

Item No: tbc

Application Reference Number: P/23/1625/2

Application Type:	Full	Date Valid:	15 September 2023
Applicant:	Lucking Management Limited		
Proposal:	Change of use from HMO (Use Class C4) to HMO (Sui Generis).		
Location:	6 Wren Close Loughborough Leicestershire LE11 3HL		
Parish:	N/A	Ward:	Loughborough Southfields
Case Officer:	Harry White	Tel No:	01509 634579

1. Background

- 1.1 This application is referred to Plans Committee in accordance with the scheme of delegation, as the application has been called in by Councillor Rhys Cory-Lowsley for the following reasons:
- Permanent disturbance to neighbours;
 - Overbearing impact on the already crowded Kingfisher Estate.

2. Description of the application site

- 2.1 The application site relates to a three-storey detached property which sits within the Kingfisher Estate area of Loughborough. The dwelling is a House in Multiple Occupation (HMO) within Class C4 of the Use Class Order. It contains living space at ground floor level, as well as two en-suite bedrooms. There are two bedrooms at first floor level and two within the roof-space, all of which also contain en-suite bathrooms. The property has a total of six bedrooms.
- 2.2 The site is bound by a mix of 1.8m close board timber fences to the rear, and a low-level brick wall at the front/side of the building. The site sits behind a small front garden laid to grass, which is split by a pathway.
- 2.3 The site benefits from a parking area to the side measuring roughly 8.4m x 3.0m, providing two parking spaces. The original plot did benefit from a garage, which has since been converted into a habitable room.
- 2.4 Although much of the Kingfisher Estate is within Flood Zones 2 & 3, the application site is located within Flood Zone 1, and at the lowest risk of flooding.
- 2.5 There are no heritage assets within the setting of the application site, or protected trees.

2.6 The site is accessed from the front along Wren Close for both vehicles and pedestrians.

3 Description of the proposal

3.1 The proposal seeks planning permission for the internal rearrangement of the building to increase the number of bedrooms provided. The increase would be from 6 bedrooms to 7 bedrooms.

3.2 No alterations would be carried out externally to the building and there would be no alterations to the ground or second floors.

3.3 The internal alterations would involve the removal of a fitted cupboard from bedroom 4 to free up roughly 1.6sqm of floor space. This floor space would be reallocated to the vacant back room, which would become bedroom 7, measuring roughly 9.3sqm in size.

3.4 Additionally, the current en-suite bathroom for bedroom 3 would become a shared bathroom with 'jack and jill' doors, through the insertion of a door off the landing.

3.5 Access to the property would remain unchanged from Wren Close.

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:

4.2.1 [Charnwood Local Plan Core Strategy](#)

- Policy CS1 – Development Strategy
- Policy CS2 – High Quality Design
- Policy CS4 – Houses in Multiple Occupation
- Policy CS25 - Presumption in favour of sustainable development

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

4.3 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 in New Development

5 Other material considerations

5.1 [The National Planning Policy Framework \(NPPF 2023\)](#)

5.1.1 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.
- Section 14: Meeting the challenge of climate change, flooding and coastal change

5.2 [Planning Practice Guidance](#)

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 travel plans, supporting the policy framework as set out in the NPPF.

5.3 [National Design Guide](#)

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

5.4 [Housing Supplementary Planning Document \(2017\)](#)

HSPD 11 Concentrations of Houses in Multiple Occupation - In accordance with Core Strategy Policy CS4 the Council will manage the proportion of Houses in Multiple Occupation by seeking to resist further Houses in Multiple Occupation (small or large) where there is already 20% or more Houses in Multiple Occupation within a 100m radius of the application site.

HSPD 12 - Social and Physical Character and Amenity - Evidence of potential issues will be considered when assessing whether a new House in Multiple Occupation will damage the social and physical character and amenity of a street or residential area, including any evidence of:

- increases in anti-social behaviour, particularly at unsociable hours;
- increases in crime and fear of crime;
- poorer standards of property maintenance and repair;
- accumulations of waste and rubbish;
- littering and fly-posting;
- and proliferation of letting signs.

HSPD 13 - Amenity Space - Proposals for Houses in Multiple Occupation will be expected to make provision for adequate storage for refuse containers taking into account the Council's Waste Collection Policy. Refuse/recycling storage should be

secure, unobstructive and accessible to residents with easy access to the front of the property for collection.

HSPD 14 – Noise Insulation - Proposals for Houses in Multiple Occupation will need to be supported by a statement that the proposed design will satisfy the current guidance in the Building Regulations approved document E. This should include:

- how the design will address the required standard of noise separation; and
- details of the measures which will be taken to achieve adequate sound separation between property and those adjacent properties likely to be affected by the proposed scheme.

HSPD 15 – Parking - Proposals for Houses in Multiple Occupation will be expected to make provision for off street parking and appropriate storage space for bikes in accordance with the County Council's Design Guide (currently the 6C's Design Guide).

5.5 Design Supplementary Planning Document (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 Technical Housing Space Standards (2015)

Seeks to encourage minimum space standards for housing. This document has not been adopted for the purposes of Development Management at Charnwood Borough Council, but it is included in draft Policy H3 of the emerging local plan and is therefore a material consideration for which appropriate weight must be given.

5.8 Article 4 Direction

Local Government Circular 08/2010 'Changes to Planning Regulations for Dwelling houses and Houses in Multiple Occupation' recognises that a high concentration of shared homes can sometimes cause problems, especially if too many properties in one area are let to short-term tenants with little stake in the local community. As such, local authorities are able to apply for an Article 4 Direction to remove permitted development rights for new HMOs in defined areas. 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. This Direction 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 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.

5.10 [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 Local Plan will be adopted by the Council in 2024.

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:

- DS1 – Development Strategy
- DS5 – High Quality Design
- LUC1 – Loughborough Urban Centre
- H1 – Housing Mix
- H3 – Internal Space Standards
- H7 – Houses in Multiple Occupation
- T3 – Car Parking Standards
- CC5 – Sustainable Transport
- EV11 – Air Quality

4 Relevant Planning History

Reference	Description	Decision & Date
P/23/0714/2	(Advice) Change of use from small HMO (Use Class C4) to large HMO (sui generis), including a rear extension	Advice Given 06/09/2023
P/16/1317/2	(Advice) Change of use from HMO (C4) to large HMO (sui generis).	Generally negative Advice Given 22/07/2016
P/10/0645/2	(ADVISE) Extension and alterations to dwelling.	Generally negative Advice Given 12/05/2010
P/97/0676/2	Site for residential development (4.68ha) and sports uses, including all-weather floodlit playing pitch with pavilion and associated infrastructure and landscaping. (Total site area 6.68ha)	Permission 05/07/1999

7 Responses of Consultees & Other Comments Received

6.1 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
Charnwood Borough Council Environmental Health – Housing Standards	No objection. The HMO license holder will need to apply for a variation to the license.
Leicestershire County Council Highways	The impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. There would not be a material increase in the character of traffic.
Ward Councillor and Parish Council Response	
Cllr Sarah Goode	Objection to the increase in size of this HMO due to: <ul style="list-style-type: none"> • Lack of Parking • Overbearing impact on the community • Many bins on the streets causing access issues down footpaths • Detritus from overflowing bins and littering
Cllr Rhys Cory-Lowsley	Call – in request made on the grounds that it will cause a permanent disturbance and have an overbearing impact on the already crowded Kingfisher Estate.

Responses to publicity	
From	Comments
9 representations have been received from 6 separate addresses	<p>Concerns raised as follows:</p> <ul style="list-style-type: none"> • Parking issues locally; • Bins left out; • Noise; • Population and community imbalance; • Anti-social behaviour; • No more HMOs allowed – (Article.4 Directive); • Tenant education in managing the property; • Student overcrowding.

7 Consideration of the Planning Issues

- 7.1 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 1991-2006 (2004) which have not been superseded by the Core Strategy (2011-2028).
- 7.2 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. Other than those policies which relate to the supply of housing, 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.
- 7.3 The main planning considerations applicable to this application are considered to be:
- Principle of development
 - Local character and amenities – community balance
 - Impact on residential amenity
 - Highway matters
 - Other matters

8 Key Issues

8.1 Principle of the Development

- 8.1.1 The principle of development is guided by Policy CS1 of the Charnwood Core Strategy (2015). Policy CS1 outlines the development strategy for the borough and the distribution of sustainable growth, including a settlement hierarchy in which Loughborough urban area is a favoured location for residential development. Policy

CS3 seeks to ensure that the housing stock meets the community's needs and Policy CS4 relates specifically to Houses in Multiple Occupation. Policy CS4 seeks to manage the provision of HMOs to ensure that the housing balance in an area is suitable for the social and physical character of it, and that matters of private amenity and parking demand are not unacceptably impacted.

- 9.1.2 Policy DS1 of the emerging local plan sets the overall spatial strategy for Charnwood between 2021 and 2037. It adopts a similar approach to CS1 and proposes a focus of new development in Loughborough and other urban centres. Under the guidance of NPPF paragraph 48, it is considered that the emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. However, Policy DS1 is contested and can therefore be given only limited weight at this time. Policy LUC1 of the emerging local plan supports the role of Loughborough as the main economic, social and cultural heart of the Borough. Policy LUC1 carries limited weight.
- 9.1.3 There is an Article 4 Direction in place to prevent the change of use of class C3 dwelling houses to Class C4 HMOs in Loughborough without planning permission. Such a change of use would normally be permitted development without the Article 4 Direction and this remains the case outside of Loughborough. However, this application seeks a change of use from an existing small HMO in Class C4 to a Large HMO that does not have a use class (suis generis) and in such circumstances planning permission is always required.
- 9.1.4 The supporting text to Policy CS4 states that HMOs 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 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. In Loughborough, many HMO's are occupied by students in further and higher education. 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 an over-concentration of HMOs. 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 HMOs in Loughborough, particularly where it is demonstrated that there are associated adverse impacts.
- 9.1.5 It is also important to note that HMOs are not always occupied by students. Evidence in a study commissioned by the Council and undertaken by Loughborough University (December 2018) found 58% of HMOs are occupied by students and that more mixed HMO 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 local plan.

9.1.6 As this site is located close to a wide range of facilities and a range of good transport choices, it is considered that the principle of the development, to the extent of its general location, is acceptable and in accordance with the relevant policies as referred to above. The site lies within the defined settlement boundary of the adopted Local Plan and emerging Local Plan, within an area favoured for residential development. The development, in principle, is therefore considered to comply with Policy ST/2 of the adopted Local Plan, CS1 and CS 17 of the Core Strategy and DS1 and CC5 of the emerging Charnwood Local Plan.

9.2 Local Character and Amenity

9.2.1 Policy CS4 seeks to manage the balance of housing types including HMOs and to avoid impacts on local character, social cohesion and amenity. The Housing SPD provides a basis for establishing an appropriate balance of HMOs within a particular area. In HSPD11 it notes that HMOs '*will be counted as a single property, regardless of the number of bedrooms*'. It sets a 20% threshold within a 100m radius of a site. Policy HSPD 12 sets out what evidence will be assessed as to whether a new House in Multiple Occupation will damage the social and physical character and amenity of a residential area including antisocial behaviour, crime, poorer standards of property maintenance, accumulations of waste, littering and fly-posting, and proliferation of letting signs.

9.2.2 Emerging Policy H7, which due to the extent of progression of the examination of the draft Local Plan can be afforded limited weight, differs from CS4. Policy H7 makes specific reference to 'new' large HMOs and it has a lower saturation threshold of 10% than the 20% level cited in the Housing SPD. There are 36 properties that are HMOs within a 100m radius of this property. This is a 51% saturation of HMOs and in excess of both the draft local plan 10% threshold and the 20% threshold in the Housing SPD. However, this saturation level will not be affected by the proposal and it will not have any bearing on the overall saturation of HMOS in the area.

9.2.3 A search has been undertaken of any anti-social behaviour reported in the area. The results show that there is a very limited amount of antisocial behaviour within this part of Loughborough. The amount of anti-social behaviour recorded is not considered to be excessive for an urban location as densely populated as the Kingfisher Estate, with only four instances reported. Consequently, it is not considered that the amount of anti-social behaviour in the area is at intolerable levels. Equally it is not considered that the proposed development would exacerbate the levels of anti-social behaviour in the neighbourhood. Especially considering the small increase in the number of occupants by one.

9.2.4 The application site is already sandwiched between two houses in multiple occupation. However, due to the minor proposed change to increase the potential occupation of the property from 6 to 7 occupants, the single additional tenant is not considered likely to make a material difference to factors that might lead to detrimental noise and disturbance, or additional car parking issues.

9.2.5 The nature of the proposed change is small and involves the use of an unused room and internal wall adjustments to create a new bedroom. In reference to the above cited policies, the addition of one occupant is not considered to materially affect the

social and physical character of the area insofar as Policies CS4 and H7 are concerned, and an approval will not change the saturation level of HMOs in the area. It is therefore considered that the proposal is acceptable in terms of Core strategy policy CS4, the Housing SPD HSPD 11 and HSPD 12 and draft local plan policy H7.

9.3 Impact on Residential Amenity

- 9.3.1 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. Policy DS5 of the emerging Local Plan, to be afforded moderate weight, includes similar provisions.
- 9.3.2 Policy HSPD 14 states that proposals for Houses in multiple occupation will need to be supported by a statement that the proposed design will satisfy the current Building Regulations Approved Document E, which should include how the design will address the required standard of noise separation, and details of the measures which will be taken to achieve adequate sound separation between property and those adjacent properties likely to be affected by the scheme. Draft local plan policy H7 seeks to ensure that proposals do not increase noise but has limited weight currently. Firstly, as already stated, the dwelling at the application site is a detached property of modern construction, including cavity walls and double glazing throughout. Due to the lack of party walls to adjoining neighbours, it is considered that the dwelling is adequately insulated against noise to surrounding properties and between individual rooms. Secondly, the layout is considered logical and would safeguard against inherent noise issues in that the proposed bedroom 7 is located away from the staircase and front door ensuring that the greater number of journeys up and down stairs and entering and exiting the property would not disturb the future occupier of bedroom 7. Although positioned between the en-suite serving bedroom 6, and the living room on the ground floor, this is a similar relationship that is found at bedroom 5 and considered to provide a good level of amenity for the future occupants.
- 9.3.3 To the north of the application site is no.8 Wren Close, a three-storey townhouse. The two dwellings are separated by the turning head and adjoining allocated parking area of Wren Close. It is considered that the separation distance and detached nature of the host dwelling would ensure an unaffected impact between the two dwellings.
- 9.3.4 To the east of the application site are nos. 1 and 3 Wren Close a pair of townhouses, these sit across the public highway from the application site and sit perpendicular to the dwelling at the application site. The use of the vacant room as a bedroom would not adversely impact the neighbouring site.
- 9.3.5 To the south of the application site is no. 4 Wren Close, a similar large, detached property in use as an HMO. The increase in the number of occupants at the application site is not considered to increase the amount of noise transfer to the

adjacent property due to the separation and the lack of party walls. Furthermore, the development would not add any windows, or introduce any new built form. Consequently, there would be no overbearing impacts or other additional disturbance to neighbours.

- 9.3.6 To the west of the application site is one of the Loughborough College playing fields. The sites are separated by a dense mix of trees and shrubs, providing an effective screen between the two sites and the proposal would have no impact in this regard.
- 9.3.7 In regard to the amenity of the future occupants, each of the bedrooms benefits from a good-sized window that allows adequate natural light to the rooms. Bedroom 7 would measure roughly 3.0m by 3.4m, with a floor area of roughly 9.2sqm. The adjoining bedroom 4, which would lose its integrated wardrobe, would measure roughly 3.0m by 4.5m, with a floor area of roughly 13.3sqm not including the en-suite bathroom. The bedrooms would all exceed the minimum size of 7.5sqm, and minimum widths of 2.15m, 2.55m, and 2.75m as set out in the Department for Communities and Local Government's Technical Housing Standards.
- 9.3.8 The proposal would, therefore, comply with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan along with NPPF, National Design Guidance and the guidance set out in the Design SPD, and emerging Policy DS5 to protect residential amenity.

9.4 Highway Matters

- 9.4.1 Policies CS2 and CS18 of the Core Strategy and TR/18 of the Local Plan seeks to ensure safe access is provided to 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. Paragraph 112 of the NPPF seeks to promote sustainable travel choices. Policy T3 of the emerging Local Plan relates to Car Parking Standards. Policy T3 is consistent with NPPF paragraphs 104, 107, 108 and due to its advancement through the examination process, it is considered to carry moderate weight. Policy HSPD 15 requires proposals for houses in multiple occupation to make provision for off street parking and appropriate storage space for bikes. Reliance upon kerbside parking is not normally acceptable unless evidence suggest there is sufficient capacity.
- 9.4.2 The site is located within the settlement limits of Loughborough and is approximately 1 kilometre from the Market Place, and roughly half a mile from Bedford Square. The site has pedestrian links to local amenities such as education facilities (including Loughborough College and Loughborough University), places of worship, and the Leisure Centre are all located within 500 metres of the site.
- 9.4.3 The application site is located within 350 metres of bus stops on Forest Road served by regular services around Loughborough and to Ashby-de-la-Zouch. The Sprint service between the University and Train Station is located on Radmoor Road, roughly 500m north of the application site.

- 9.4.4 No amendments are proposed to the existing access that leads onto Wren Close which is an adopted unclassified road subject to a 30mph speed limit. Double yellow lines are present on either side of the carriageway except for two, 10m long sections on the opposite side of the carriageway to the proposed development.
- 9.4.5 The application site is located within Parking Zone 14 of Loughborough and managed by Leicestershire County Council. Parking on Wren Close and the surrounding roads is available for permit holders only between the hours of 08:00hrs and 18:00hrs from Monday through to Saturday, throughout the year. It should be noted that no further parking permits will be issued to an HMO once the maximum allocation for the property has been reached.
- 9.4.6 There would be no loss of parking as a result of the proposed development. The property is provided with two car parking spaces, and secure cycle parking.
- 9.4.7 Policy T3 of the emerging local plan carries moderate weight and seeks to ensure that there is an adequate provision of car parking for all users. There is no set requirement for parking for large HMOs. The addition of one bedroom and occupant has been considered by the Local Highway Authority, which does not object to the proposal. The Local Highway Authority note that the proposal would not materially increase the traffic in the vicinity or create any additional highway issues. It is in a sustainable urban location, with most amenities available within a short distance, the highway impact is considered to be acceptable.
- 9.4.8 Consequently, subject to conditions, the proposed development is considered to be in accordance with Policies CS2 of the Core Strategy, TR/18 of the Local Plan, Policies IF2 and CC5 of the Emerging Local Plan, and Policy HSPD 15 of the Housing SPD (2017) which seek to ensure safe access is provided to new development.
- 9.4.9 The proposal in the interest of air quality and climate change would comply with policy CS16 of Charnwood Development Plan insofar as the additional room would be provided in an accessible location.

9.5 Other matters raised

- 9.5.1 Concern has been raised in regard to the management of the bins. Housing SPD HSPD 12 recognises the impact that HMOs can have on the amenity of streets if there are accumulations of waste and rubbish. Details regarding the collection and storage of waste at the site would be conditioned as part of the Student Management Plan. With this condition in place, the impact of the proposed development on waste and refuse is considered to be acceptable. Furthermore, the good management of the HMO is managed through the licensing programme, which is controlled and monitored by Charnwood Borough Council's Housing Service. A waste management plan is to be secured by planning condition in order to secure the ongoing management of the waste on site.

10. Conclusion

- 10.1 The property is an established HMO which, from the evidence available, has been in such use with 6 bedrooms since at least 2013. The proposed internal alteration to enlarge a room to make it a bedroom, would change the use class from C4 to sui generis, as a larger HMO, with 7 bedrooms. The use of the property as a such is acceptable in principle.
- 10.2 The addition of one bedroom/occupant would not have a significant detrimental impact on neighbour amenity, the local character, visual amenity or highway safety. There are no other material planning considerations that would justify a refusal of planning permission for the proposed works.
- 10.3 It is considered that the proposed development complies with Policy CS1, CS2, CS3 and CS4 of the Charnwood Local Plan 2011-2028 Core Strategy, “saved” Policies EV/1 and TR/18 of the Borough of Charnwood Local Plan (2004), and Emerging Policy H7 and T3 of the Draft Charnwood Local Plan 2021-2037. Additionally, the proposed development would be considered compliant with the Housing SPD of Charnwood Borough Council (2017) and the relevant provisions of the National Planning Policy Framework (NPPF) and the National Design Guide.
- 10.4 As a result, it is recommended that this modest proposal of the addition of one bedroom can be supported and planning permission is granted, subject to planning conditions.

11. Recommendation

- 11.1 Grant conditionally subject to the imposition of the following draft conditions and reasons and that the Head of Planning and Growth be given delegated authority to determine the final detail of planning conditions, in consultation with the Chair of the Plans Committee.

11.2 Recommended conditions:

1. The hereby approved development shall commence no later than three years from the date of this permission.

REASON: In order to comply with the requirements of Section 92 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 and details:
 - Site Location Plan, Site Plan, Elevations – Drg. No. 1112-01 – received 08 September 2023
 - Floorplans – Drg. No. 1112-02 – received 08 September 2023

REASON: To provide certainty and define the terms of the permission in accordance with Development Plan policy CS2 of Charnwood Development Plan (2011-2028),

Saved Policies EV/1 of Charnwood Local Plan (2004), Design SPD, emerging Policy DS5 and the NPPF.

3. Prior to the first occupation of the hereby approved large HMO, details of the refuse storage and cycle storage shall be submitted to and agreed in writing by the Local Planning Authority. The refuse storage arrangements and the cycle store shall then be installed prior to the occupation of the additional bedroom and retained in use in accordance with the approved details.

REASON: In the interests of the management of waste and the impact on the amenity of the area, safeguarding amenity, in accordance with Policy CS2 of the Core Strategy (2015), HSPD 12 and the emerging draft local plan Policy DS5.

4. The development as a large House in Multiple Occupation exceeding six residents 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 by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved details.

The management plans shall include:

- a) Details of who is responsible for the management and control of these premises, including the maintenance and up-keep of gardens and external areas. This should include a contact telephone number and email address in the event of any complaints;
- b) Arrangements for maintaining a record of all complaints received about the behaviour and/or conduct of future occupiers in relation to any incidents of alleged noise nuisance or anti-social behaviour;
- c) Details of any signage to be erected on the site displaying a contact telephone number and email address of the person responsible for the accommodation, in the event of a complaint;
- d) Detailed arrangements for the handling of student arrivals and departures at the start and end of the academic year, including the delivery and removal of personal possessions;
- e) Detailed arrangements for the allocation of car parking spaces to tenants on and of site;
- f) Details of the arrangements for the storage and collection of waste arising from the proposal;
- g) Details of student behaviour contracts to form part of the occupiers' tenancy agreements;
- h) Details of the arrangements for on-site security; and
- i) Arrangements for an on-going programme to monitor and review the effectiveness of the PMP.

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, HSPD 12 and Planning Policy DS5 of the emerging draft Local Plan.

APPLICATION SITE

