

**Item No: 5f****Application Reference Number:** P/23/1685/2

<b>Application Type:</b>	Full	<b>Date Valid:</b>	29/9/2023
<b>Applicant:</b>	Sarah Arnold		
<b>Proposal:</b>	Change of use from larger HMO (8 Bed) to larger HMO (11 Bed); demolition of garage and outbuildings; erection of single storey rear extension		
<b>Location:</b>	31 Storer Road Loughborough Leicestershire LE11 5EQ		
<b>Parish:</b>	N/A	<b>Ward:</b>	Storer Ward
<b>Case Officer:</b>	Paul Oxbrough	<b>Tel No:</b>	07591 947040

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## **1. Background**

- 1.1 The application has been 'called in' for consideration by Plans Committee at the request of Ward Councillor Jenni Tillotson, for the following reasons:
- Saturation of HMOS in the area
  - The additional occupation will negatively impact the local community.

## **2. Description of the application site**

- 2.1 The property subject to this application has planning permission for use as a House in Multiple Occupation for up to 8 people granted in 1997 ref P/97/0539/2.
- 2.2 The site is located in predominantly residential area, which is characterised by dwellings similar in appearance and age.
- 2.3 The property is a semi-detached, two storey house situated on the north side of Storer Road, adjacent to similar properties. It has a detached garage to the rear and paved driveway area to the side.
- 2.4 The property is located in an Article 4 area that restricts the use of houses in Multiple Occupation. The property is located within the Ashby Road Conservation area.

## **3. Description of the proposal**

- 3.1 The proposal seeks planning permission for a single storey extension to the rear of the house and to increase the number of bedrooms of an existing large House in Multiple Occupation from 8 bedrooms to 11 bedrooms.
- 3.2 The proposed rear extension will measure 8.5m deep x 6.4m wide and will create a new kitchen living room for the occupiers of the property. The proposed extension is designed with a flat roof measuring 3.3m in height. An existing prefabricated concrete garage is proposed to be used as a cycle store.

- 3.3 The existing kitchen, dining room and lounge space will be re-arranged to provide three new bedrooms and two new shower rooms for the property. In addition, the existing bedrooms on the first floor and in the second-floor roof space will be reordered to provide new shower rooms for the property on each floor.
- 3.4 The proposed external alterations are limited to the rear extension, which includes removal of a rear outbuilding currently in use as a shower room. No new windows or external alterations are proposed in the original house. An existing lounge will become a bedroom creating a total of three bedrooms on the ground floor.
- 3.5 Existing access arrangements to the property will remain unchanged from Storer Road, however, a new rear access door will be provided to the proposed extension to the rear.

#### **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). The policies applicable to this application are as follows:

##### 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 CS14 – Heritage
- Policy CS25 - Presumption in favour of sustainable development

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

Where they have not been superseded by Core Strategy policies previous Local Plan policies remain part of the development plan. In relation to this proposal the relevant ones are:

- Policy EV/1 – Design
- Policy TR/18 - Parking in New Development

#### **5. Other material considerations**

- 5.1 The National Planning Policy Framework (NPPF 2023)

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 and beautiful places
- Section 16: Conserving and enhancing the historic environment

## 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 The Planning (Listed Buildings and Conservation Areas) Act 1990.

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty for local authorities to have special regard to Listed Buildings and Conservation Areas. Section 66 (1) of the Act refers to the desirability of preserving Listed Buildings, the setting of Listed Buildings and the features of special architectural and historic interest which it possesses whilst Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

5.6 National Design Guide

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

5.7 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.

5.8 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.

5.9 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.

#### 5.10 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.

#### 5.11 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.

#### 5.12 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. Following Inspector's comments, further evidence was submitted and further hearing sessions are to begin on Tuesday 20th February 2024. Limited, focussed discussions will take place over a three-day period and will comprise of a re-opening of Matter 2 (Vision, Objectives, Sustainable Development and the Development Strategy), Matter 7 (Housing Land Supply), Matter 8 (infrastructure and Transport) and Matter 9 (Viability and Monitoring).

Due to the progress of the emerging Local Plan, and in accordance with the provisions of NPPF paragraph 48, consideration needs to be given to the weight that can be assigned to the policies contained in the emerging Local Plan with their respective weight defined under paragraph 48 of the NPPF depending on:

- 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).

All policies are at an advanced stage in production, the Local Plan has been submitted and the hearing sessions have concluded for 2023. Further focussed hearing sessions are scheduled for February 2024. All emerging policies are considered to be in accordance with the NPPF. The weight to be given to emerging policies is therefore based upon the extent of unresolved objections during the hearing sessions (in accordance with NPPF paragraph 48).

Despite the progression of the Local Plan, the Inspectors have not revealed adjudication of any of its content, nor should the further Hearings be regarded as indication that the subject policies are ‘weakening’ – the Hearings remain part of the consideration process with adjudication to follow, hopefully in the form of recommended Main Modifications.

The following policies are considered applicable to this application, and the weight they can be assigned is addressed in the ‘Planning Considerations’ part of this report.

- Policy DS1: Development Strategy
- Policy DS5: High Quality Design
- Policy T3: Car Parking Standards
- Policy H7: Houses in Multiple Occupation
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV8: Heritage

**6.**

Reference	Description	Decision & Date
<b>Relevant Planning History</b>		
P/97/0539/2	Change of use from dwelling to student accommodation (up to 8 persons).	Granted - 10/06/1997

**7. Responses of Consultees & 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](http://www.charnwood.gov.uk)

Consultee	Response
Heritage Comments	The proposal is typical of this development, although large, it is single-storey contained within the rear of the site which does not impact on the street scene and its contemporary form is considered appropriate. No - objections
Charnwood Borough Council Environmental Health	No comments.
Leicestershire County Council Highways (LHA)	• Storer Road is unclassified with 30mph speed limit, formal on-street parking with 1hr parking restriction or

	<p>permit holders. No further permits will be issued for HMOs once maximum allocation is reached.</p> <ul style="list-style-type: none"> <li>• The existing garage does not comply with local design guidance and is not counted as a loss of off-street parking. Likewise, the existing dropped kerb does not meet guidance, condition is recommended to close off existing substandard access.</li> <li>• The LHA request that the applicant considers increasing the cycle parking provision so that one cycle space is available per bedroom and a condition is proposed.</li> <li>• The LHA considered that there are no known highway safety concerns that would be exacerbated by the proposed development.</li> <li>• The LHA note the site is located within a suitable walking distance to the university and town centre, that bus stops are located close providing frequent bus services.</li> </ul>
<b>Ward Councillor and Parish Council Response</b>	
Councillor Jenni Tillotson	<ul style="list-style-type: none"> <li>• Storer Road area is already saturated with HMO's.</li> <li>• Whilst this is an extension to an existing HMO, the extra occupation will negatively impact the local community.</li> </ul>
<b>Responses to publicity</b>	
<b>From</b>	<b>Comments</b>
None received	

## 8. Consideration of the Planning Issues

- 8.1 The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Core Strategy (2015) and those "saved" policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy (2011-2028),
- 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 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
- Local character and amenities – community balance
- Impact on residential amenity
- Design & impact on Street Scene
- Heritage
- Highway matters

## **9. Key Issues**

### **9.1 Principle of the Development**

9.1.1 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 H7 of the emerging Local Plan makes similar provisions and adopts an approach of limiting the concentration of Houses in Multiple Occupation 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 property is already in use as an HMO. The application site is within an existing residential area, with nearby bus connections to the town centre and nearby access to local amenities. Whilst the principle of development is acceptable (as a residential use, and an established House in Multiple Occupation), it would contribute to the mix of tenures of homes in the area in compliance with Policy CS4 of the adopted Core Strategy and emerging Local Plan policy H7. However, the proposal needs to also be considered against these policies as to whether the expansion of this 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 Local character and amenities – community balance**

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



- 9.2.2 Recent appeal decisions relating to Class C4 Houses in Multiple Occupation changes of use at Ashleigh Drive, Grange Street, Derby Road, Park Road, Frederick Street, Ashby Road, and Goldfinch Close (all situated within the Loughborough area) 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.
- 9.2.3 However, relying on a mathematical proportion of properties in HMO use does not account for their scale. Paragraph 4.9 of the Housing SPD also recognises the limitations of this approach and 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 an amenity of the area and safe operation of the highway."
- 9.2.4 It is material in the consideration of this proposal that the existing property is not considered as a Class C3 dwelling and therefore the overall % of HMO's would not be increased, nor would the number or % of Class C3 dwellings within 100m of the application site be reduced. Consideration of these proposals are based on intensification of an existing use rather than introduction of a new HMO and associated loss of family housing.
- 9.2.5 It is considered that within the overall context of Storer Road and its surrounding area, the incidence of properties occupied as Houses in Multiple Occupation, those in 'conventional' residential use and the additional capacity of an existing HMO proposed by this application (three bedrooms) would have no material impact on the community balance of the area or local character. Notwithstanding the single storey extension to the rear of the property, the proposal would not be detrimental to the physical appearance of the property from the street and will not have any other impact on the character of the area. It is therefore considered that, on balance, the proposal would not harm the social or physical environment of Storer Road and the surrounding area.

### 9.3 Anti-social behaviour, noise and disturbance

- 9.3.1 Noise in HMOs can often be a concern for local residents 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 HMO'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 enlarged house in multiple occupation to an area with an existing high concentration of such properties could cause unacceptable harm to the living conditions of local residents and the amenity of the local area. This would be in conflict with Policies CS2, CS4 and HSPD 12.

9.3.2 HMOs can often be noisier than a family home because of the number of people who are living independently within the property which can adversely affect the amenity of neighbouring properties. However, in this case, the increase in occupancy is not considered likely to result in significantly greater impacts in terms of noise and disturbance to neighbouring occupiers than the existing situation. In addition, the proposed increase from an 8 to 11-bedroom HMO is comparable with the existing use albeit the main living space will be located to the rear of the property, within the proposed extension, which would not share any party walls with the adjoining neighbours. Having regard to the above, it is considered likely that the noise levels associated with the HMO would not be significantly different from the current use, being more confined to the rear of the property and as such any concerns relating to an increase in noise would not be sustained in this case.

9.3.3 Having regard to the above, it is concluded that there is insufficient justification to refuse the application on the basis of the noise and disturbance and the proposal would generally accord with Policies CS2 and CS4, saved Policy EV1 and the adopted SPD on Housing.

#### 9.4 Design and impact on the street scene

9.4.1 Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality, and which uses materials appropriate to the area. Neighbourhood Plan policies seek to reinforce local distinctiveness and supports contemporary or innovative design where it makes a positive contribution to the character of the area and is compatible with the surrounding historic context. These policies generally accord with the NPPF and National Design Guide and do not frustrate 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.

9.4.2 The proposed rear extension is single storey in height with a flat roof design projecting to the rear of the property. The extension being situated to the rear is not readily visible from Storer Road, with only oblique views possible between the application and neighbouring property. The proposal will be visible from St Leopold Street to the rear.

9.4.3 It is considered a proposal that complied with NPPF, National Design Guide, policies CS2, CS11 and CS13 of Charnwood Core Strategy, EV/1 of Local Plan and the Charnwood Design SPD would be achieved.

## 9.5 Impact on Residential Amenity

- 9.5.1 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. 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.
- 9.5.2 The proposed alterations to the layout of the original house do not result in the creation of new windows. Existing kitchen, dining room and lounge windows will be utilised in the creation of the three new bedrooms for the property. New windows are proposed to the side elevation facing towards the boundary with the neighbouring property at number 29 Storer Road. These will be screened by an existing neighbouring garage and as such will not result in a loss of amenity for the neighbouring properties at number 29 in terms of overlooking or loss of privacy.
- 9.5.3 The proposed rear extension will project an additional 5.2 m along the boundary with the adjoining neighbour at number 33 Storer Road. There are no ground floor neighbouring windows that would be influenced by the proposed extension. Due to the orientation, the flat roof design and the overall height at 3.3m it is considered the proposed rear extension will not result in an unreasonable loss of light or outlook for the neighbouring property at number 33 Storer Road.
- 9.5.4 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 to protect residential amenity together with Policy DS5 of the emerging Local Plan.

## 9.6 Heritage Assets

- 9.6.1 Planning policy CS14 (Heritage) seeks development to conserve and enhance historic assets in the Borough for their own value and the community, environmental and economic contribution they make, developments are expected to not only protect the assets, but also their setting.
- 9.6.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty for local authorities to have special regard to Listed Buildings and Conservation Areas. Section 66 (1) of the Act refers to the desirability of preserving Listed Buildings, the setting of Listed Buildings and the features of special architectural and historic interest which it possesses whilst Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 9.6.3 Paragraph 202 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

- 9.6.4 The site is located within the Ashby Road Conservation Area. The Conservation Area appraisal describes the character and heritage significance being derived from the predominant building materials being red brick under slate roofs, sash timber windows with white painted joinery. The front gardens of the villas and the terraced houses which have them are marked by low brick walls or hedges. Many of the streets contain houses with beautiful decorative terracotta panels and brickwork, original stained glass panelled doors, and some have tiled front porches that form a double entrance to the house.
- 9.6.5 The proposed development would replace an existing outbuilding currently used as a shower room. The rear elevation of the proposed extension would be visible from Leopold Street with a side flank wall projecting along the boundary with number 33 Storer Road being visible from this direction. The flat roof contemporary design is considered a suitable intervention that respects the original form and whilst limiting the overall scale of the proposal. Details of fenestration, brick, roof tile and brick bond to be agreed by condition to ensure that the development would at least preserve the character and appearance of the conservation area.
- 9.6.6 It is considered that the proposals have been sensitively designed to have low level of visual impact which can be read as a coherent addition to the existing building, therefore, not compromising the integrity of the heritage significance of the conservation area and its existing contribution to the character and appearance of the Conservation Area.
- 9.6.7 The proposal meets with the requirements of Policy CS14 and the requirements in respect of Listed Buildings and Conservation Areas set out in the Planning (Listed Buildings and Conservation Areas) Act 1990,

## 9.7 Highway Matters

- 9.7.1 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 115 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 108, 111 and 112.
- 9.7.2 The proposal would result in an increase in the number of bedrooms from eight to eleven following the proposal. The property is within the highly sustainable location of Loughborough with ample facilities close by and sustainable transport modes available. The additional three bedrooms proposed under this application would result in additional demand for off street parking. In the event of 'overspill' it is considered that any on street parking – if available - would not give rise to a severe road safety hazard as described by NPPF para 115.

- 9.7.3 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 and the University campus, which reduces the reliance on the car. 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.
- 9.7.4 Submitted plans show the existing garage to be converted and utilised for covered secure cycle parking for the property. Comments from the LHA recommend a cycle parking space be provided for each room of the property. A condition is proposed to ensure implementation of this provision and secure its retention.
- 9.7.5 Consequently, the proposed development is considered to be in accordance with Policies CS2 and CS18 of the Core Strategy and TR/18 of the Local Plan, which seek to ensure safe access is provided to new development, and policy CS17 is concerned with encouraging sustainable transport patterns.

## **10. Conclusion**

- 10.1 The property is an existing House in Multiple Occupation within the urban area, and as such the principle of an HMO in this location is established and the proposal would not result in the proportional thresholds set out on the SPD and emerging Local Plan Policy H7 being exceeded. Consideration therefore falls to the material impacts associated with the intensification of the existing HMO from eight to eleven bedrooms.
- 10.2 It is considered that the proposal would not give rise to significant detriment to occupier or neighbour amenities, due to the size of the expansion and the existing use. In addition, the ability to introduce conditions in relation to waste management and the management of the property, will allow for improved management practices.
- 10.3 It is considered that the proposed rear extension will not result in unacceptable impact upon the amenity of neighbouring properties by reason of a loss out light, outlook, overshadowing or loss of privacy and would comply with Policy CS2 of the Core Strategy, “saved” Policies EV/1 and H/17 of the Local Plan, emerging Policy DS5 of the Draft Local Plan and the Charnwood Design Supplementary Planning Document (2020), which all seek to preserve residential amenity.
- 10.4 The scale and appearance of the rear extension is considered acceptable in design and terms and would comply with saved Policy EV/1 of the Borough of Charnwood Local Plan, Policy CS2 of the Charnwood Local Plan (2011-2028) Core Strategy and emerging Policies DS5 and DS1 of the Draft Charnwood Local Plan and the Design SPD in terms of design.
- 10.5 The design, scale and appearance of the proposed rear extension is acceptable in heritage terms and would therefore comply with saved Policy EV/1 of the Borough of Charnwood Local Plan, Policy CS14 of the Charnwood Local Plan (2011-2028) Core Strategy and emerging Policies EV8 of the Draft Charnwood Local Plan.

- 10.6 In consideration of the location and proximity of the use of the property to a wide range of facilities and the University Campus residents of the development will not depend on a car. Parking in the area is already congested and subject to various limitations. As a result, it is considered any further demand as a result of the additional bedrooms would not be detrimental to highway safety.
- 10.7 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, TR/18 and H/17 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 Design SPD of Charnwood Borough Council (2020) and the relevant provisions of the National Planning Policy Framework (NPPF) and the National Design Guide.
- 10.8 As a result it is recommended that the proposal can be supported, and planning permission should be granted, subject to the following conditions:

## **11. Recommendation**

That authority is given to the Head of Planning and Growth and the Head of Democracy and Monitoring Officer to grant conditionally, subject to the imposition of the following draft conditions and reasons, and that the Head of Planning and Growth, in consultation with the Chair of the Plans Committee for amendments to the conditions and reasons, be given powers to determine the final detail of planning conditions.

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;
  - LTD262 Drw No:10 - Proposed Planning Drawings;
  - LTD262 Drw No:08 – Existing Planning Drawings including block plan and site location.all received on 15/09/2023

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 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 and Planning Policy DS5 of the Draft Local Plan.

4. The development shall not proceed beyond damp proof course level until such time as details of the type, texture, bond and colour of the materials to be used on the external surfaces of the proposed development have been submitted for the agreement of the local planning authority. Only materials agreed in writing by the local planning authority shall be used in carrying out the development.

REASON: To make sure that the appearance of the completed development is satisfactory in the interests of preserving the character and appearance of the conservation Area in accordance with Policies CS2, CS14 of the Core Strategy and Policies DS5 and EV8 of the emerging Local Plan.

5. The development hereby permitted shall not be occupied until such time as secure cycle

parking is provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. The provision for secure cycle parking shall thereafter be retained and not be used for any other purpose.

REASON: To encourage the use of bicycles as an alternative to the car and in accordance with CS17 of the Charnwood Local Plan 2011-2028 Core Strategy, "saved" Policy TR18 of the Borough of Charnwood Local Plan (2004), emerging Policy T3 of the Draft Charnwood Local Plan 2021-2037 and the NPPF (Dec 2023).

6. The development hereby permitted shall not be occupied for a period of more than one month from being first brought into use unless the existing vehicular access on Storer Road that becomes redundant as a result of this proposal has been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework (December 2023).



# APPLICATION SITE

