

Item No. 1

Application Reference Number P/19/2603/2

Application Type: Full **Date Valid:** 03/01/2020
Applicant: Mr Mark Horsley
Proposal: Erection of a 2 storey dwelling
Location: adj to 102 Warwick Avenue
Quorn
Leicestershire
LE12 8HE
Parish: Quorn **Ward:** Quorn & Mountsorrel
Castle
Case Officer: Deborah Liggins **Tel No:** 01509 634733

This item is referred to Plans Committee because of the previous development proposals on the site which members have considered.

Description of the 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 application site is former garden land associated with No. 102 Warwick Avenue which is a two storey dwelling bounded to the street with a 1m high fence.

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 surrounding land uses are as follows:

Boundary	Adjacent land use
To the west	No. 106 Warwick Avenue, a detached two storey dwelling with a forward projecting gable
To the north	An assortment of detached two storey dwellings on the opposite side of Warwick Avenue
To the south	Detached two storey dwellings on Rumsey Close
To the east	No 102 Warwick Avenue

Description of the Application

Members may recall an earlier scheme for the erection of 3 detached dwellings (including one in the position of the current proposal, 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.”

The appeal associated with that scheme is as yet undetermined.

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 (under application reference P/19/268/2. However, only the alterations to the existing dwelling have been implemented under this planning permission. The detached double garage which recently occupied the south east corner of No. 102 has recently been demolished and the development of the two dwellings to the south-east of No. 102, granted by Plans Committee on 22nd August 2019 under application reference P/19/0971/2 has been commenced.

The proposal seeks planning permission to erect one dwelling on the plot which has a history of planning applications as set out below and which, at the time of writing, is subject to an undetermined appeal relating to the erection of 3 dwellings on the wider site under application reference P/18/2172/2.

The proposed dwelling is the same scale and footprint as the appeal proposal relating to this plot but is of a slightly different design and position. The height of the dwelling is as previously considered under P/18/2172/2 at 8.25m to the ridge and 5.3m to the eaves. The property would be pushed 0.4m further back into the site than previously proposed to achieve a setback of 6.7m from the highway boundary. The dwelling would have 3 bedrooms with one of this utilising the attic space and served by 2 roof lights in the rear elevation and one in the front elevation. The dwelling is intended to be constructed with bricks to match those used in No. 102 and a tiled roof with white UPVC windows also being proposed. The design of the dwelling is identical to that for the recently permitted dwellings on the other side of No. 102 as granted under P/19/0971/2 but handed.

The application is accompanied by a Planning and Design and Access Statement - This describes the proposal and its physical and policy context, and includes a character analysis of existing dwellings found in the street.

Development Plan Policies

Charnwood Local Plan 2011-2028 Core Strategy (adopted 9 November 2015)

The following policies are relevant to this application:

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 that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It pledges to work proactively with applicants to jointly find solutions to approve development wherever possible to secure improvements to the economic, social and environmental conditions in an area. Planning applications that accord with the policies in the Core Strategy will be approved without delay unless material considerations indicate otherwise.

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

The saved 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 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 2 parking spaces for a 3 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.

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)

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 10 states at the heart of the Framework is a presumption in favour of sustainable development.

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.

National 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.

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

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.

National Design Guide (2019)

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This design guide, the National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

Design Supplementary Planning Document (January 2020)

Cabinet has approved the Design Supplementary Planning Document and it has now been adopted by the Borough Council. This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. The document is a material consideration in the determination of planning applications and carries weight.

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.

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.

The standard sets out that minimum floor to ceiling heights should be 2.3m for at least 75% of the GIA (Gross Internal Area). For the application proposal which is a 6 person, 3 bed dwelling, the minimum gross internal area should be 108 sq.m. The proposal achieves 125.6 sq.m.

Draft Local Plan 2019-2036

The Draft Local Plan sets out the Council's preferred options for draft policies which are yet to be tested through an Examination in Public before they can become part of the development plan for Charnwood. The policies therefore carry limited weight at the current time. These include policies which would seek to make provision for at least 19,716 homes between 2019 and 2036 and require these to be delivered to a high standard of design quality.

Relevant Planning History

Ref.	Description	Decision	Date
P/18/2172/2	Erection of 3 detached dwellings and alterations to existing dwelling	Refused	04/02/2019
P/19/0268/2	Alterations to existing house, erection of garage and conversion of existing garage to garden room	Granted Conditionally	28/03/2019
P/19/0971/2	Erection of 2 detached dwellings and double garage	Granted Conditionally	23/08/2019

Responses of Statutory Consultees

Quorn Parish Council objects to the proposal stating it to be in conflict with Policies S1, S2 and H5 of the Neighbourhood Plan (set out above). It also notes that the proposed street elevation is similar to that refused planning permission under P/18/2172/2. The substitution of the approved garage in this location would displace off-road parking provision and the proposed dwelling would increase the number of vehicles associated with the wider site. It also has reservations about the number of proposed dropped kerb accesses, particularly as the Neighbourhood Plan seeks to encourage walking. The proposed development may cause problems to pedestrians, parents with pushchairs and others with mobility problems.

Other Comments Received

The following representations have been received:

Rumsey Close – 2, 4, 5, 6, 7, 8, 9, 11
Loughborough Road - 2
Warwick Avenue – 59, 79, 81, 83, 96, 106
Warwick Road - 77

Concerns include:-

- The dwelling would have an overbearing impact to Rumsey Close properties due to changes in ground levels
- The dwelling would cause a loss of privacy due to rear and front facing windows
- The dwelling would result in a loss of light
- The proposal is an overdevelopment of the site
- The proposal would leave inadequate garden area to No. 102.
- Additional unacceptable traffic impact to Warwick Avenue which is congested, particularly at peak school times.

- Will radically alter the appearance of the street and the proposed dwelling is too narrow
- The position of the dwelling would have a negative impact on the amenities of No.106 Warwick Avenue
- The proposal is very similar to the dwelling already refused for this plot
- The original house (at 102) needs a garage
- The laurel hedges and a pond have been removed and this has impacted on wildlife.
- There is insufficient space provided for car parking.
- The alteration of a garage to a house is unacceptable
- Concern over where contractor vehicles will park
- Whether planning permission is required for a garden boundary fence which has been erected to the side of No. 102 (It is not).
- Work has already commenced on the development granted under P/19/0971/2
- Construction vehicles are already causing a highway concern

Consideration of the Planning Issues

The key issues in considering this application are considered to be:

- The principle of the development
- Housing Mix
- Design and Impact in the Street Scene
- Residential Amenity
- Highway Safety, Servicing and Car 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 National planning Policy Framework.

The Local Plan Core Strategy policies, although adopted before the new National planning Policy Framework 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 Policies CS1 and CS11 of the Core Strategy, unless material considerations indicate otherwise. The policies of the Quorn Neighbourhood Plan are also less than 5 years old and carry full weight.

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 National Planning Policy Framework 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 National Planning Policy Framework (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 full 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 a three bedroom dwelling and accordingly, it is considered the design and layout of the proposed dwelling, 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 P004 received by the local planning authority on 20th December 2019 shows the proposed street scene and demonstrates that ridge heights of the new dwelling would be on a par with those of adjacent two storey dwellings and the scale and design of the dwelling 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 proposed dwelling respects the current building line and although car parking would be set forward of the buildings, this is not uncommon in the street and would be akin to the arrangements granted for the south-eastern plots under P/19/0971/2. The proposal would utilise high quality materials which would respect the original and adjacent dwellings to 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 'Charnwood Design 2020' and Guideline 4, 5.1 and 5.2 of the Quorn Village Design Statement which relate to the design of new housing development.

The impact on residential amenities

Property	Distance & Relationship	Recommended (if applicable)	Notes
102 Warwick Avenue	To the south-east	None	This property has a conservatory to the rear but otherwise blank flanking elevation
106 Warwick Avenue	To the north-west	None	This property has a conservatory to its rear but otherwise blank flanking elevation with a principal window to its recessed front elevation.
11 Rumsey Close	To the south	21m	This property has principal ground floor windows in its rear elevation which would be sited 27.5m from the proposed dwelling
13 Rumsey Close	To the south	21m	This property has principal ground floor windows in its rear elevation which would be sited 31.5m from the proposed dwelling

In order to meet recommended minimum separation distances as set out in adopted Design Supplementary Planning Document (2020), 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 at 26m to the nearest point of No.11 Rumsey Close 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. No. 106 has a blank flanking elevation devoid of principal windows and the proposed dwelling is set in from the boundary here by 1m and does not project significantly beyond the front or rear elevations of No. 106 Warwick Avenue. It is therefore considered that the proposed dwelling would have an acceptable relationship with No. 106. The existing dwelling at No. 102 has been modified to remove windows from its western elevation and the proposal would not therefore cause a loss of privacy to that dwelling.

The height of the proposed dwelling and its 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 National Planning Policy Framework and the adopted Design Supplementary Planning Document (2020).

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 one dwelling 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 although it states that this will be used as the starting point in assessing the level of provision and represent the maximum level and these reflect the standards of the Leicestershire Highways Design Guide. 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 on the site frontage, which accords with the recommended standards, and the occupiers of the dwelling would have access to a private rear garden where cycle storage could be easily facilitated. 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 a single additional dwelling in this location would not result in cumulative or residual highway impacts that could be regarded as 'severe' as set out in the National Planning Policy Framework even when considering the cumulative impact of the recently permitted development on the other side of 102 Warwick Avenue.

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 submitted layout plan indicates that vehicular visibility splays of 2.4m x 43 m and pedestrian visibility splays of 1m x 1m can be achieved to meet 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. A hard-surfaced area to the front of No. 102 has recently been provided within the scope of 'permitted development' rights and the kerbs are to be lowered in the next few weeks in accordance with the separate permission of the County Highway Authority. This would then provide some parking to serve the original dwelling and the loss of the approved garage by the development of the application site, would not therefore result in a loss of parking provision to serve the existing dwelling.

The development is therefore considered to be acceptable in highway terms and meets Policy CS17, Policy TR/18 and Policy H5 of the Neighbourhood plan. It is also concluded that the development would not result in 'severe' cumulative impacts and the development would accord with Paragraph 109 of the National Planning Policy Framework.

Planning Balance and Conclusion

In the context of the adopted Core Strategy and the saved local plan policies the proposal would provide a dwelling 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 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 dwelling is a 3 bedroom house 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:
OS001 - Site location plan
P001 - Proposed site plan
P002 - Proposed site layout
P003 Rev A - Proposed three bedroom house
P004 - Proposed street elevation

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 The dwelling hereby permitted shall not be occupied until such time as the visibility splays relevant to this plot and as shown on drawings P100 rev A, P101 Rev A and number P102 Rev A received by the local planning authority on 8th July 2019 and approved under application reference P/19/0971/2 have been provided on the highway boundary. Once provided in accordance with the approved plan, the visibility splays shall be retained in perpetuity.

REASON: To make sure that drivers leaving the access 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 the 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 the 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.

- 14 No construction work on the development shall be carried out on the site other than between 0800-1800 hours Mondays to Fridays and 0800-1300 hours on Saturdays, and there shall be no working on Sundays or recognised Bank Holidays.

REASON: The site is close to residential property and a limit on activities is needed to prevent a nuisance or annoyance to nearby residents.

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 Design Supplementary Planning Document 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.

