

Item No. 1

Application Reference Number P/19/0971/2

Application Type:	Full	Date Valid:	31/05/2019
Applicant:	Mr Mark Horsley		
Proposal:	Erection of 2 detached dwellings and double garage.		
Location:	102 Warwick Avenue Quorn LE12 8HE		
Parish:	Quorn	Ward:	Quorn & Mountsorrel Castle
Case Officer:	Deborah Liggins	Tel No:	01509 634733

The application has been brought to Plans Committee at the request of Councillor Hunt and Councillor Shepherd who are concerned about the appearance and design of the development, loss of light, scale and dominance, privacy, impact on the character of the area and the impact of the proposal on nature conservation and ecology.

Description of the Application Site

The application site lies on the southern side of Warwick Avenue within an established residential area and inside the Quorn Limits to Development as identified in the Borough of Charnwood Local Plan. The existing house is two storey and is bounded to the street with a 1m high fence and has recently undergone modifications following the grant of planning permission under reference P/19/0268/2. A detached double garage lies to the south east corner of the site which currently comprises the landscaped garden to No. 102 Warwick Avenue.

The site is not within the designated Conservation Area and there are no trees on the site which are subject to Tree Preservation Orders. Surrounding housing largely dates from the 1970's and comprises good quality family homes occupying spacious plots with open frontages to Warwick Avenue. The existing dwelling at number 102 dates from the 1930's; pre-dating the surrounding development, and is therefore at variance with the prevailing character of the area. Dwellings on Warwick Avenue have been subject to extensions and significant alteration in some cases and the street scene is of dwellings of mixed styles, ages and materials.

The Application Proposals

Members may recall an earlier scheme for the erection of 3 detached dwellings with alterations proposed to the existing house (under application P/18/2172/2) which was refused by Plans Committee contrary to officer recommendation for the following reasons:

"The proposal is considered to represent an over development of the site. The proposal by reason of its design, scale, number and position of dwellings is considered to have a cramped and overdeveloped appearance to the detriment of visual amenity in the street scene and the character of the area. In addition, the proposed development by reason of its design, scale, proximity and layout is considered to have an unacceptable relationship with the host property (102 Warwick Avenue) resulting in a detrimental impact on the residential amenity of its future occupiers, by reason of over dominance, overbearing impact

and loss of light. Accordingly it is considered the development is contrary to the intentions of Policy CS2 of the Charnwood Local Plan 2011 to 2028 Core strategy, saved Policy EV/1 of the Borough of Charnwood Local Plan and Policy H5 of the draft Quorn Neighbourhood Plan and the advice contained within the adopted Supplementary Planning Document 'Leading in Design' and the National Planning Policy Framework (2018)" and

"It is the opinion of the local planning authority that the submitted planning layout, which shows only 4 bedroom houses, does not provide an acceptable housing mix that would meet local need as identified within the Housing and Economic Development Needs Assessment (2017) and the Draft Quorn Neighbourhood Plan. The proposal is, therefore, contrary to the strategy given in policy CS3 of the Charnwood Local Plan Core Strategy which seeks an appropriate mix of types, tenures and sizes homes having regard to the identified housing need and the character of the area. The development is also contrary to the advice contained within Policy H3 of the draft Quorn Neighbourhood Plan which requires any new development to provide a mix of housing types specifically to meet the identified local needs in Quorn, and states that where 4 plus bedroom units are included within the overall composition of a site they should be in a clear minority to the number of 1, 2 and 3 bedroom houses. In addition the housing mix proposed is considered to be contrary to the advice contained within paragraph 61 of the National Planning Policy Framework which seek to secure an appropriate mix of types, tenures and sizes of homes to widen opportunities for home ownership and create sustainable, inclusive and mixed communities, having regard to identified housing needs and the character of the area."

Since members rejected that proposal, the applicant has secured planning permission for alterations to the existing house, the erection of a garage and the conversion of the existing garage to a garden room. However, only the alterations to the existing dwelling have been implemented under this planning permission.

The proposal retains the existing dwelling with the erection of 2 new two storey dwellings and the erection of a revised double garage which now includes first floor ancillary accommodation. The new dwellings would be placed to the southeast of the house (between the house and No. 96 Warwick Avenue) and the garage to the northwest side of the existing dwelling, adjacent No. 106. The proposed houses would be of a similar scale and appearance and would have identical internal layouts but the dwellings would have some external differences with one plot including a slightly projecting gable to the front elevation. Both dwellings would be detached 3 bedroom properties which would comprise the following accommodation: ground floor kitchen/dining room, utility room and lounge, first floor 2 bedrooms and bathroom, and a further en-suite bedroom contained within the roof space.

Each property would measure 5.1m high to first floor eaves and 8.2m to the ridge. Each dwelling would have two driveway car parking spaces to the front, landscaping and private rear gardens. The proposed double garage with an additional two frontage car parking spaces would be provided for the existing dwelling together with a good sized private rear garden. The houses are proposed to be constructed from a brick and tile to match the existing house although the details of the exact type and colour are as yet unknown. In the event members are minded to grant planning permission, a planning condition could be imposed to require samples of materials to be submitted prior to the commencement of the development. Windows are to be UPVC.

The proposed double garage proposed under this application was originally intended to be 7m high to its ridge and 2.5m high to eaves and would encompass parking and storage

space with a games room above lit by 3 roof lights within the front roof plane, the lower cill of which would be 1.7m above eaves level. However, a revised plan received on 4th July 2019 shows its ridge height lowered by 0.6m meaning it would now be just 1.6m higher than the garage previously approved under P/19/0268/2. The garage proposed under this application also has a slightly increased length to incorporate a store to the rear of the ground floor.

The applicant has submitted additional material to support the proposals in response to neighbour comments which have been received. The application is also supported by the following documents and information:

- Planning Statement/Design and Access Statement which sets out the policy and local context for the proposal
- Topographical survey
- Contextual information
- Images of resultant street scene.

Development Plan Policies

Charnwood Local Plan Core Strategy 20011-2028 (Adopted 9th November 2015)

Policy CS1 - Development Strategy - sets out the development strategy for the Borough. This focuses housing development in locations around the Leicester Principal Urban Area and Loughborough and Shepshed with three Sustainable Urban Extensions. The next tier of settlements proposed for development in this strategy are the seven Service Centres, which include Quorn.

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; protect the amenity of people who live or work nearby, provide attractive well managed public and private spaces; well defined and legible streets and spaces and reduce their impact on climate change.

Policy CS3 - We will manage the delivery of at least 13,940 new homes between 2011 and 2028 to balance our housing stock and meet our community's housing needs. This will be done seeking an appropriate mix of types, tenures and sizes of homes, having regard to identified housing needs and the character of the area; and seeking all new housing to be built to 'Lifetime Homes', where feasible.

Policy CS16 – Sustainable Construction and Energy - supports sustainable design and construction techniques. It also encourages the effective use of land by reusing land that has been previously developed.

Policy CS17 – Sustainable Transport - seeks a 6% shift from travel by private car to sustainable modes by requiring major developments to provide access to key facilities by safe and well-lit routes for walking and cycling that are integrated with the wider green infrastructure network and by securing new and enhanced bus services where new development is more than 400m walk from an existing bus stop.

Policy CS25 – Presumption in Favour of Sustainable Development – sets out a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Borough of Charnwood Local Plan 1991-2026 (adopted 12 January 2004) (saved policies)

The policies relevant to this proposal include:

Policy ST/2 – Limits to Development – Aims to confine development to land within the Limits to Development identified on the Proposals Map.

Policy EV/1- Design- Seeks to ensure a high standard of design for developments which respect the character of the area, nearby occupiers, and is compatible in mass, scale, layout, whilst using landforms and other natural features. It should meet the needs of all groups and create safe places for people.

Policy TR/18 - Parking in New Development – This seeks to set the maximum standards by which development should provide for off street car parking dependent on floorspace or dwelling numbers.

Quorn Neighbourhood Plan

The policies relevant to this proposal include:

- Policy S1 states that development proposals within the Neighbourhood Plan area will be supported on sites wholly within the settlement boundary where the proposal fully complies with all of the policies in the Neighbourhood Plan.
- Policy S2 states that new development should reflect the guidance of the Quorn Village Design Statement and that new development will be supported where it respects the character or appearance of the neighbourhood area and, where appropriate, incorporates vernacular building materials.
- Policy H3 seeks a housing mix of 1, 2, or 3 bed dwellings and homes suitable for older people and those with restricted mobility. Dwellings with 4+ bedrooms should be a clear minority
- Policy H5 sets out how windfall developments should be considered and states that small residential development proposals within the Settlement Boundary will be supported where they are well-designed, and comply with the relevant requirements set out in other policies in the Development Plan. The policy sets out a number of criteria which form part of this consideration.

Other material considerations

The National Planning Policy Framework 2019 (NPPF)

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 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 70 sets out that plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example, where development would cause harm to the local area.

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.

Chapter 8 of the NPPF relates to the promotion of healthy and safe communities and sets out how planning policies and decisions should aim to achieve healthy, inclusive and safe places.

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 131 states that, in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

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

This was launched as a web based resource, and replaces a list of previous practice guidance documents and notes, as planning guidance for England and consolidates this guidance on various topics into one location and condenses previous guidance on various planning related issues. The document also sets out relevant guidance on aspects of

flooding, air quality, noise, design, the setting and significance of heritage assets, landscape, contaminated land, Community Infrastructure Levy, transport assessments and travels plans, supporting the policy framework as set out in the NPPF.

Leading in Design Supplementary Planning Document (February 2006)

This document encourages and provides guidance on achieving high quality design in new development. Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

Housing Supplementary Planning Document (2017)

Adopted in May 2017, the SPD provides guidance to support the Local Plan Core Strategy and the saved policies of the Borough of Charnwood Local Plan.

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%

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.

Leicestershire Highway Authority - Design Guide

This guidance deals with highways and transportation infrastructure for new developments including the amount of access required for a development of this size.

Quorn Village Design Statement (2008)

The Quorn village Design Statement seeks to record the features of the built and natural environment of the village that are valued by its residents. The main purpose of the document is to safeguard and enhance the character of the village by promoting sympathetic and contextually appropriate design in all new developments. The document sets out various guidelines to inform developers as to what would be expected in terms of development quality.

Relevant Planning History

P/77/2300/2 – Erection of garage – granted conditionally

P/88/1532/2 – Studio extension to rear of garage – granted conditionally

P/98/2148/2 – Extension to side and rear of detached house. Amendment to siting of conservatory – granted conditionally.

P/18/2172/2 – Erection of 3 detached dwellings and alterations to existing dwelling – Refused. An appeal has recently been lodged in respect of this proposal and is awaiting the appointment of an Inspector prior to the Council submitting its statement of case.

P/19/0268/2 – Alterations to existing house, erection of garage and conversion of existing garage to garden room.

Response of Statutory Consultees

Quorn Parish Council raises no objection in principal to the development but comments that the height of the new dwellings should be in keeping with the existing street scene.

Leicestershire County Highway Authority observes that the application site (taking account of the existing vehicular access and that previously considered under P19/0268/2) provides one additional vehicular access. The highway authority provides advice relating to the minimum access width and surfacing of the driveways and comments that the proposed new access would accord with current standards contained within the Leicestershire Highways Design Guide. The quantum of car parking to serve each unit is also acceptable.

Third Party Representations

Ward Councillor Hunt has raised concerns about the appearance, scale, dominance and design of the development on the street scene and the impact of the development, which may cause a loss of light and privacy. There is also a concern about the impact on nature conservation and ecology.

Ward Councillor Shepherd concurs with the concerns as expressed by Councillor Hunt.

A number of representations have been received against the proposal from the following residents:

Loughborough Road, 2

Rumsey Close – 2, 3, 5, 7, 8, 9, 13

Warwick Avenue – 57, 59, 77, 79, 81, 83, 96, 106

Objections to the application are made on the following grounds:

- The proposal would result in loss of privacy to neighbouring dwellings
- The proposal would cause loss of sunlight and daylight to neighbouring dwellings
- Overdevelopment of the site – The plot is too small to support additional dwellings

- The application is not very different from the previously refused scheme
- The development is incongruous in the street scene and the estate which largely dates from the 1970's and features traditional 2 storey and well spaced properties.
- The accommodation the new dwellings is spread over 3 levels
- The design of the dwellings is not in keeping with the area
- There would be inadequate space between the existing and proposed new dwellings.
- The roof heights would be higher than the surrounding dwellings
- Roof lights are not featured in neighbouring dwellings
- Land levels within the application site are already elevated 3-4 feet higher than Rumsey Close gardens and the proposed dwellings would have an overbearing impact
- Fears that the proposed double garage could be converted to a further dwelling in the future.
- The proposed garage roof is very high and the building should be set back from the building line.
- The alterations which have been undertaken to No. 102 use mismatched materials
- The proposed garage is too big and contains overlooking windows
- Warwick Avenue is heavily trafficked and this main route into the estate is also used as a school drop off point for the nearby St Bartholomew's Primary School. Vehicles often park on the pavement creating dangers for school children.
- The proposed parking spaces and driveways do not appear to be large enough
- Not enough visitor parking is provided within the site
- Additional parking within the street may block existing driveways.
- Noise and disturbance would be caused during construction
- Removal of vegetation would impact on wildlife
- The existing pond may contain protected species

Consideration of the Planning Issues

This application is for full planning permission and the key considerations are:

- Principle of development
- Housing Mix
- Design and Impact in the street scene
- Impact on residential amenity
- Highway safety, servicing and parking
- The Planning Balance

Principle of development

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 development plan for Charnwood comprises the Charnwood Local Plan 2011-2028 Core Strategy (2015) and those saved policies within the Local Plan which have not been superseded by the Core Strategy. The vision within the Core Strategy (2015) confirms that by the end of the plan period Charnwood aims to be one of the most desirable places to live, work and visit in the East Midlands. To achieve this development will have been managed to improve the economy, quality of life, the environment and biodiversity. The presumption in favour of sustainable development is reinforced in paragraph 11 of the NPPF.

The Local Plan Core Strategy policies, although adopted before the new NPPF was published, are less than five years old and are considered generally consistent with the new Framework. On this basis, proposals for housing development should only be approved where they accord with policy CS1 and CS11 of the Core Strategy, unless material considerations indicate otherwise. Policies contained within the Borough of Charnwood Local Plan are older than 5 years and remain material considerations in the determination process, but should be afforded less weight.

Policy CS1 of the Core Strategy sets out a settlement hierarchy for the Borough and the criteria for the considering proposals within individual tiers of settlements. This policy defines Quorn as one of a number of Service Centres which provide a range of key services. The policy seeks to provide a minimum of 3,000 new homes within and adjoining service centres between 2011 and 2028. The policy sets out that the Council will respond positively to opportunities for sustainable development and which also make effective use of land.

In considering the housing supply situation, the Council is able to show a 6.41 year supply having followed government advice on its calculation following the publication of the 2019 NPPF and subsequent advice. The Borough Council's planning policies are therefore considered to be up-to-date. In terms of decision making, Paragraph 11(c) of the NPPF (2018) states that development proposals that accord with an up-to-date development plan should be approved without delay.

The Quorn Neighbourhood Plan provides a vision for the village up to 2036. The Neighbourhood plan has been subject to consultation and has been submitted for an examination and as of June 2019 is now a 'made' Plan forming part of the Development Plan for the Borough. The policies of the plan therefore have weight which should be considered in the balance when making a decision on this application.

Policy S1 of the neighbourhood plan states that development proposals within the Neighbourhood Plan area will be supported on sites wholly within the identified settlement boundary where the proposal fully complies with all other the policies in the Neighbourhood Plan. Policy H5 relates to windfall sites and sets out that small residential development proposals within the settlement boundary will be supported where they meet all the relevant criteria including in particular that a scheme is well-designed, retains natural boundaries and does not reduce garden land to the extent local character or neighbouring residential amenity is adversely affected. The proposed development would be of a similar scale and mass to existing dwellings within the vicinity, and would follow the existing linear pattern of the development within the street. No protected natural boundaries are lost as a result of the proposal and it is considered sufficient garden space and amenity is provided. Accordingly it is considered the relevant criteria are met.

The site is located within the Limits to Development and is a small scale 'infill' proposal within a settlement defined as a Service Centre within the Core Strategy. The development is therefore in accordance with policy CS1 of the Core Strategy, which directs development to the most sustainable locations in the Borough, and Policies S1 and H5 of the Quorn Neighbourhood Plan.

Housing Mix

Policy H3 of the Neighbourhood Plan sets out that any new housing development proposals should provide a mixture of housing types specifically to meet identified housing needs in

Quorn. The policy supports the provision of 1, 2 and 3 bedroom homes suitable for older people and those with restricted mobility. Dwellings with 4 or more bedrooms should be in a clear minority to the number of 1, 2, and 3 bedroom houses.

The proposal is for 2 three bedroom dwellings and accordingly, it is considered the design and layout of the proposed dwellings, and the scale of development is in general conformity with the Neighbourhood Plan.

Design and Impact in the street scene

The applicant has provided information and images to show how the development would be assimilated into the street scene. Drawing number P005 rev G received by the local planning authority on 3rd July 2019 shows the proposed street scene and demonstrates that ridge heights of the new dwellings would be on a par with those of adjacent two storey dwellings and the scale and design of the dwellings is considered to be in keeping with the eclectic house types in the street. The existing street scene features properties with varying widths and non-uniform spaces between dwellings and which are a variety of house type designs, including dwellings which have been modified by extensions and recently constructed dwellings.

It is considered that the position of the dwellings respects the current building line and although car parking would be set forward of the buildings, this is not uncommon in the street. The proposal would utilise high quality materials which would respect the retained dwelling on the site. In these respects, it is considered that the proposal would not be incongruous or out of character with the street scene and that the development would accord with design related guidance in the NPPF and Policies CS2 and EV/1, as well as Policy H5 of the neighbourhood plan and the adopted Supplementary Planning Document 'Leading in Design' and Guideline 4, 5.1 and 5.2 of the Quorn Village Design Statement which relates to the design of new housing development.

In terms of the proposed garage, this would have a higher roof than originally granted planning permission under P/19/0268/2 and this increase is in order to facilitate the first floor games room. The revised garage is also increased in length to 7.6m to facilitate a ground floor store to its rear. The garage would still have a significantly lower ridge height than the dwellings either side and its increased length would not be immediately apparent in the street scene. It is considered that the proposed garage would retain its subordinate appearance to the main house and, being set between two storey dwellings and utilising appropriate materials, would have an acceptable visual impact in the street scene.

Impact on residential amenity

In order to meet recommended minimum separation distances as set out in Appendix 4 of adopted SPD Leading in Design, at least 21m needs to be achieved between 2 storey proposals that would oppose principle windows in existing dwellings. The proposal achieves a separation distance of 29.8m and even allowing for the change of ground levels between the site and gardens to Rumsey Close properties, this distance is considered to be sufficient to ensure no significant losses of privacy are caused by the development and an overbearing impact is avoided. The enlarged garage would be in a similar position to the previously approved structure and it is considered that its increased dimensions would not negatively impact the amenities of No. 106 Warwick Avenue in particular. This property has a blank flanking elevation devoid of principal windows. It is therefore considered that the revised garage is acceptable. The overall height of the proposed dwellings and their

orientation is such that significant losses of daylight or sunlight are also not likely to occur to adjacent dwellings or the retained dwelling on the site.

Overall, in terms of residential amenity it is considered that the development complies with Core Strategy policy CS2, local plan policy EV/1, Policy H5 of the neighbourhood plan, the Leading in Design SPD and the NPPF.

Highway safety, servicing and parking

Policy CS17 of the Core Strategy seeks to provide a genuine choice for our community to walk, cycle or take longer trips on public transport and Neighbourhood Plan Policy H5 requires a safe vehicular and pedestrian access to the site. The proposal, for just two additional dwellings would not trigger any developer obligations through a Section 106 agreement to secure highway improvements or public transport provision. However, the site is well related to local shops and facilities and the scale of the proposal would not generate a significant additional need to travel by the private car.

Policy TR/18 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 minimise harm to visual and local amenities. The policy promotes standards that would require 2 spaces for a 3 bedroom dwelling and 3 parking spaces for a 4 or more bedroom dwelling, although it states that this will 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.

The proposal includes 2 car parking spaces per dwelling, which accords with the recommended standards, and both dwellings would have access to a private rear garden where cycle storage could be easily facilitated. The proposal also creates sufficient car parking for the 'host' property in the proposed garage and its driveway. Given the proposed parking provision and the application site's location within a sustainable settlement, with easy access to services and public transport, it is considered that the proposed car parking provision is sufficient to meet its needs and would not result in a significant highway safety concern. In addition, it is considered that the proposal, for 2 additional dwellings in this location would not result in cumulative or residual highway impacts that could be regarded as 'severe' as set out in the NPPF.

The local highway authority has previously observed that the location of the site is between a sharp bend and a junction and that vehicle speeds were unlikely to be excessive along Warwick Avenue. The revised plans of visibility splays received by the local planning authority on 8th July 2019 show the suitable provision of splays which meet current highway standards. The site is located in a residential area where all surrounding properties have driveway accesses and oncoming drivers would be expecting the potential to encounter vehicles entering or exiting properties along the road. The Highway Authority has also previously advised that there have also not been any Personal Injury Collisions in the vicinity of the site, indicating there are no road safety concerns.

The development is therefore considered to be acceptable in highway terms and meets Policy CS 17, Policy TR/18 and Policy H5 of the draft Neighbourhood plan

Planning Balance and Conclusion

In the context of the adopted core strategy and the saved local plan policies the proposal would provide housing which would contribute towards the five year supply of housing land and this is a positive aspect in the planning balance for the proposal. The site is well related to existing development and is located in a sustainable location, it being within a Service Centre, and this is an important policy consideration in the assessment of the application.

The design proposed is of an acceptable quality in terms of Policies CS2 and EV/1 and the guidance on design in the VDS and leading in Design SPD and there is no harm relating to matters such as amenity, visual impact, highway safety that cannot be mitigated. These issues are therefore neutral in the planning balance.

The adopted Quorn Neighbourhood Plan seeks to specifically control housing mix to dwellings of 3 bedrooms or less and this policy forms part of the Development Plan and should be given full weight. The dwellings are both 3 bedroom houses and the proposal would be in accordance with all policies of the Neighbourhood Plan and Development Plan when taken as a whole and as set out above. Accordingly, there are no material considerations to indicate planning permission should not be approved.

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:
P100 - Proposed front elevations
Topo1 Rev F - Topographical Survey - revised plan received 28th May 2019
19194-19-0 - Topographical survey plans of access and site - received 4th July 2019
OS001 Rev B - 1:500 scale site location plan
P001 Rev A - 1:500 scale site location plan
P002 Rev A - Proposed site plan
P003 - Elevations, section and floor plans for 3 bed house
P004 - Rev B - Garage and games room floor plans and elevations - revised plan received 23rd July 2019
P005 Rev G - Proposed street elevation - revised plan received 4th July 2019
P006 Rev B - Proposed street elevations - revised plan received 4th July 2019
P009 Rev B - Proposed site plan
P013 Rev A Proposed elevations and floor plans of 3 bed gable house - revised plan received 3rd June 2019
P100 Rev A - visibility splays for No. 98 site plan received 8th July 2019
P101 Rev A - visibility splays for No 100 site plan received 8th July 2019
P102 Rev A - visibility splays for No 102 site plan received 8th July 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 above ground works shall commence until such time as a Construction Method Statement has been submitted to and approved by the Local Planning Authority. This document shall include as a minimum, details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, hours of construction; piling details (if applicable); control of noise emission from site; and dust mitigation. The approved plan shall be adhered to throughout the construction period.
REASON: To ensure that the construction works take place in a manner which would not be detrimental to the environment or residential amenities, to reduce hazard for road users, to ensure that construction traffic does not use unsatisfactory roads, lead to on-street parking problems in the area.
- 5 No above ground works shall commence until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the local planning authority:
i) the treatment proposed for all ground surfaces, including hard areas;
ii) full details of tree planting;
iii) planting schedules, noting the species, sizes, numbers and densities of plants;
iv) functional services above and below ground; and
v) all existing trees, hedges and other landscape features, indicating clearly those to be removed.
REASON: To make sure that a satisfactory landscaping scheme for the development is agreed.
- 6 The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting and seeding seasons following the first occupation of any part of the development or in accordance with a programme previously agreed in writing by the local planning authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.
REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.
- 7 No dwelling hereby permitted shall be occupied, nor shall the garage hereby permitted be brought into use until such time as its respective visibility splays shown on drawings P100 rev A, P101 Rev A and number P102 Rev A received by the local planning authority on 8th July 2019 have been provided on the highway boundary. Once provided in accordance with the approved plan, the splays shall be retained in perpetuity.
REASON: To make sure that drivers leaving the accesses have adequate visibility of pedestrians, particularly children, in the interests of road safety.

- 8 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that Order, with or without modifications), no fence, wall, structure or hedge or other planting exceeding 0.6m in height shall be erected, placed or planted within the splay areas referred to in the previous condition.
REASON: To make sure that drivers leaving the access have adequate visibility of pedestrians, particularly children, in the interests of road safety.
- 9 No occupation of either dwelling shall take place until such time as its respective parking facilities shown on the approved plan have been completed in accordance with the submitted details. Thereafter, the parking facilities shall not be obstructed in any way that would prevent such use.
REASON: To ensure sufficient off-street parking is provided in the interests of road safety.
- 10 The development hereby permitted shall not be occupied until such time as each access drive has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.
REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety.
11. No above ground works shall take place until a scheme for the treatment of the application site boundaries has been submitted to and agreed in writing by the local planning authority.
REASON: To ensure the satisfactory, overall appearance of the completed development.
12. No use or occupation of the building hereby permitted shall take place until the scheme for boundary treatment, agreed under the terms of the above condition, has been fully completed.
REASON: To ensure the satisfactory, overall appearance of the completed development.
13. No above ground works shall commence until details of existing and proposed levels, including ground levels, finished floor levels of all dwellings and a number of sections across the site (these sections to extend to land and buildings adjoining the application site), have been submitted to and agreed in writing by the local planning authority. The development shall only be carried out in accordance with the levels details so approved.
REASON: To make sure that the development is carried out in a way which is in character with its surroundings.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS3, CS16, CS17 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies ST/2, EV/1 and TR/18 of the Borough of Charnwood Local Plan and the relevant provisions of the Quorn Neighbourhood 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 Discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 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.
- 5 All works within the limits of the highway with regard to access shall be carried out to the satisfaction of the County Council's Highway Manager on 0116 305 0001.

