

Item No. X**Application Reference Number P/23/0838/2**

Application Type:	Full	Date Valid:	16/05/2023
Applicant:	Mr & Mrs Popat		
Proposal:	Change of use of existing dwelling (Use Class C3) to a house in multiple occupation (Use Class C4).		
Location:	10 Benscliffe Drive, Loughborough, Leicestershire, LE11 3JP		
Parish:	Loughborough	Ward:	Loughborough Nanpantan
Case Officer:	Deborah Liggins	Tel No:	07864 603401

1. Background

- 1.1 This application is reported to Plans Committee at the request of Councillor Smidowicz citing the following material considerations:
- parking, traffic issues
 - Highway restraints - bus route and stops
 - the design of the property already adjacent to an HMO.

2. Description of the Site

- 2.1 The application site is located on the south-western side of the street and is an extended semi-detached bay fronted dwelling with a single width driveway to the side connecting with the public highway with dropped kerbs. The property frontage is a mix of hardstanding and lawn with a privet hedge forming the boundary to the front of the property. According to the submitted plans, the house currently has a ground floor living room, dining room, utility room and hallway with a family/garden room and kitchen to the rear. To the first floor there are three bedrooms and a bathroom.
- 2.2 Surrounding land uses are as follows:

Boundary	Adjacent land use
South west	Adjoining gardens of 17 & 19 Highfields Drive
North east	No's 17, 19 and 31 Benscliffe Drive opposite the site
South east	Adjoining property No 8 Benscliffe Drive
North west	Driveway to neighbouring property at No. 12 Benscliffe Drive

3. Description of the Application

- 3.1 The proposal seeks to change the use of the dwelling to a house in multiple occupation. Submitted plans show that this would have two bedrooms on the ground floor and three located on the first floor. Internal alterations would see living space on the ground floor converted to bedrooms and a shared living room through the installation of new partition walls. To the first floor, the existing family bathroom would be converted to a bedroom with the smallest existing bedroom changed to a shower room. A second shower room would also be created from floor area taken from the largest first floor bedroom.
- 3.2 The proposal includes no changes to the external appearance of the property save the existing ground floor utility room window in the side elevation becoming an external door. This element on its own would not amount to development requiring planning permission.
- 3.3 No alterations are proposed to the existing parking provision at the property.

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 Local Plan (2019).

The policies applicable to this application are as follows:

4.2 Charnwood Local Plan Core Strategy

- Policy CS1 – Development Strategy
- Policy CS2 – High Quality Design
- Policy CS3 – Strategic Housing Needs
- Policy CS4 – Houses in Multiple Occupation
- Policy CS16 – Sustainable Construction and Energy
- Policy CS25 - Presumption in favour of sustainable development

4.3 Borough of Charnwood Local Plan

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
- Policy EV/1 – Design
- Policy TR/18 – Parking Provision 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.

5. Other Material considerations

5.1 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.

The following sections are of particular relevance to this proposal:

- Section 2 – Achieving Sustainable Development
- Section 5 – Delivering a sufficient supply of homes
- Section 9 – Promoting Sustainable Travel

5.2 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.

5.3 National Planning Practice Guidance

The National Planning Practice Guidance (PPG) reinforces and provides additional guidance on the policy requirements of the Framework and provides extensive guidance on design and other planning objectives that can be achieved through getting good design. These include the consideration of local character, landscaping setting, safe, connected and efficient streets, crime prevention, security measures, access and inclusion, efficient use of natural resources and cohesive and vibrant neighbourhoods.

5.4 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.

5.5 National Design Guide (2019)

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

5.6 The Leicestershire Highways Design Guide (2018)

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 Housing Supplementary Planning Document (HSPD) May 2017

A Housing Supplementary Planning Document was adopted on the 11 May 2017 which provides guidance when dealing with Houses in Multiple Occupation proposals in the context of adopted Core Strategy Policy CS4.

5.8 Article 4 Direction

The Secretary of State granted an Article 4 Direction for Loughborough in recognition of the issues in the town and this was introduced in February 2012 and which removes the rights to change the use of Class C3 dwellings to Class C4 Houses in Multiple Occupation in Loughborough without the need for planning permission. These are dwellings where between 3 and 6 unrelated persons, sharing basic amenities could occupy a property without the need for planning permission - whereas the Article 4 Direction limits this to occupation by a family or up to 2 unrelated persons (or 3 or where one is the owner of the property) living as a single household. Planning permission is required for the occupation of dwellings by residents in excess of these numbers.

5.9 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.

5.10 Draft Charnwood Local Plan 2021-2037

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.

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:

- Policy DS1 - Development Strategy:
- Policy DS5 – High Quality Design Policy
- Policy H7 – Houses in Multiple Occupation
- Policy T3 – Car Parking Standards

6. Relevant Planning History

Reference	Description	Decision & Date
P/06/3078/	Erection of single storey extension to rear	Planning permission not required 12/10/2006

7. Responses of Statutory Consultees & Other Comments Received

Consultee	Response
The Council's Housing Standards Officer	Advises that that some of the bedrooms have a floor area of less than 10 m ² . Whilst smaller bedrooms may be acceptable, it notes that the proposed ground floor living room would have no natural light which may make it unsuitable as living accommodation. As such, the bedrooms less than 10 m ² would not be suitable for sleeping accommodation. However, the property, in the event planning permission is granted, would require a license and conditions can be applied through that process to prohibit the use of undersized rooms.
The Council's Environmental Protection Manager	Comments that there are no adverse environmental health concerns about the proposal and therefore raises no objections.

Ward Councillor and Parish Council Response	
Cllr. Smidowicz	Councillor Smidowicz agrees with neighbour concerns relating to parking and traffic issues as the property is on a bus route. She also objects to the design of the property which is adjacent to an existing house in multiple occupation and objects to the change of use. It is claimed the property has been rented out for some years and stated that a house with 5 bedrooms would require 3 off-street car parking spaces. The property is in a quiet residential area and further student accommodation would have a

	detrimental effect. Parking within the street is difficult and obstructs buses and students do not register their cars with the University. Customers of the nearby post office on Forest Road also park within the street for short periods. There is a surfeit of student accommodation in the town with numerous vacant rooms.
Responses to publicity	
From	Comments
Six letters of objection received from five addresses	<ul style="list-style-type: none"> • The property would be occupied by students and there is no need for more student accommodation. • Parking issues within the street which is located on a bus route • The proposal would affect house prices in the area • Insufficient parking at the application site • The proposal would increase noise and anti-social behaviour • Poor property maintenance associated with rented properties

8. Consideration of the Planning Issues

8.1 The starting point for decision making on all 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, and those 'saved' policies of the Borough of Charnwood Local Plan which have not been superseded by the Core Strategy.

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

- The Principle of the Development
- Evidence
- The Effect of the proposal on local character and amenities – community balance
- Anti-social behaviour, noise and disturbance
- Bin Storage
- Highways and Car Parking.

9. Key issues

9.1 The Principle of the Development

- 9.1.1 Policy CS3 of the Core Strategy advises that the Council will seek to provide accommodation to meet all of its residents' needs, which includes Houses in Multiple Occupation. Policy CS4 specifically addresses Houses in Multiple Occupation and states that the proportion of houses in multiple occupation will be managed to support the well-being, character and amenity of our communities by preventing damage to the social and physical character and amenity of a street or residential area or which generate noise and disturbance which is detrimental to the amenity of the street or a demand for on-street car parking
- 9.1.2 Policy H7 of the emerging Local Plan makes similar provisions and adopts a approach of limiting the concentration of HiMO's to less than 10% within the area defined by a 100m radius from the centre of the application site and that do not result in a residential dwelling being sandwiched between two houses in multiple occupation.
- 9.1.3 The supporting text to Policy CS4 states that HiMO's provide accommodation for a group of tenants who do not live together as a family and who share basic amenities such as a kitchen, and bathroom facilities but have separate bedrooms. It acknowledges that HiMO's help to meet local housing requirements and can be an important type of accommodation for a range of people including those on low incomes and young people. In Loughborough, a large number of HiMO's are occupied by students in further and higher education.
- 9.1.4 The supporting text goes on to state that, whilst the Council values Loughborough University and Loughborough College and the significant economic, social and cultural contributions the student population brings to Loughborough, a negative impact has been experienced in some neighbourhoods because of the over concentration of HiMO's. It is noted that these impacts have affected some community facilities, the character and appearance of the area and caused disturbance and parking problems. In response to this, the Council has developed a strategy for managing the proportion of HiMO's in Loughborough, particularly where it is demonstrated that there are associated adverse impacts
- 9.1.5 The HSPD accepts that HMO's help to meet local housing requirements and can be an important type of accommodation for a range of people including those on low incomes and young people (para 4.1) and it also repeats the objectives of Core Strategy Policy CS4 that seeks to support the well-being, character and amenity of local communities by managing the proportion of HMO's. This seeks to limit housing development of a particular type and therefore carried reduced weight in the absence of a 5 year supply.

- 9.1.6 Section 4 of the Housing Supplementary Planning Document (HSPD) provides guidance for assessment of applications that propose small or large houses in multiple-occupation. Small HMOs are defined as shared houses or flats occupied by between 3 and 6 unrelated individuals who share basic amenities and large HMO's are for more than 6 occupiers and are a 'sui generis' use. i.e. they do not fall into any existing class in the Town and Country Planning (Use Classes) Order. These proposed changes of use do not benefit from being 'permitted development' in Loughborough due to the Article 4 directive which was granted by the Secretary of State in 2012 in recognition of these issues associated with a concentration of HMOs.
- 9.1.6 The HSPD provides a methodology (at HSPD11) for assessing the concentration of Houses in Multiple Occupation against the criteria of Core Strategy Policy CS4 as part of understanding the potential for cumulative impacts. The methodology assesses the concentration of HMOs within 100m of the application site as a proportion of the total number of residential dwellings. Halls of Residence and purpose built student accommodation will not be included in the calculation. However, any Halls of Residence and purpose built accommodation will be considered as part of the overall decision making process in terms of their impacts.
- 9.1.7 The SPD also provides guidance in respect of the Policy CS4 criteria for considering the potential impact on the social and physical character and amenity (HSPD12), amenity space (HSPD 13), noise insulation (HSPD 14) and parking (HSPD 15).
- 9.1.8 The Council has used a threshold of 20% in decision making and therefore changes of use from Class C3 dwellings to Class C4 dwellings have usually been resisted in principle where the percentage of houses in multiple occupation exceeds 20% in a particular area. This approach has been accepted in all appeal decisions since the adoption of the Housing SPD, with the exception of one. The calculation of the household percentage is the subject of a methodology specified in the SPD that uses data held by the University and College, the Electoral Register, the HMO Licensing Register and planning data and it is considered that collectively, this gives the best indication available of the relevant household situation and the most accurate picture of local balance and amenity.
- 9.1.10 The application site is within an existing residential area, with nearby bus connections to the town centre and, whilst the principle of development is acceptable (as a residential use, it would contribute to the mix of tenures of homes in the area and the overall mix of uses within the town centre) in compliance with Policies CS3 and CS4 of the adopted Core Strategy. However, the proposal needs to also be considered against Core Strategy Policy CS4 and whether a change of use to a house in multiple occupation will support the well-being, character and amenity of the community and other relevant policies and detailed planning considerations as assessed below.

9.2 Evidence

- 9.2.1 A Supplementary Planning Document is a material consideration in the determination of planning applications and provides additional guidance to help understand how Local Plan policies will be implemented. The Housing Supplementary Planning Document (SPD) was prepared to provide further information and guidance on the adopted Local Plan Core Strategy Policies CS3: Strategic Housing Needs; CS4: Houses in Multiple Occupation; and CS23: Loughborough University and Science & Enterprise Park; along with the Borough of Charnwood Local Plan Policy H/12: Student Halls of Residents.
- 9.2.2 In terms of the proposed change of use, the Council is able to identify that there are 61 residential properties within 100m radius of the application site, 1 of which is known to be a house in multiple occupation. This equates to 1.6%. The number of HiMO's in the local area is therefore well below the 20% threshold specified by the HSPD (and 10% referred to in the emerging Local Plan Policy H7).
- 9.2.3 Whilst this is not in itself a determinative factor, it is also important to consider the location of the property. In this case, the site is located within an established residential area of the town where properties are generally detached or semi-detached of various designs and appearances including some single storey dwellings. This has the effect of making existing houses in multiple occupation indiscernible from Class C3 dwellings.
- 9.2.4 It is also important to note that HiMO's are not always occupied by students but evidence in a recent study commissioned by the Council and undertaken by Loughborough University (December 2018) found that more mixed HiMO markets are forming that include both students and other social groups including working professionals, international migrant workers, low-skilled workers, benefit recipients and divorcees. This document forms part of the evidence base for the emerging replacement local plan.
- 9.2.5 The adopted Housing SPD identifies that where there is a high proportion of HiMOs in student occupation, this can lead to a sharp contrast between busy term times and a sense of abandonment during the holidays which impact on social interactions, surveillance and local services and facilities. Essentially this can lead to the loss of community spirit as permanent populations are replaced by transient ones and this is supported by evidence in the Study of Houses in Multiple Occupation Dec 2018. Given the number of properties within the 100m radius of the application site, and the very low proportion of HiMOs overall it is considered that the low saturation and distribution would not damage the social and physical character and amenity of the wider area and it is unlikely that the proposal would cause a sense of 'abandonment' in holiday times.
- 9.2.6 Under the new Local Plan, the proposal would not exceed the new threshold and the proposal would not cause the described 'sandwiching' effect.

9.2.7 However, the issue is not confined to the mathematics of the case and the other individual considerations must be assessed and a judgment reached as to whether the level of harm that would be caused would be sufficient to refuse the planning application or whether the impact would be so limited as to indicate that planning permission should be granted. These matters are considered below.

9.3 The Effect of the proposal on local character and amenities – community balance

The 20% threshold, and potential future 10% threshold, allows for consistency in decision-making on proposals for changes of use to HiMO's and has been recognised by appeal Inspectors as the level above which the problems associated with higher concentrations could occur.

9.3.1 Recent appeal decisions relating to Class C4 'HiMO' changes of use at Ashleigh Drive, Grange Street, Derby Road, Park Road, Frederick Street, Ashby Road, and Goldfinch Close (all within the built-up area of Loughborough) accept this threshold approach and attach weight to its use. Several relevant appeals have been dismissed since the Housing SPD was adopted in May 2017.

9.3.2 Paragraph 4.9 of the Housing SPD states, "It is important to note however that we will not adopt a rigid approach to decision making. The threshold will provide one material consideration to be considered alongside a number of other matters identified in Policy CS4 and the SPD related to the impact on the character and amenity of the area and safe operation of the highway."

9.3.3 It is considered that the low concentration of existing houses in multiple occupation in close proximity to the application site which is within easy pedestrian or cycling reach of the wide range of services and facilities within the town centre and the university campus is such that community balance in the wider area, of which the application site is part, has very low potential to be harmed to the detriment of the social character and general amenities of the area. It is therefore considered that, on balance, the proposal would not harm the social or physical environment of Benscliffe Drive.

9.4 Anti-social behaviour, noise and disturbance

9.4.1 Policy CS2 of the adopted Core Strategy and saved policy EV/1 of the Borough of Charnwood Local Plan include a requirement for new development to protect the amenity of people who live or work nearby. This is replicated within Policy DS5 of the emerging Local Plan, which due to its advancement and low level of contention can be afforded moderate weight.

- 9.4.2 Noise in HiMOs can often be a concern for objectors because of the number of people who are living independently within the property which can be considered to adversely affect the amenity of neighbouring properties. The adopted Housing SPD acknowledges that where there is a high proportion of HiMO's it can often result in a higher incidence of anti-social behaviour, particularly at unsociable hours and increases in crime and fear of crime. Permitting an additional house in multiple occupation to an area with an existing high concentration of such properties would be likely to cause unacceptable harm to the living conditions of local residents and the amenity of the local area. This would be in conflict with Core Strategy Policies CS2 and CS4 Housing Supplementary Planning Document 12.
- 9.4.3 Information from the Borough Council's Community and Partnerships Department shows that over the past year, there have been no recorded incidents relating to anti-social behaviour on Benscliffe Drive or any of the streets within 100m of the application site.
- 9.4.4 This is recent and localised evidence is supported by the findings of the 2019 Houses in Multiple Occupation Assessment which considers ward level ASB records for the period January 2013 and December 2018 and states:
- 'There is a very strong correlation between the number of HMOs and number of recorded anti-social behaviour (ASB) incidents recorded by ward. A large proportion of ASB incidents occurred in wards which contain the highest proportion of HMOs i.e., around the Loughborough Southfields and Storer wards. Although the data records a wide range of different ASB incidents, the three most commonly recorded included noise, nuisance and rowdy behaviour' (para 3.16).
- This site falls within the Nanpantan ward where only 4% of all ASB incidents during that period were recorded in the Borough. This was one of the lowest proportions of ASB incidents recorded in a single ward and the evidence finds a very strong statistical correlation between these two factors across the Borough i.e., as the number of HMOs in any particular ward increases, the number of ASB incidents also increases. Although it cannot be proven that a high number of HMOs in any one particular area causes a high number of ASB incidents, the assessment identifies that statistically, there is a very strong relationship.
- 9.4.5 The adopted Housing SPD acknowledges that where there is a high proportion of HMOs it can often result in a higher incidence of anti-social behaviour, particularly at unsociable hours, and increases in crime and fear of crime.
- 9.4.6 In addition in this case, the proposed 5 bedroom HiMO (representing an increase of two bedrooms) is comparable with the existing use. Having regard to the above, there is also a possibility that noise levels associated with the HiMO would be similar or less than the current residential use and thus the concerns relating to increased noise cannot be sustained in this case.
- 9.4.7 The Council's Environmental Protection Manager has no concerns about the potential of the property to cause noise and about waste management.

9.4.8 Having regard to the above, it is concluded that there is insufficient justification to refuse the application on the basis of the noise and being detrimental to the amenity of the area and the existing character and amenity of the area in general. It is considered that a combination of the current low saturation of HiMO's, and the recent lack of reported anti-social behaviour that the proposal would not have a harmful cumulative impact and the proposal would generally accord with Core Strategy Policies CS2 and CS4, saved Local Plan Policy EV1 and the adopted SPD on Housing.

9.5 Bin Storage

9.5.1 Policy CS16 of the Charnwood Local Plan (2011-2028) seeks to support development which adopts sustainable design and construction, and this includes development that provides for the suitable storage of waste and allows for convenient waste collections. The property currently stores its bins to the side of the property, but these can easily be relocated to the rear if the driveway is required for more intensive car parking. It is considered that the bin storage facilities would allow for the convenient collection of waste from within Benscliffe Drive and as such, the requirement of Policy CS16 is met.

9.6 Highways and Car Parking

9.6.1 Saved Policy TR/18 of the Borough of Charnwood Local Plan requires development proposals to be provided with an adequate quantum of car parking/turning/servicing area so as to accord with the Leicestershire Highways Design Guide and to not cause any severe highway impact as described in Paragraph 111 of the NPPF. Policy T3 of the Draft Charnwood Local Plan (2021-2037) has a similar requirement. Draft Policy T2 is consistent with Paragraph 104, 107 and 108 of the NPPF and carries limited weight.

9.6.2 The existing property benefits from two off street car parking spaces positioned within the driveway of the house and directly accessed off Benscliffe Drive and the applicant has offered to provide a third space to the property frontage should this be required. The Highway Authority has not commented on the application as standing advice would usually relate to proposals of this nature. Under the NPPF, paragraph 111, to refuse a planning application on highway safety grounds it must be demonstrated that there are severe residual cumulative impacts resulting from the proposal or that there would be increased highway dangers posed by the proposal.

9.6.3 The parking standards are also to be used as a starting point for assessing the quantum of parking required in new development. In this instance, the standard would require the provision of 3 car parking spaces, but it is also pertinent to consider the location of the site, which, in this case the site is within a neighbourhood where services and shops can be easily accessed on foot, with public transport bus stops located nearby on Forest Road.

- 9.6.4 It is pertinent to note that Planning Inspectors have accepted HiMO's in Loughborough where there is substandard or no car parking, because of the proximity to local services, schools and employment. For example, in allowing the appeal at 76 Hermitage Road, the Inspector noted the property was to be occupied by up to 6 persons and considered a single parking space to be adequate (Ref P/17/0072/2). It is also relevant that in allowing the HiMO appeal at 94 Hermitage Road where one space was provided and room for a second space was available, the Inspector considered that the second space was unnecessary and would be damaging to the character and appearance of the street (Ref P/16/0845/2). Likewise, it is considered that the removal of the existing front boundary hedge and the provision of additional dropped kerbs to the site frontage would be damaging to the appearance of the street scene. It is also pertinent to note that such works would also have the effect of reducing the availability of on-street parking spaces and lead to additional vehicles reversing out of the site so the highway benefits of such actions remain unclear.
- 9.6.5 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 (2021-2037) and the severe highway impacts as described in Paragraph 111 of the NPPF would not be caused by the development.

10. Conclusion

- 10.1 For the reasons given above, it is considered that the proposed change of use would not result in an overconcentration of HiMOs in the area that would result in a community imbalance. Furthermore, the proposal would not result in harm to the residential character and amenity of the area or be detrimental to highway safety. It would therefore comply with Policies CS2, CS4 and CS16 of the Core Strategy, and Policies EV/1 of the Local Plan and Policies H7 and T3 of the draft Charnwood Local Plan (2021-2037) and the adopted Housing SPD.
- 10.2 Whilst the Housing SPD does acknowledge that there may be situations where permitting a HiMO in an area where there is low proportion of HMOs may be judged to be so significant under the provisions of Policy CS4, it is not considered that the circumstances are such in this case.

11. RECOMMENDATION

- 11.1 That planning permission be granted subject to the following 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.
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2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans: P/32/030A – Proposed dwelling floor plans and elevations P/32/001 – 1:1250 scale Location plan P/32/0005 – 1:500 scale block plan REASON: To define the terms of the planning permission.</p>
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SITE PLAN

