority. 2) Recommend that a written waste management plan (WMP) should be submitted to and agreed in writing with the local planning authority. This should include, but not be limited to: <ul style="list-style-type: none"> • Details of a suitable and sufficient waste and recycling store/bin area which should be locked or secured against unauthorised access, be unobstructed and accessible to residents, with easy access to the front of the property to enable collection. • The storage area should be fenced and/or screened to minimise the visual impact on neighbours and to prevent wind whipping. • Bins should be located on a hardstanding, easily cleanable, non-absorbent surface, with effective drainage to avoid run-off onto neighbouring properties and/or surface water drains. • Details of the proposed management and housekeeping measures to be implemented to keep the area clean and tidy. <p>2 Informative Note: Should permission be granted it is recommended that the applicant be made aware of the notes to minimise the potential nuisance from demolition/construction sites, namely: The applicant should take all relevant precautions to minimise the potential for disturbance to the occupiers of neighbouring properties in terms of noise and dust during the demolition and construction phases of the development. This should include not working outside regular daytime hours, the use of water suppression for any stone or brick cutting, no burning on site and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the environmental health service.</p>

Ward Councillor and Parish Council Response	
Cllr Ted Parker	Objections received.
Cllr Paul Mercer	No Objection received.
Responses to publicity	
From	Comments
Four letters of objection have been received from a neighbouring property raising the following concerns:	<ul style="list-style-type: none"> • Lack of parking provision • Disturbance • Waste concerns

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 Core Strategy and Charnwood Local Plan are over 5 years old, and it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. The relevant policies listed above are up to date and compliant with national guidance and as such that there is no reason for them to be given reduced weight.
- 8.3 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

9. Key Issues

Principle of the Development

- 9.1 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

- 9.2 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, and 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 considered to carry moderate weight.
- 9.3 The existing dwelling is of brick construction with distinctive cream rendering to the front. The proposed extension is located to the rear of the property which sits at the Southwest (side) elevation of the existing property and connects to the existing garage. Therefore, the extension will only have limited visibility from the street scene and so the flat roof design, differing from the pitched roof arrangement of the existing house, will have little to no impact on the street scene. The flat roof will align with the existing dwelling eave lines. The extension will be constructed of materials to match the existing dwelling. Its appearance is considered to be acceptable with regard to its design, scale and form.
- 9.4 The proposal also includes changes to the fenestration within the garage, and whilst glimpses would be visible in the street scene, the design of the fenestration would be in keeping with the host property.
- 9.5 It is considered a proposal that complied with NPPF, National Design Guide, Policy CS2 of Charnwood Core Strategy, Policies EV/1 and H/17 of the Local Plan, emerging Policy DS5 of the Draft Charnwood Local Plan 2021-2037 and the Charnwood Design SPD would be achieved.

Impact on Residential Amenity

- 9.6 Saved policy EV/1 of the Local Plan and policy CS2 of the 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.

Impact on 10 Wren Close

- 9.7 No.10 Wren Close shares the same rear elevation layout as No. 12 therefore when applying the 45-degree rule no habitable rooms were impacted by the proposal. Furthermore, the fence that sits towards no .10 is approximately 1.80 metres in height and would also act as a screen from the development and given the single-storey nature of the proposed extension, there would also be no loss of light, loss of outlook or an overbearing impact to neighbouring main habitable room windows. Resulting in no significant impact on the neighbour's amenities.

Impact on other properties

- 9.8 The siting of the development is not considered to have any significant impact on any further properties due to the distance that they are located from the proposal. Local residents have raised concerns regarding a lack of parking, disturbance and waste management. As recommended by Charnwood Borough Council Environmental Health in section 7.1 above, a condition will be imposed and an informative will be applied to the decision if approved, which addresses the disturbance and waste concerns. The parking concerns are fully discussed under the Highways safety section at paragraph 9.12 of this report.

Impact on occupier amenity

- 9.9 The proposal will not result in a sub-par standard of occupier amenity. The garden will be reduced in size but sufficient outdoor amenity space will be retained.
- 9.10 The proposal would, therefore, comply with the provisions of policy CS2 of Charnwood Core Strategy, policies EV/1 and H/17 of the Adopted Local Plan, emerging policy DS5 of the Draft Local Plan, along with NPPF, National Design Guidance and the guidance set out in the Design SPD to protect residential amenity.

Highway Safety

- 9.11 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.
- 9.12 The proposal would result in an increase in the number of bedrooms from four to six, following the conversion of the garage and some internal changes, that do not require planning permission. The garage does not meet the Local Highway Authority size requirements, therefore the available parking at the site is No. 2 parking spaces and this remains unchanged. The property is within the highly sustainable location of Loughborough with ample facilities close by and sustainable transport modes available. Therefore, it is unlikely the end users of the site (which given the location of the property could be students) will all use private vehicles, and the additional two bedrooms proposed under this application would therefore be unlikely to result in additional demand for off street parking.
- 9.13 Therefore the conversion of garage into a habitable space would not significantly impact existing parking provision that meets the Local Highway Authority requirements. Furthermore, the application site is located within Loughborough, which is considered an urban centre, that has good access to services and facilities to meet the day to day needs of the residents. The application would therefore be considered acceptable overall in accordance with policy TR/18 of the Core Strategy and Policy T3 of the Draft Local Plan.

10. Conclusion

- 10.1 In summary, the proposed development is considered to be acceptable in its design and appearance, due to the modest extension and it being set back into the site to not impact on the street scene.
- 10.2 The proposal is not considered detrimental to occupier or neighbour amenities, due to the modest size of the extension. In addition, conditions are recommended to be imposed in relation to waste management and the management of the property, and to ensure the minor number of additional occupiers to reside at the property will not be more than six.
- 10.3 The number of parking spaces will remain as the existing situation and given the location of the property and likely use as student accommodation the development will not result in onsite parking detrimental to highway safety.
- 10.4 It is considered that the proposed development complies with Policy CS1, CS2 of the Charnwood Local Plan 2011-2028 Core Strategy, "saved" Policies EV/1, TR/18 and H/17 of the Borough of Charnwood Local Plan (2004), and Emerging Policy DS5 and T3 of the Draft Charnwood Local Plan 2021-2037. Additionally, the proposed development would be considered compliant with the Design SPD of Charnwood Borough Council (2020) and the relevant provisions of the National Planning Policy Framework (NPPF) and the National Design Guide.
- 10.5 It is therefore recommended that this modest proposal can be supported, and planning permission should be granted, subject to conditions:

11. RECOMMENDATION

This permission is granted subject to the following Conditions and Reasons:

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

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

2. The development shall be carried out only in accordance with the details and specifications included in the submitted application, and plans as follows:

Application Form - Received 20th February 2023

Job No: LTD82 - Drawing no:10: Application Plan - Received 20th February 2023

REASON: To ensure the scheme takes the form agreed by the authority and thus results in a satisfactory form of development.

3. The development hereby permitted shall not commence until a written property management plan (PMP) and waste management plan (WMP) has been submitted to and agreed in writing with the local planning authority.

The waste management plan shall include:

- Details of a bin and recycling area on a suitable hardstanding area that is secured by fencing.
- Details of the proposed management and housekeeping measures to be implemented to keep the property and the area clean and tidy.

REASON: To ensure the scheme provides sufficient secure bin storage and that the property is managed satisfactorily in the interests of visual and neighbour amenity, in accordance with Planning Policy CS2 of the Core Strategy and Planning Policy DS5 of the Draft Local Plan.

4. There shall be no more than six people residing at the property at any one time.

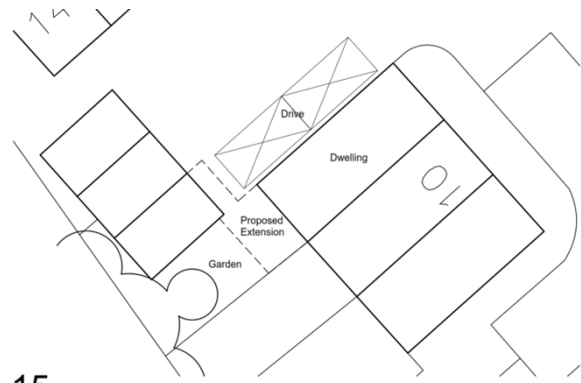
REASON: The application site is located in an Article 4 area; therefore, this condition is required to manage the occupant levels at the site, in the interests of neighbouring amenity, in accordance with Planning Policy CS2 of the Core Strategy and Planning Policy DS5 of the Draft Local Plan.

The following notes should be taken into account when carrying out the development

1. DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DECISION - Policy CS1 and CS2 of the Charnwood Local Plan 2011 to 2028 Core Strategy (adopted 9th November 2015) and Policies EV/1, TR/18 and H/17 of the Borough of Charnwood Local Plan (adopted 12th January 2004) and Emerging Policy DS5 and T3 of the Draft Charnwood Local Plan 2021-2037 have been considered in reaching a decision on this application. The proposed development complies with the requirements of these Development Plan policies and there are no other material considerations which would outweigh the provisions of the Development Plan in reaching a decision on this application.
2. Planning permission has been granted for this development because the Council has determined that it is generally in accordance with the terms of the above-mentioned policies and the Council's adopted Design Supplementary Planning Document.
3. Discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

- The applicant should take all relevant precautions to minimise the potential for disturbance to the occupiers of neighbouring properties in terms of noise and dust during the demolition and construction phases of the development. This should include not working outside regular daytime hours, the use of water suppression for any stone or brick cutting, no burning on site and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the environmental health service.

APPLICATION SITE



15. Block Plan 1:200