

Item No. 2

Application Reference Number P/19/0574/2

Application Type:	Full	Date Valid:	15/03/2019
Applicant:	Russo & France		
Proposal:	Two storey extensions and alterations to dwelling and conversion into 5 studio flats (Class C3).		
Location:	59 Ashleigh Drive Loughborough Leicestershire LE11 3HN		
Parish:	Loughborough	Ward:	Loughborough Nanpantan
Case Officer:	Deborah Liggins	Tel No:	01509 634733

This item is referred to Plans Committee at the request of Councillor Smidowicz who objects to the loss of a Class C3 dwelling (where there is a shortage of family homes) as this would be contrary to the Planning Inspector's decision in relation to an appeal at No. 39 Ashleigh Drive under application reference P/15/1480/2. There are also concerns about the design of the proposal and its amenity impacts, in addition to the lack of car parking and proximity to the University. Increased noise and nuisance are also issues of concern.

Description of the Application Site

The application site lies on the northern side and at the western end of the street and is directly adjacent to the university campus. A barrier controlled access and egress to the university is situated outside the property and restrictions operate on the southern side of the street which prohibit on street parking between 0800 and 1800 hours. To the western boundary of the application site is a 2m high steel palisade fence beyond which is a substantial, approximately 6m high hedgerow providing dense foliage screening of the site from within the University grounds.

The property itself is a detached two storey rendered and tiled dwelling standing in a generous plot with a flat roofed garage to the western side. In addition, the dwelling has frontage parking for 3 vehicles. The dwelling has previously been extended to the rear with a large flat roofed conservatory. The property is in a neglected and vandalised state.

Description of the Proposals

The application is accompanied by a Design and Access Statement which sets out the context for and explains the design principles of the proposed development. The document explains that the works would involve the removal of the existing roof structures, the dilapidated rear extension and the side garage. The proposal aims to achieve five self-contained open plan affordable studio flats to add to the accommodation options close to Loughborough town centre. The proposal would upgrade the property internally and externally and would feature a strong front gable feature and painted brickwork with tiles to match the existing building. The applicant considers the proposal would positively enhance the existing property and overall street scene.

The proposal seeks planning permission to both undertake extensions to the building and convert it to 5 studio residential units, all within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended). The resultant building would appear significantly altered from its current form although the extensions represent only a modest increase in the footprint, taking account of the large rear conservatory/extension and garage to be demolished. The building would receive a new roof and two storey or first floor extensions to all sides and would result in a building with a new roof and ridge height of 8.3m (8.15m is existing height). The first floor eaves height would be 0.1m lower than the existing and would be 5m above ground level. The scheme features new projecting two storey gables to the front and rear elevations and hipped roofs to the sides with a rectangular flat roofed area within which Studio 5 would be accommodated. Areas of flat roof are also used to the rear of the building at first floor level and would not be seen from public vantage points.

Two studios would be accommodated on the ground floor and two on the first floor accessed from internal staircases. The fifth flat would be accommodated within the roof space. Each unit would have an open plan kitchen/living/bedroom area and would have its own shower room.

A proposed block plan received by the local planning authority on 29th April 2019 shows that 3 car parking spaces could be accommodated within the site frontage.

Revised plans were received on 14th May 2019 which altered the design of the roof, affecting the accommodation to be provided within Studio No. 5 located in the roof space.

Development Plan Policies

Charnwood Local Plan 2011-2028 Core Strategy

Policy CS1 – Development Strategy outlines that provision will be made for at least 5,000 new homes in Loughborough and Shepshed, including a sustainable urban extension to the west of Loughborough of approximately 3,000 homes, approximately 1,200 homes within and adjoining Shepshed and sustainable development which contributes towards meeting the Council's remaining development needs.

Policy CS2 – High Quality Design requires developments to make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access, and protect the amenity of people who live or work nearby.

Policy CS3 – Strategic Housing Needs states that the Council will manage the delivery of at least 13,940 new homes between 2011 and 2028, seeking an appropriate mix of types, tenures and sizes of homes, having regard to identified housing needs and the character of the area. The commentary relating to strategic housing needs states that “based on our projections for our population and household types, our evidence suggests that we need to increase the number of 2 bedroom homes” and “the low proportion of smaller homes available makes it difficult for older people who want to downsize, those on low incomes and benefits and younger people who want to find their first home. We need to increase the number of smaller and medium sized properties being built. Our community wants to

see smaller houses and bungalows rather than flats and apartments, as these provide space for young families to grow and family to visit with older relatives.” (paragraphs 5.6 and 5.7.)

Borough of Charnwood Local Plan

Policy EV/1 – Design seeks to ensure a high standard of design and sets out nine design criteria which new developments should satisfy. These include the requirement for new development to respect and enhance the local environment, including the scale, location, character, form and function of settlements. Development should be of a design, layout, scale and mass which is compatible with the locality and neighbouring buildings. It should also safeguard the amenities of adjoining properties, particularly the privacy and light enjoyed by adjoining residents.

Policy H/17 – Extensions to Dwellings (including garages) states that planning permission will be granted provided the development meets specific criteria relating to the scale, mass, design and use of materials with the original dwelling etc.

Policy TR/18 – Parking in New Development indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual and local amenities. The policy promotes standards that would require 1.5 parking spaces for flats with 2 or less bedrooms. This would indicate an overall parking requirement for the proposed development of 7.5/8 spaces. The policy does however clearly state that these standards should be used as the starting point in assessing the level of provision and represent the maximum level. The quantity of parking allowed should reflect the proposed use and the location of development, the availability of public off - street parking; the current or potential accessibility by non-car modes and the scope for practical measures to significantly reduce the use of private car trips to and from a site.

Other material considerations

The Leicester and Leicestershire Strategic Growth Plan 2018

This document is a non-statutory plan but has been prepared and adopted by 10 partner organisations in Leicester and Leicestershire to provide a vision to address the challenges of the region until 2050. It identifies broad locations where development should take place and the infrastructure needed to deliver it which is envisaged to be delivered through local plans.

The Leicestershire Highways Design Guide (2018)

This is a guide for use by developers and published by Leicestershire County Council and provides information to developers and local planning authorities to assist in the design of road layouts. 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; and help create quality developments in which to live,

work and play. The document also sets out the quantum of off-street car parking required to be provided in new housing development.

Article 4 Direction

Loughborough is subject to an Article 4 direction put in place 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. 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 living as a single household. Planning permission is now required for occupation of dwellings by more than 2 unrelated persons.

The National Planning Policy Framework (NPPF) 2019

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 8 explains that achieving sustainable development means that the planning system has 3 overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The overarching aims are:

- An economic objective – 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 objective – 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 objective – contributing to protecting and enhancing our natural, built and historic environment.

Paragraph 11 sets out the presumption in favour of sustainable development and makes it clear that where there is an under-supply of housing land, the most important policies for the determination of housing proposals would be considered out of date.

Paragraphs 15-33 set out that the planning system should be genuinely plan-led and that succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities and a platform for local people to shape their surroundings. Paragraph 31 states that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence.

Paragraph 38 indicates that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions

of the area. Decision-makers should seek to approve applications for sustainable development where possible.

Paragraph 47 of the NPPF states that planning law requires that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 53 states that the use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 Directions to require planning permission for the demolition of local facilities). Similarly, planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.

Paragraph 59 states that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 61 sets out that the size, type and tenure of housing need for different groups in the community should be assessed and reflected in planning policies (including but not limited to, those who require affordable housing, families with children older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

Paragraph 68 explains that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out quickly. The paragraph then goes on to explain how such sites might be promoted.

Paragraph 73 sets out that local planning authorities are expected to maintain a 5 year housing land supply and should identify and annually update their supply of specific deliverable sites as measured against the overall housing requirement for the plan period. This should include a buffer and in Charnwood this is an additional 5% in order to ensure choice and competition in the market for land.

Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 111 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Chapter 12 of the NPPF concerns itself with achieving well-designed places and sets out that good design is a key aspect of sustainable development. The use of visual tools and

design codes is encouraged as is the development of design policies alongside local communities and neighbourhood plans.

Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between the permission and completion, as a result of changes being made to the permitted scheme.

Paragraph 180 requires that decisions on planning applications should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, including mitigating noise.

Planning Practice Guidance

ID 26 - Paragraphs 001-003 states that good design matters and what this can achieve through good plan making. Paragraph 004 notes that weight can be given to outstanding or innovative design and developments of poor quality design should be refused. Paragraph 007 states that planning should promote local character. New development should be integrated within existing surroundings.

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.

Housing and Economic Development Needs Assessment (HEDNA)

The Housing and Economic Development Needs Assessment (HEDNA) has looked at a wealth of evidence, including population, household and economic growth projections, to assess the need for housing and employment land over the next 20 years. The study is an important part of the evidence base for the Strategic Growth Plan. It will also form part of the evidence base for Local Plans and will feed into the Strategic Economic Plan being revised by the LLEP.

The HEDNA looks at projections based on past population and demographic trends, with adjustments made (where necessary) for higher migration to support economic growth, and/or to address affordability issues, responding to an analysis of market signals and evidence of the need for affordable housing. The HEDNA also identifies the appropriate mix of homes of different sizes needed in the market and affordable sectors and concludes that the ideal mix of market housing in Charnwood should be as follows:

- 1 bed – 0-10%
- 2 bed – 25-35%
- 3 bed – 45-55%
- 4 bed – 10-20%.

This shows there is a need for affordable housing as follows:

- 1 bed – 40-45%
- 2 bed – 20-25%
- 3 bed – 25-30%
- 4 bed – 5-10%.

The HEDNA also assesses the need for different affordable housing products taking into account both what households can afford, and the existing supply. It identifies that in Charnwood, 23% of the affordable housing need is for intermediate affordable housing (such as shared ownership or equity homes, or low cost market housing) and 77% for social or affordable rented homes.

This housing mix evidence can be afforded significant weight as it reflects known demographic changes.

Supplementary Planning Documents

Leading in Design provides guidance intended to encourage, promote and inspire a higher standard of design.

House Extensions gives advice to those considering undertaking extensions to their homes and gives examples of good and bad practice.

Department for Communities and Local Government – Technical Housing Standards – nationally described space standard (March 2015)

These standards deal with internal spaces within new dwellings and sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights. The standard sets out the minimum space requirements dependent on different combinations of single and double/twin bedrooms. According to these standards, only proposed Flats 1 and 5 could be considered to have a double bed space and all units would meet the minimum living space standards which are 37 sq.m. for single occupancy and 50 sq.m. for double or twin bed spaced units.

The standard sets out that minimum floor to ceiling heights should be 2.3m for at least 75% of the GIA (Gross Internal Area). The proposal achieves floor to ceiling heights which meet and exceed this standard.

In reference to these standards, the proposal would achieve the following gross internal areas:

- Studio flat 1 – 50.62 sq.m
- Studio flat 2 – 43.18 sq.m
- Studio flat 3 – 38.24 sq.m.
- Studio flat 4 – 40.37 sq.m.
- Studio flat 5 – 50.62 sq.m.

Relevant Planning History

None

Responses of Statutory Consultees

The Council's Housing Standards Officer comments on the lack of detail over smoke detection and fire doors within the scheme although this information does not have to be provided for consideration of the planning application. Advice is also given about fire safety measures which should be incorporated into the scheme and which would normally be considered under the Building Regulations.

The Council's Environmental Health Officer has no objections to the proposal.

Other Comments Received

Councillor Smidowicz objects to the application and communicates the concerns of residents as set out below. In addition, a dismissed planning appeal at No. 39 Ashleigh Drive is referred to and in that case, the Planning Inspector considered that the main issue in the appeal proposal (to change the use of the property from a Class C3 dwelling to a Class C4 House in Multiple Occupation) was the effect of the proposal on the residential character of the area and on the living conditions of nearby occupiers. Councillor Smidowicz considers the current application could be refused for the same grounds. Councillor Smidowicz considers the amount of HiMO's in the area already exceeds 50% and that the property is located too close to the university gates. Parking in the street is a problem. The Councillor reports that residents approach her with issues of bins and rubbish and how inappropriate storage has led to spilt waste by foraging animals and birds. There are also concerns about the lack of information about the likely appearance of the building and that there is an overprovision of rented properties in Loughborough.

Members should note that the appeal referred to by Cllr Smidowicz was for the change of use from dwelling (C3) to a House of Multiple Occupation (C4). It is important to recognise the proposal is not for a house in multiple occupation within Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended in 2015) and the proposed units would remain with use class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended in 2015)

The Napnantan Ward Residents Group considers that the 10 car parking spaces are necessary to demonstrate the proposal accords with Policy TR/18. There is an oversaturation of student rented houses in the street and a member of the Group has suggested the application should be refused for the same reasons outlined by the Planning Inspector at No. 39 Ashleigh Drive.

In addition, comments have been received from the occupiers of the following addresses:

Ashleigh Drive – 14, 23, 24, 27, 42, 51
Mountfields Drive – 15, 56, 58, 60, 67
Charley Drive – 3.

The concerns raised by these local residents are summarised below. Concerns include:

- The proposal would result in the loss of a family home to a student let
- There is already too many student properties and let properties in the area and the proposal would add to community imbalance
- The proposal would result in an increase in anti-social behaviour
- The proposal would result in an increase in noise
- Due to the lack of off-street car parking within the scheme & local traffic and parking issues, parking would be displaced on to adjacent streets
- Properties which are let are noticeably less well maintained.
- Student housing is not needed in the area due to ongoing large projects
- It is not considered a three storey building will enhance the appearance of the residential street
- The proposal would have an impact on wildlife through loss of the garden and increased footprint
- The proposal would increase problems in relation to bins and rubbish
- The scale of the extensions would adversely impact surrounding properties and would be overbearing, dominant and visually intrusive.
- The scheme is effectively a 'new build'
- The proposed roof design is uncharacteristic for the street.
- The proposal would result in loss of privacy from the proposed rear windows
- The proposal would result in loss of sunlight
- The proposal would not enhance the street scene and would result in the loss of frontage and gardens and no storage for 10+ bins.
- There are no other flats within the street
- The proposal would set a precedent for other properties to be altered into blocks of flats.
- The proposed flats fall below the requirements for minimum space standards set out by the Government in "Technical Housing Standards – Nationally Described Space Standard published by the Department for Communities and Local Government (March 2015).

Non-Material Considerations That Have Been Raised

Whether or not the development is already being advertised to let as student accommodation is not material to the determination of this planning application. A Class C3 or C4 dwelling can be let to anyone, regardless of their employment or academic status and the Council has no control over who the owner chooses to occupy properties or when they are advertised as being available. The Article 4 Direction in place in Loughborough does however limit occupancy of Class C3 dwellings by making it necessary for planning permission to be sought when they are to be occupied by 3 or more unrelated persons. Such a use would be deemed to be a 'house in multiple occupation' and this is not the proposal before the Council for consideration. The proposal is therefore limited by legislation to only permit 1 or 2 persons to occupy each unit.

Respondents have commented that the proposal would negatively affect house values. This is not a consideration in the determination of the application as there are many factors which influence property values and the local and national housing economy.

Some residents allude to evidence of previous bias in planning decisions on the part of the Council and allegations are made that favour has been shown to property developers. These allegations however remain unsubstantiated and are not material to the planning application before members for consideration.

Several respondents also refer to a planning appeal decision at No. 39 Ashleigh Drive which related to a change of use of the property to a house in multiple occupation (Use Class C4) and which was dismissed on appeal. This decision is of limited relevance here as the proposal before members does not concern a proposed C4 dwelling.

Consideration of the Planning Issues

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

1. Principle of Development & Loss of a Class C3 dwelling
2. Noise and Disturbance
3. The design and impact of the proposal on the street scene and the amenities of neighbouring and future occupiers
4. Car Parking
5. Bin Storage

Principle of Development

The starting point for decision making on all planning applications is that they must be made in accordance with the development plan unless material considerations indicate otherwise. Policies in the adopted Core Strategy and the saved policies in the Borough of Charnwood Local Plan are therefore the starting point for consideration. Policies in the local plan relate to achieving high quality design for all proposals, including house extensions.

Policy CS1 outlines the development strategy for the Borough. The majority of growth which is not taking place at the edge of Leicester is planned for Loughborough and Shepshed. Policy CS1 states that the Council will plan positively for sustainable development in Loughborough which contributes towards meeting development needs, supports the strategic vision, makes effective use of land and is in accordance with the policies of the Core Strategy.

The application site is located within the built-up limits of Loughborough and in a well-established residential area close to the university and town centre. It is in a sustainable location and would contribute towards the Borough's housing supply by providing an additional 4 homes.

Notwithstanding this, the proposal would result in the loss of a 3 bedroom family sized house, a type of home which has reduced significantly in numbers in recent years in the local area as many have been converted to HiMO's. The reduction in the number of Class C3 dwellings available has already reduced the mix and type of homes in the area and led to the erosion of the sense of community and social interaction normally engendered in a stable, balanced community and this is a factor which weighs against the proposal. However, having regard to the planning balance, the proposal represents an increase of 4 dwellings on the site and this would modestly contribute to the overall housing land supply within the Borough which is currently calculated to be 6.41 years.

On balance, it is therefore considered that the development is acceptable in principle, subject to further design and other considerations as set out above.

Noise and Disturbance

It is acknowledged that noise can often be a concern for objectors because of the number of people who are living independently within any property which can be considered to adversely affect the amenity of neighbouring properties. Whilst it is acknowledged that there will be instances where a clash of lifestyles or behaviour may cause disturbance to adjoining occupiers, it is considered unreasonable to assume this will happen to an extent greater than might be the case with other types of occupation. Conflict that occurs in individual cases is not a matter that can easily be expressed as a planning objection. Such occurrence can be dealt with by other forms of regulation. The proposed C3 units may of course be occupied by professionals just as easily as students or other persons. The configuration of accommodation and the gross internal floor areas dictate potential occupancy levels as measured against the Technical Housing Standards published by the Department for Communities and Local Government 2015 as set out above.

The proposal is for small studio apartments which could be suitable for single occupation or couples.

The proposal represents an increase of 4 dwellings (Use Class C3) on the site which could potentially result in additional noise arising. However, it is considered that the occupancy of the building as small studio apartments with occupants distributed over an increased footprint would be akin to or only marginally greater than the intensity of occupation of a family house. The property is detached with no adjoining noise sensitive rooms in another property. Consequently, it is concluded that concerns that the noise would be significantly greater than a single C3 dwelling cannot be sustained. In addition, the conversion works to facilitate the subdivision of the building into C3 units would also need to comply with Part E of the Building Regulations in terms of limiting horizontal and vertical noise transference within the building. The development would not therefore result in significant increases in noise or disturbance and that if neighbours habitually experience this, other legislation and measures exist which may better control this. There are therefore no grounds to support a refusal of planning permission on the grounds of potential noise and disturbance arising from the occupation of the building in the proposed manner.

It is relevant to note that the Council's Community Safety Unit reports it has received no complaints of anti-social behavior in the streets surrounding the site in the last 12 months i.e. within Ashleigh Drive, Mountfields Drive, Charley Drive or Margaret Keay Road (within the university campus).

The design and impact of the proposal on the street scene and amenities of neighbouring occupiers

The property occupies a position at the end of the road which features predominantly semi-detached hipped roof dwellings on the southern side of the street. Opposite there is a mix of dwellings including detached, extended semi-detached two storey dwellings and a bungalow and the current dwelling on the site is at odds with the predominant house type. Although the proposal includes a forward extension, the property would retain a relatively

deep frontage and have a front elevation sitting significantly behind that of the neighbouring dwelling at No. 57. It is therefore considered that because of the design of the front elevation (including forward projecting and recessed elements), the use of materials and similar roof and eaves heights to the existing dwelling, the resultant building would not appear out of scale or character in the street scene. The proposal does include a number of flat roof elements. However the flat roof to the main dwelling would not be obvious from street level given the hipped roof design of the main house. In addition given the position of the development, screening and the fact that the majority of the flat roof elements are to the rear where visibility will be very limited, on balance it is considered on this occasion the proposal would be acceptable in design terms and is considered to accord with policy CS2 of the Development Plan.

In terms of amenity impact to neighbours, the proposed building would be no closer to neighbouring properties to the side and rear than existing although it would contain additional first floor rear facing windows. A distance of 36.12m would be retained between the rear elevation and the closest point of No. 60 Mountfields Drive to the rear and this distance exceeds the recommended minimum 27.5m separation distance as set out in 'Leading in Design' in terms of the proposed first floor principal windows in Studio Flat 3. In addition, there is some intervening landscaping and outbuildings within the garden of No. 60 Mountfields Drive which may obscure direct views further and it is therefore concluded that the degree of additional overlooking/loss of privacy would be limited, given that there are already first floor windows in the rear of the existing dwelling and the distances retained.

In term of the impact on No. 57 Ashleigh Drive, this dwelling has a glazed kitchen door and lounge window in its rear elevation and a secondary kitchen window in its side elevation and stands some 8m further forward of the existing dwelling at No. 59. The orientation of the properties, the location of principal windows and the design of the proposed extensions are such that significant losses of light or privacy are unlikely to be experienced from occupiers of that or other dwellings.

Although respondents comment that the potential to increase the number of residents at the property would result in a loss of privacy, and increased noise and disturbance, this is more associated with tenant behaviours or property management issues.

In terms of the amenities of future occupiers of the units, the building is sited on a large plot and the proposal retains sufficient space around it to meet the amenity needs of potential occupiers whilst also observing and protecting the amenities of neighbouring dwellings. Internally, the size of the units accord with minimum housing space guidelines set out within the DCLG standards, although it is recognised 3 of the flats would only meet the smallest minimum standards for a 1 bedroom 1 person dwelling. On balance it is considered the proposal provides an appropriate standard of accommodation for future occupiers. It is however, acknowledged that Unit 5 within the roof space has been modified because of changes made to the roof design. This has resulted in the removal of the previously proposed dormer windows and means that natural light and ventilation would be possible only from the proposed roof lights. Whilst there are no minimum standards of internal light embodied within planning legislation or the Council's development plan policies, the consideration of occupier amenity is a finely balanced one. On this occasion, it is considered that, given the gross internal areas of the apartments are within the guidelines of the DCLG standards, and the availability of extensive communal outside space, it is

considered that the design of the scheme, on balance, is acceptable in terms of providing a satisfactory living environment for the new residents.

Given the above context, it is considered that the development proposes an appropriate standard of design and will have no significant impact on neighbouring residential amenity or the amenity of future occupiers. The scheme therefore accords with Policies CS2, EV/1 and H/17.

Car Parking

Concern has been expressed by residents about the impact of the proposal on on-street parking in the area, claiming that the proposal would exacerbate the shortage of street availability of spaces, to the detriment of highway safety and amenity. The Highway Authority has not commented on the application, but standing advice would relate to the proposal.

It is accepted that the provision of 3 car parking spaces to the front of the property falls short of the usual standard which recommends the provision of 1.5 spaces per flat, but it is clear from the supporting text to Policy TR/18 that these standards represent the appropriate maximum provision, indicating there will be circumstances where fewer spaces may be acceptable. The aim of the policy is to secure a level of car parking which discourages reliance on the private car, but provides sufficient off-street parking to allow developments to proceed without creating traffic problems. Reduced provision may therefore be appropriate where the site is in a central position which is capable of being served, or already served by effective public transport. It is considered that the application site is within easy walking or cycling distance of the town centre shops and services and bus stops and that a lower provision of car parking would be appropriate. In the event planning permission is granted, it is recommended a condition be imposed to secure suitable cycle storage within the site to encourage use of alternative transport modes to the car.

The street is subject to some Traffic Regulation Order parking restrictions and is not within a resident parking scheme operated by the County Council. In addition, the quantum of unrestricted car parking within the street is somewhat limited by the width and number of existing vehicle crossings serving dwellings on both sides of the street.

To refuse a planning application on highway safety grounds it must be demonstrated that there is severe harm caused by the proposal. The shortage of off-street parking within the application site is not considered to exacerbate on street parking to the extent that highway safety or the free flow of traffic would be result in such harm. The property is located at the end of the street where there is a controlled barrier access to the campus and where traffic speeds are likely to be low and where additional vigilance for pedestrians and other highway users is practiced. It is therefore unlikely that the proposal would lead to unsafe operation of the local highway network or result in severe cumulative residual highway harms as set out in Paragraph 109 of the NPPF. It is concluded that the proposal accords with national policy, and the tenet of local policy as enshrined in Policy TR/18 of the Borough of Charnwood Local Plan.

Bin Storage

Bin storage is sometimes a visual issue when residential properties are subdivided into flats. In this case, there is ample space for the storage of bins or a communal larger receptacle to the side or rear of the building and this should enable occupants to participate in the usual weekly collection service. There would therefore be no need for bins to be stored on the property frontage or pavement although it is acknowledged that this appears to be an issue within the street and is a problem which is currently beyond the scope of the planning function to improve. Policy CS16 sets out the ways that the Council will encourage sustainable design and construction and one of these is supporting developments that reduce waste, provide for the suitable storage of waste and allow convenient waste collections. The Policy also encourages the effective use of land that has been previously developed, provided that it is not of high environmental value and in these respects in particular, it is considered that the development accords with Policy CS16.

Conclusion

Decisions on applications need to be made in accordance with the adopted development plan policies and the material considerations that support them.

The main issues to be considered in this case are the design, the impact of the proposed rear extensions on the amenities of neighbouring occupiers and if the proposed accommodation would provide an acceptable level of amenity to future occupiers. On balance it is considered the relationship is an acceptable one and the design is acceptable, as outlined above.

It is considered that the shortfall in proposed off-street parking would not result in severe harm, given there is some off-site parking provision available, local parking restrictions within the immediate vicinity and the sustainable location of the site for alternative methods of transport.

Accordingly, having regard to the above considerations, it is recommended that planning permission is granted conditionally.

RECOMMENDATION:

Grant Conditionally

- 1 The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

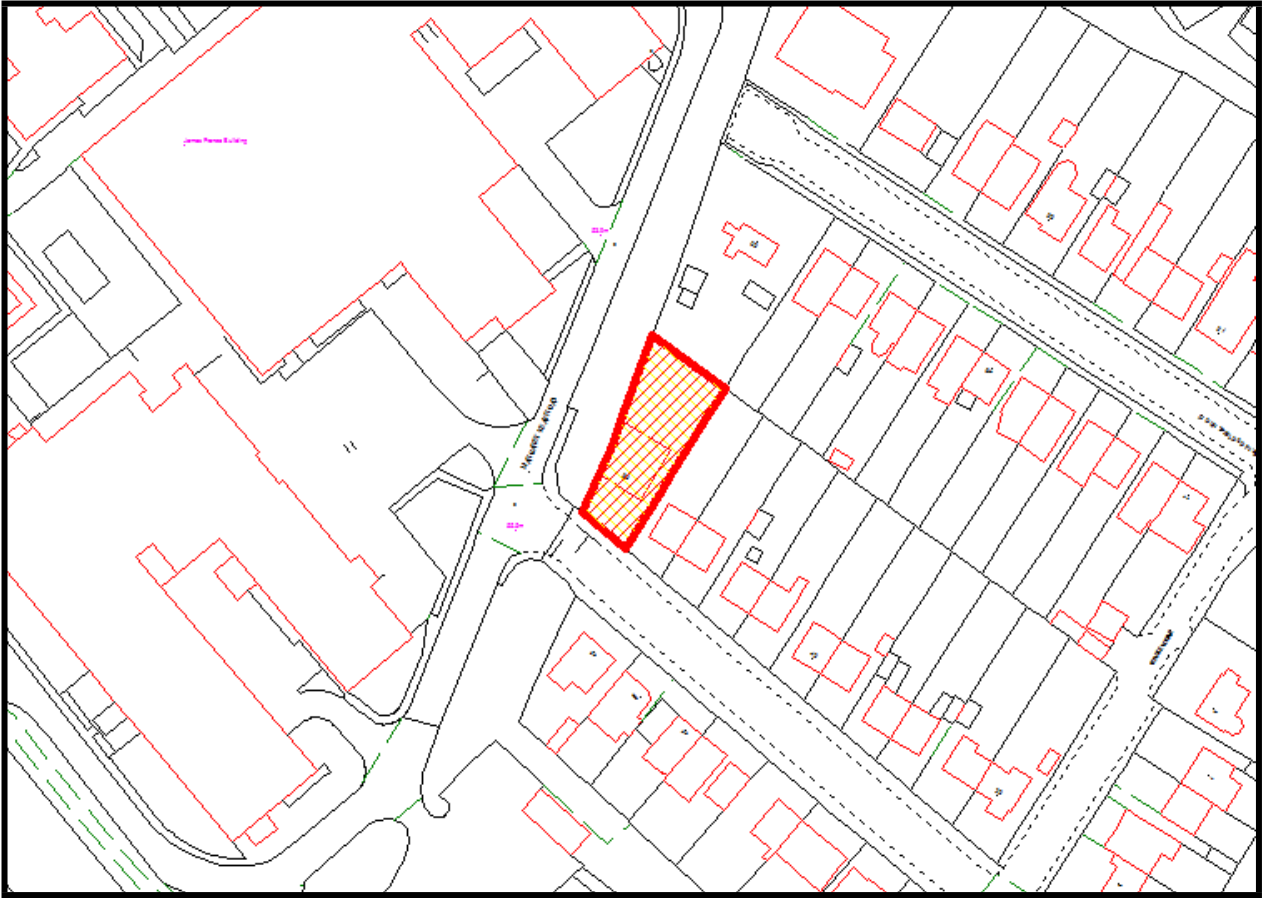
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
1901-01 rev C - Block and location plans - revised plan received 14th May 2019
1901-03 Rev A - Proposed floor plans, elevations and sections - revised plan received 14th May 2019.
REASON: To define the terms of the planning permission.

- 3 No materials shall be placed on the site until such time as samples of the facing bricks and any other materials to be used on the external walls and of the roofing slates, tiles and any other materials 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.
- 4 No use or occupation of the building shall begin until provision has been made within the application site for the parking of cycles, under cover and secure, in accordance with details which shall have first been submitted to and agreed in writing by the local planning authority. The provision for cycles shall thereafter not be used for any other purpose.
REASON: To encourage the use of bicycles as an alternative to the car.
- 5 None of the residential units hereby permitted shall be occupied until such time as the parking facilities shown on approved plan No. 1901-01 Rev C have been provided, hard-surfaced and made available for use. Thereafter, the parking facilities shall not be obstructed in any way that would prevent such use.
REASON: To make sure off-street parking is provided and retained, in the interests of road safety.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2 and CS3 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies EV/1, H/17, and TR/18 of the Borough of Charnwood Local Plan have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies and there are no other material considerations which are of significant weight in reaching a decision on this application.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Document 'Leading in Design' and, therefore, no harm would arise such as to warrant refusal of planning permission.
- 3 The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 4 In order to arrange for the delivery of the necessary equipment for participation in the refuse and recycling service and to ensure that the properties receive a collection service as appropriate, please contact Environmental Services on 01509 634538 or recycle@charnwood.gov.uk, before the first property is completed.



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