

Application Reference Number P/19/2075/2

Application Type:	Full Planning Permission	Date Valid:	10/10/2019
Applicant:	Mr Anil Lad		
Proposal:	Two storey side and rear extensions to existing small house in multiple occupation (use class C4)		
Location:	43 Ashleigh Drive Loughborough Leicestershire LE11 3HN		
Parish:	Loughborough	Ward:	Loughborough Nanpantan
Case Officer:	Jeremy Eaton	Tel No:	01509 634692

The application has been referred to the Plans Committee in accordance with the Council's Scheme of Delegation embedded within Section 8.2 of the Constitution, following a 'Call-in' request from the Ward Councillor, Councillor Margaret Smidowicz. The concerns raised by the Councillor relate to the need for the proposed development and the number of existing HiMO's in the local area, the overbearing impact of the proposed development and that it would cause permanent disturbance issues in terms of noise and loss of amenity, and traffic and car parking issues.

Description of the Application Site

The application site relates to the residential property, No. 43 Ashleigh Drive, which is situated to the north-eastern side of Ashleigh Drive, located within the Development Limits to the town of Loughborough, Leicestershire.

Residential properties, No. 41 Ashleigh Drive, No. 45 Ashleigh Drive and No.'s 40 and 42 Mountfields Drive, adjoin the south-eastern, north-western and north-eastern boundaries of the application site respectively.

The site is occupied by a two-storey semi-detached dwelling house, which is attached to the adjoining dwelling house, No. 45 Ashleigh Drive, (currently in C3 use). 43 itself comprises an existing house in multiple occupation (HiMO) under Use Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended). To the front and side of the is a small-sized front garden and driveway respectively; the latter served by an existing vehicular/pedestrian access off of Ashleigh Drive. To the rear of the dwelling house is a large-sized private amenity space.

Application Proposals

This application seeks Full Planning Permission for the erection of a two-storey side extension, and the erection of a part single, part double-storey rear extension, and for associated works.

The proposed two-storey side extension will project approximately 2.4m from the existing side (south-eastern) elevation building line and will sit within the curtilage of the application site. It will be set back approximately 0.3m from the front (south-western) elevation building line and will lie flush with the rear (north-eastern) elevation building line. Its height would be approximately 5.7m and 8.43m to the eaves and ridge respectively. Its material treatment would include a mixture of brick work and render to the walls under a tiled roof which would match the existing dwelling house.

The proposed single-storey element of the rear extension would project approximately 3.4m from the existing rear (north-eastern) elevation building line at its maximum point. It would have a width of approximately 8.54m, aligning the north-western boundary of the application site (that shared with No. 45 Ashleigh Drive) and lying flush with the south-eastern elevation building line of the proposed two-storey side extension. Its height would be approximately 2.3m and 3.18m to the eaves and ridge respectively. The proposed two-storey element of the rear extension would sit centrally within the rear single-storey extension. Its height would be approximately 5.7m and 7.2m to the eaves and ridge respectively. The material treatment to these extensions would match those of the existing dwelling house.

As part of the proposed development, the existing HiMO will increase from a 4-bedroom to a 6-bedroom HiMO, and as such would remain within the C4 use class.

The proposal also includes hard surfacing of the existing front garden in order to provide 3 no. off-street vehicular parking spaces. To service this hardstanding, it is proposed to widen the existing vehicular/pedestrian access and install additional dropped kerbs to Ashleigh Drive.

The proposed development is similar in nature to alterations/extensions undertaken at No. 47 Ashleigh Drive, an existing 6-bedroom HiMO, following the grant of Planning Permission (reference P/17/2486/2).

The application has been accompanied by the following planning drawings which provide further context in respect of that hereby proposed:

- Drawing No. 08 Rev A (Site Plans);
- Drawing No. 05 Rev – (Existing Plans and Elevations);
- Drawing No. 10 Rev – (Proposed Plans); and
- Drawing No. 12 Rev A (Proposed Elevations).

Development Plan Policies

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

The policies relevant to this proposal include:

Policy CS1 - Development Strategy - sets out the development strategy for the Borough, including a settlement hierarchy. Loughborough, along with Shepshed, is identified within the second settlement tier after the Leicester Principal Urban Area, whereby sustainable development which contributes towards meeting the Council's

remaining development needs, supports the Council's strategic vision and makes effective use of land will be more favourably considered.

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 CS4 – Houses in Multiple Occupation – seeks to resist houses in multiple occupation where they would damage the social and physical character and amenity of a street or residential area, would generate noise and disturbance which would be detrimental to the amenity of a street or residential area, or would generate a demand for on-street vehicular parking that would prejudice highway safety or cause detriment to amenity.

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 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 H/17 – Extensions to Dwellings – outlines that planning permission will be granted for extensions to dwellings provided the proposed development meets specific criteria relating to the scale, mass, design and use of materials with the original dwelling, etc.

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

Other material considerations

The National Planning Policy Framework 2019 (NPPF)

The NPPF is a material consideration in planning decisions. The NPPF seeks to achieve sustainable development that fulfils economic, social and environmental objectives.

Paragraph 11 states that where development accords with an up to date Development Plan it should be granted planning permission but that where relevant policies are absent or the policies which are most important for determining the application are out of date permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- policies in the NPPF that protect areas or assets of importance provide a clear reason for refusal.

Paragraph 12 adds further emphasis to the primacy of the development plan stating that where proposals don't accord with an up to date plan they should normally be refused unless material considerations indicate otherwise.

In terms of the remainder of the NPPF, sections relevant to the consideration of this application include the following:

Paragraph 59 makes it clear that the needs of groups with specific housing requirements should be addressed.

Paragraph 61 states that planning policies should consider the need for housing for different groups in the community, including students.

Paragraph 108 outlines that development proposals would need to ensure safe and suitable access to the application site can be achieved for all users.

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

Paragraph 117 promotes an effective use of land in meeting the need for homes and other uses.

Paragraph 127 seeks to foster high quality design.

Paragraph 130 outlines that planning permission should be refused for development of poor design that fails to take opportunities available to improve the character and quality of an area and the way it functions.

National Planning Practice Guidance (NPPG)

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.

National Design Guide (2019)

This document sets out the Central Government's design guidance which is intended to encourage, promote and inspire a higher standard of design in respect of development proposals.

Leicestershire Highways Design Guide

This document sets out the Local Highways Authority's design guidance in respect of highway matters.

Design Supplementary Planning Document (January 2020)

This document sets out Charnwood Borough Council's design guidance which is intended to encourage, promote and inspire a higher standard of design in respect of development proposals.

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.

Article 4(1) Direction

Loughborough is subject to an Article 4(1) Direction, under the Town and Country Planning (General Permitted Development) Order 2015 (as amended), put in place in February 2012, which removes Permitted Development Rights in respect of changes of use of dwellings from Use Class C3 (dwelling houses) to Use Class C4 (HiMO). HiMO's are dwellings where between 3 and 6 unrelated persons, sharing basic amenities, could occupy a property without the need for planning permission; however, the Article 4(1) Direction limits this to occupation by a family or up to 2 unrelated persons living as a single household. Planning Permission is now required for occupation of dwellings by more than 2 unrelated persons.

The 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.

The Draft Charnwood Local Plan 2019-2036

The local planning authority is in the process of preparing a new local plan for the borough for the period up to 2036. Due to the stage this has reached in the plan making process, at this time, the Draft Local Plan carries only very limited weight.

Relevant Planning History

The application site has been the subject of the following relevant planning history:

- P/19/1170/2 – Certificate of Lawfulness (existing) for use of property as a C4 HMO – Permission Granted (08.07.2019).

Response of Statutory Consultees

Charnwood Borough Council (Private Sector Housing)

It has been confirmed that a HiMO Licence will be required if the resulting HiMO is to be occupied by 5 or more persons.

Leicestershire County Council (Local Highway Authority)

The Local Highway Authority advise that, in their view, the impacts of the proposed development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with Paragraph 109 of the National Planning Policy Framework, subject to Planning Conditions being imposed upon any grant of Planning Permission in respect of the provision of off-street vehicular and cycle parking and turning facilities provision.

Ward Councillor (Councillor Margaret Smidowicz)

Concerns have been raised in respect of the following matters:

- It is suggested that there is no requirement for the proposed extension to the existing HiMO given that there is no shortage of student accommodation provision available within Loughborough;
- It has been suggested that there has been an increase in anti-social behaviour in the immediate locality within the past few months, and it is suggested that the proposed development would have potential to increase anti-social behaviour;
- The impact on the residential amenity of adjoining occupants by reason of noise and general disturbance; and
- Traffic and car parking provision.

Third Party Representations

Nanpantan Residents Group

Objection raised. Concerns relate to the following matters;

- It is suggested that in excess of 50% of the properties along Ashleigh Drive are HiMO's, with a greater density within the immediate locality of the application site. This density is considered to be too high;
- Design of the proposed extensions;
- Impact on the residential amenity of adjoining/neighbouring occupants by reason of noise and general disturbance and loss of privacy; and
- It has been suggested that there has been an increase in anti-social behaviour in the immediate locality within the past few months, and it is suggested that the proposed development would have potential to increase anti-social behaviour.

Local Community

3 no. letters of representation, 2 no. letters of objection and 1 no. letter of comment, have been received from 38, 41 and 45 Ashleigh Drive. Concerns relate to the following matters;

- The impact on the local community by virtue of the increased numbers of HiMO's within the immediate local area;
- The impact on the residential amenity of adjoining occupants by reason of noise and general disturbance.
- The impact on the residential amenity of adjoining occupants by reason of noise and general disturbance during the construction phase of the development;
- It has been suggested that there has been an increase in anti-social behaviour in the immediate locality within the past few months, and it is suggested that the proposed development would have potential to increase anti-social behaviour;
- Increased vehicular traffic and on-street vehicular parking, and the impact on highway safety; and
- Inadequate provision of waste/recycling facilities.

Consideration of the Planning Issues

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

- The principle of the proposed development;
- Design;
- Impact on residential amenity;
- Noise and general disturbance;
- Highway matters; and
- Other matters.

The principle of the proposed 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 use of No. 43 Ashleigh Drive as a C4 dwelling has previously been established following the approval of the Certificate of Lawfulness application (reference P/19/1170/2) in July 2019. As a result of the use of the property as a C4 dwelling is accepted and does not form part of the consideration of this application. The dwelling would remain a C4 dwelling house as a result of this application and the proposal would therefore not result in a material change to the planning use of the property.

Notwithstanding the above, subject to compliance with the criteria contained within Policy H/17 of the Charnwood Local Plan, and the other planning policies identified above, it is considered that the principle of undertaking alterations/extensions to an existing residential dwelling house would be acceptable in accordance with the relevant provisions of “saved” Policies ST/2 and H/17 of the Charnwood Local Plan 2004 and Policy CS1 of the Charnwood Local Plan (Core Strategy).

Design

Policies CS2 of the Charnwood Local Plan 2011-2028 Core Strategy and “saved” Policy EV/1 of the Charnwood Local Plan seek to ensure high quality design and layout, which respect the character and appearance of the host dwelling and are compatible with the street scene and wider built context.

“Saved” Policy H/17 of the Charnwood Local Plan seeks to ensure that alterations/extensions to an existing dwelling are compatible in design terms to the original dwelling and are compatible with the street scene and wider built context.

In this case, with regard to the proposed extensions to the host dwelling house, by virtue of siting, scale, massing, material treatment and overall appearance, it is considered that these would represent subservient additions to the original dwelling house and would be in keeping with its character and appearance. Notwithstanding this, with regard to the pair of semi-detached properties to which it relates, it is not considered that the proposal alterations/extensions would necessarily lead to the unbalancing of the pair of semi-detached properties. Furthermore, it is considered that the proposal would not be overly prominent within the immediate street scene to Ashleigh Drive, especially as it would largely be screened by virtue of the surrounding built development and as such would generally only be viewed from directly in front of the application site. Accordingly, it is considered that the proposed development would not result in an incongruous form of development that will be out of keeping with, and detract from, the character and appearance of the local surrounding area, including the visual amenity to the street scene to Ashleigh Drive.

Additionally, the proposed extensions are similar in nature and design terms to those that were granted under Planning Permission (reference P/17/2486/2), and subsequently implemented, at No. 47 Ashleigh Drive. Whilst this application stands

to be considered on its own merits the presence of similar proposals means that the current proposal would not appear out of character with the surrounding area. ,

In view of the above, it is considered that the proposed development would be in accordance with the relevant provisions of Policy CS2 of the Charnwood Local Plan (Core Strategy) and “saved” Policies EV/1 and H/17 of the Charnwood Local Plan 2004. Furthermore, it is considered that the proposed development would be in accordance with the relevant provisions of the National Planning Policy Framework and the guidance contained within the National Design Guide and the Design Supplementary Planning Document.

Impact on residential amenity

Policies CS2 of the Charnwood Local Plan 2011-2028 Core Strategy and saved Policies EV/1 and H/17 of the Charnwood Local Plan 2011-2028 Core Strategy seek to protect the amenities of nearby properties.

In order to objectively assess the impact of the proposed development upon existing residential amenity, the Council has adopted the Design Supplementary Planning Document, which relates to matters of design and residential amenity.

The guidance outlines that there are three main ways in which development can impact upon residential amenity:

- Loss of light (overshadowing);
- Loss of privacy (overlooking); and
- The erection of an over dominant or overbearing structure (outlook).

The neighbouring residential properties which would potentially be affected by the proposed development include No.'s 41 and 45 Ashleigh Drive. It is considered that none of the other neighbouring properties would be affected due to the distance they are away and the relationship of the proposal to them.

The dwelling house to No. 41 Ashleigh Drive sits parallel to No. 43 Ashleigh Drive, with a level of separation of approximately 4.9m between existing side elevations, within the front and rear elevation building lines to No. 43. The side elevation of No. 41 contains a secondary habitable room window at ground floor level (which is understood to serve a kitchen) and non-habitable room windows at both ground and first floor level. To the rear of the dwelling house of No. 41, sited approximately 1.62m from its rear elevation building line, is a single-storey garage outbuilding which aligns the south-eastern boundary of the application site.

With regard to the proposed double-storey side extension, and the part single, part double-storey rear extension, these extensions would be sited approximately 2.53m from the side elevation of No. 41 Ashleigh Drive at its closest point, orientated to the north. The side elevations to both elements would incorporate blank, un-fenestrated façades except for 2 no. non-habitable room windows to the double-storey side extension, which the Applicant proposes to be obscurely glazed.

When assessed against the guidance within the Design Supplementary Planning Document, the closest habitable room windows to both the front and rear elevations

of No. 41 Ashleigh Drive would not experience a material loss of sunlight or daylight as a result of any of the elements of this proposal. In addition, it is considered that the proposed extension would not be overly overbearing in nature in context of these elevations of the adjoining property. Furthermore, there are no concerns that the proposed development would result in any opportunities to overlook the front and rear elevations of this adjoining property.

With regard to the side elevation of No. 41 Ashleigh Drive, the ground and first floor windows present within this façade consist of non-habitable room windows, or otherwise secondary habitable room windows. The level of separation between these windows and the flanking side elevation of the proposed extension (which any openings are proposed to be obscurely glazed) is to be approximately 2.53m. Given the nature of these windows, the Local Planning Authority's adopted minimum separation distance (12.5m for a two-storey flanking wall) would not be applicable in this case and, therefore, it is not considered that the proximity or height of the proposed side extension would result in an unacceptable loss of daylight or would otherwise be overbearing in the context of these windows. Furthermore, given the orientation of the two properties, i.e. the application site and extension being located to the north-west of the neighbouring property's side elevation, there are no concerns in respect of loss of access to sun light.

With regard to the potential for the future occupants of the proposed development to overlook the rear private amenity space of No. 41 Ashleigh Drive, it is considered that whilst such opportunities would arise, these would not be too dissimilar to existing opportunities of overlooking afforded in respect of the existing residential context. Therefore, it is considered that this would not be detrimental to the residential amenity to the current occupants of this adjoining residential property.

Accordingly, it is considered that the proposed development would not result in a loss of amenity to the occupiers of this neighbouring dwelling house (No. 41 Ashleigh Drive).

With regard to No. 45 Ashleigh Drive, it is considered that the main element of that hereby proposed that would potentially affect this neighbouring property would be the proposed part single, part double-storey rear extension. Indeed, the proposed double-storey side extension will not affect this adjoining property in any way.

In respect of the proposed part single, part double-storey rear extension, this would align the north-western boundary of the application site, that shared with No. 45, and will project approximately 3.4m from the existing rear (north-eastern) elevation building line at its maximum point. The single storey element would have a height of approximately 2.3m and 3.18m to the eaves and ridge respectively. The proposed two-storey rear extension will sit centrally within the rear single-storey extension, approximately 2.25m from the north-western boundary of the application site. Its height would be approximately 5.7m and 7.2m to the eaves and ridge respectively. The side elevations of both the single and double-storey elements will be blank, un-fenestrated elevations.

In this case, based on the guidance contained within the Design SPD, whereby vertical and horizontal 45-degree lines are applied, this rule would not be contravened in this case, in respect of both the single and two-storey elements. As a result it is considered that the proposed development would not result in any significant loss of natural day light to the adjoining property (No. 45), specifically in context of the rear elevation ground and first floor habitable room windows, which serve a living room and bedroom respectively. In addition, it is considered that the proposed extension would not be overly overbearing in nature in context of the adjoining property. Furthermore, by virtue of the orientation of the two properties, i.e. the application site and extension being located to the east of the neighbouring property (No. 45), it would be expected that some loss of access to sunlight would occur; however, in this case, any such impact would likely only be limited to the early hours of the day in which case this would not be significantly detrimental to the residential amenity of the adjoining occupants.

Notwithstanding the above, it is important to also consider what could potentially be erected under permitted development rights, in this case a single-storey extension of a similar nature to that hereby proposed could be built under permitted development rights. As such on balance, it is considered that the proposed development would not result in any significant adverse harm to the occupants of the adjoining residential property by reason of being overbearing in nature, and loss of light.

Furthermore, there are no concerns that the proposed development would result in any opportunities to overlook the rear elevation of the adjoining property (No. 45), and it is also considered that there would be no increased opportunities to overlook the neighbouring property's rear private amenity space than any opportunities that arise as existing.

Accordingly, it is considered that the proposed development would not result in a loss of amenity to the occupiers of this neighbouring dwelling house (No. 45 Ashleigh Drive).

In view of the above, and subject to planning condition(s), it is considered that the proposed development would not harm the residential amenities of the adjoining occupants, those of No.'s 41 and 45 Ashleigh Drive, in which case the proposed development would be in accordance with the relevant provisions of Policy CS2 of the Charnwood Local Plan (Core Strategy) and "saved" Policies EV/1 and H/17 of the Charnwood Local Plan. Furthermore, it is considered that the proposed development would be in accordance with the relevant provisions of Paragraph 127 of the NPPF.

Noise and general disturbance

The property has a lawful use as a C4 dwelling (HiMO), and it is acknowledged that noise can often be a concern for local residents because of the number of people who are living independently within the property, which can be considered to adversely affect the amenity of neighbouring residential properties.

Whilst it is acknowledged that there will be instances where a clash of lifestyles or behaviour may cause disturbance to adjoining occupiers; it is considered unreasonable to assume this will happen to an extent greater than might be the case with other types of occupation. Conflict that occurs in individual cases is not a matter

that can easily be expressed as a planning objection. Such occurrence can be dealt with by other forms of regulation. A HiMO may of course be occupied by professionals just as easily as students or other persons sharing the property.

This application is not to change the use of the property but is for a development which could potentially result in additional noise arising from the possible additional occupiers of the extra two bedrooms. The proposal would see the number of bedrooms at the property increase by two and although bedrooms within the property are shown as doubles, it does not necessarily follow that 12 no. people will occupy the property – in fact the lawful use limits the number to 6 people that could live there together. This is considered to be akin to or only marginally greater than a family house. Consequently, it is concluded that concerns that the noise would be significantly greater than a C3 dwelling as a direct result of the proposal to extend the dwelling, cannot be sustained. The development would not, therefore, result in significant increases in noise or disturbance and that if neighbours habitually experience this, other legislation and measures exist which may better control this.

With regard to noise transference between properties there is the potential for noise to travel through party walls. However, this proposal is for an extension and does not change the use of the building. The proposed extensions do not share any party walls with the adjacent property and as a result would not materially increase levels of noise.

Representations have been received in connection with noise and general disturbance during the construction phase. Whilst such impacts would be possible, they would only be temporary in nature and not atypical of any development under construction. It is considered that the proposed development would not result in a significant loss of amenity to the occupiers of adjoining/neighbouring properties by reason of noise and general disturbance which would conflict with the Development Plan.

Highway matters

“Saved” Policy TR/18 of the Charnwood Local Plan relates to requirement for development proposals to incorporate appropriate levels of off-street vehicular and cycle parking provision in line with those standards outlined within Appendix 1 of the Local Plan.

Paragraph 108 of the NPPF outlines that development proposals would need to ensure safe and suitable access to the application site can be achieved for all users.

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

Leicestershire County Council (Highways) were consulted in connection with this planning application. The consultation response received outlines that the Local Highways Authority raise no objection in respect of the proposed development, although they have requested that Planning Conditions be imposed upon any grant of planning permission in connection with securing, and maintaining, the required level of off-street vehicular and cycle parking provision.

The proposed dwelling will comprise a 6-bedroom dwelling. In line with “saved” Policy TR/18 a maximum of 3 no. off-street vehicular parking spaces would be required to serve a 6-bedroom dwelling, whilst in line with the guidance contained within the ‘Leicestershire Highways Design Guide’, a minimum of 3 no. off-street vehicular parking spaces would be required to serve a 6-bedroom dwelling, subject to them being designed in accordance with the design standards outlined within the Design Guide.

The ‘Leicestershire Highways Design Guide’ outlines that parking spaces should be 2.4m wide x 5.5m depth as a minimum. In addition, if the parking space is to be bounded by wall/fence/hedge/trees or similar obstruction on one side, the width of the parking space should be 2.9m as a minimum. In the case that the parking space is bounded on both sides the parking space should be 3.4m wide.

In this case, 3 no. vehicular parking spaces are to be provided within the application site to serve the proposed resultant dwelling. Whilst two spaces are compliant with the design standards set out within the Leicestershire Highways Design Guide, a third space is marginally non-compliant (it has a length of approximately 5.43m as opposed to 5.5m as required); however, the Local Highway Authority have raised no concerns in respect of this matter. To ensure this provision is secured, and as requested by the Local Highway Authority, it is suggested that an appropriate Planning Condition is imposed upon any grant of planning permission. It is also noted that there is space to the front of the property to store bins, however, it is recommended there is a condition attached to secure details of this. There is space within the rear garden which can be used for secure cycle storage. For this reason it is not considered that a specific condition requiring details of cycle storage is necessary in this case.

In view of the above, and subject to planning conditions, the appropriate off-street vehicular and cycle parking requirements can be met.

The existing vehicular access off of Ashleigh Drive would be utilised to serve the proposed development. This is proposed to be subject to modification, to include the widening of the existing dropped kerb. The Local Highway Authority has raised no concerns in respect of this matter.

In view of the above, and subject to Planning Conditions, it is considered that the proposed development will not give rise to material harm in respect to matters of highway safety. Accordingly, it is considered that the proposed development would be in accordance with the relevant provisions of Paragraphs 108 and 109 of the NPPF, Policy CS2 of the Charnwood Local Plan (Core Strategy), “saved” Policy TR/18 of the Charnwood Local Plan and the guidance contained within the Leicestershire Highways Design Guide.

Other Matters

Within the representations received in connection with this planning application, concerns were raised in respect of the provision of waste/recycling facilities. No information supports this application as to how this provision will be achievable; however, this provision can be secured by way of a Planning Condition in the event that the Local Planning Authority are minded to grant planning permission in connection with that hereby proposed.

Conclusion

The proposed development relates to the extension of an existing dwelling house, which is occupied in connection with an established HiMO use. The principle of undertaking alterations/extensions to an existing residential dwelling house is acceptable in accordance with the relevant provisions of “saved” Policies ST/2 and H/17 of the Charnwood Local Plan 2004 and Policy CS1 of the Charnwood Local Plan (Core Strategy).

In addition, the proposed development would be acceptable on design, residential amenity, noise and general disturbance and highway safety grounds, in accordance with the relevant provisions of Policies CS2, CS16 and CS25 of the Charnwood Local Plan (Core Strategy), “saved” Policies EV/1, H/17 and TR/18 of the Charnwood Local Plan, the Leicestershire Highways Design Guide and the NPPF.

In view of the above, it is recommended that Planning Permission be granted.

RECOMMENDATION

Approval of Planning Permission subject to the following Planning Conditions and Informative Notes.

Planning Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No. 08 Rev A (Site Plans), Drawing No. 05 Rev – (Existing Plans and Elevations), Drawing No. 10 Rev – (Proposed Plans) and Drawing No. 12 Rev A (Proposed Elevations).

Reason: For the avoidance of doubt.

3. The development hereby permitted shall be constructed entirely of the materials specified within Question 7. Materials on the Application Form, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the character and appearance of the area and to accord with the Policy CS2 of the Charnwood Local Plan (Core Strategy) and “saved” Policies EV/1 and H/17 of the Charnwood Local Plan.

4. Before the development hereby permitted is first occupied, the new additional windows to be installed to the south-eastern elevation at both ground and first floor levels shall be glazed with obscure glass (at least Level 3 of the Pilkington Texture Glass glazing specification or equivalent) only and made non-opening (except for top-opening windows), and the windows shall be permanently maintained as such at all times thereafter.

Reason: In the interests of residential amenity and privacy, and to accord with Policy CS2 of the Charnwood Local Plan (Core Strategy) and “saved” Policies EV/1 and H/17 of the Charnwood Local Plan 2004.

5. The development hereby permitted shall not be occupied until such times as the parking provision indicated on Drawing No. 08 Rev A (Site Plans) has been implemented. Thereafter, the on-site parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety, and in accordance with the National Planning Policy Framework (2019) and “saved” Policy TR/18 of the Charnwood Local Plan 2004.

6. The development hereby permitted shall not be occupied until such times as the provision for the storage of refuse and materials for recycling is provided on-site, in accordance with details that are first to be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, this provision shall be retained as such in perpetuity.

Reason: To ensure the adequate provision of facilities and in the interests of visual/general amenity and to accord with Policy CS16 of the Charnwood Local Plan (Core Strategy).

Informative Notes:

1. DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS4, CS16 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies ST/2, EV/1, H/17 and TR/18 of the Borough of Charnwood Local Plan 2004 have been taken into account in the determination of 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, otherwise, no harm would arise such as to warrant the refusal of planning permission.
3. The Applicant is requested to note that this proposal may require separate consent under the Building Regulations and that no works should be

undertaken until all necessary consents have been obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section, Charnwood Borough Council (Tel. 01509 634924 or 01509 634757). As such please be aware that complying with building regulations does not mean that the planning conditions attached to this permission have been discharged and vice versa.

4. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
5. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
6. The Applicant's attention is drawn to the consultation response received from Charnwood Borough Council's Private Sector Housing department on 18th November 2019. In particular, it has been confirmed that a House in Multiple Occupation (HiMO) Licence will be required if the resulting HiMO is to be occupied by 5 or more persons.

