

Item No. 3

Application Reference Number P/20/0295/2

Application Type:	Full	Date Valid:	12/03/2020
Applicant:	Messrs Rafaele Russo and France		
Proposal:	Two storey extensions to side and rear and conversion of detached dwelling to 2 flats (Use Class C3)		
Location:	59 Ashleigh Drive Loughborough LE11 3HN		
Parish:	Loughborough	Ward:	Loughborough Nanpantan
Case Officer:	Deborah Liggins	Tel No:	01509 634733

This item is referred to Plans Committee at the request of Councillor Smidowicz who objects to the proposal due to problems occurring on Ashleigh Drive and pressure for additional conversions of family homes. Councillor Smidowicz refers to previous appeal decisions relating to HiMO proposals and objects to the design of the extensions and the potential for the proposed C3 apartments to become houses in multiple occupation.

Description of the Application Site

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

The property itself is a detached two storey rendered and tiled dwelling standing in a generous plot. The flat roofed garage to the western side and single storey conservatory addition to the rear of the property as shown on the submitted plans have now been demolished and the property is in a neglected and vandalised condition.

Description of the Proposals

The proposal has 2 elements:-

- The extension of the property with two storey additions to the western and northern sides akin to the previous combined footprint of the garage and conservatory. The extension to the side would feature twin hipped roofs. First floor eaves heights would be 5.25m with ridges being 7.75m. These roofs would be approximately 0.5m from the highest point of the existing ridged roof. A single storey flat roofed addition would also be erected to the boundary on this side of the building. To the rear, the proposed two storey extension would have a projecting rear gable and hipped roof – again set down from the height of the original ridge.

- The change of use of the resultant property to 2 flats (Class C3) – one located on each floor. Each flat would have 2 en-suite bedrooms and an open plan living/kitchen and dining area

The application is accompanied by a Design and Access Statement which sets out the context of the proposal in terms of applicable policies and the decision of the Inspector in relation to a recent appeal at the site. For the avoidance of doubt, the proposal is not to change the use of the property to a house in multiple occupation, (Use Class C4), but to extend and split the existing residential accommodation into two flats (Use Class C3). This does not mean they cannot be rented accommodation but it means they are self contained dwellings for occupation by a family or by up to 2 unrelated persons.

The submitted plans demonstrate that 4 off-street car parking spaces can be achieved at the site; 2 to the site frontage and perpendicular to the street and 2 in a tandem arrangement on the driveway to the eastern side of the house.

Development Plan Policies

Charnwood Local Plan 2011-2028 Core Strategy

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

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

Policy CS3 – Strategic Housing Needs states that the Council will manage the delivery of at least 13,940 new homes between 2011 and 2028, seeking an appropriate mix of types, tenures and sizes of homes, having regard to identified housing needs and the character of the area. The commentary relating to strategic housing needs states that “based on our projections for our population and household types, our evidence suggests that we need to increase the number of 2 bedroom homes” and “the low proportion of smaller homes available makes it difficult for older people who want to downsize, those on low incomes and benefits and younger people who want to find their first home. We need to increase the number of smaller and medium sized properties being built. Our community wants to see smaller houses and bungalows rather than flats and apartments, as these provide space for young families to grown and family to visit with older relatives.” (paragraphs 5.6 and 5.7.)

Policy CS16 – Sustainable Construction and Energy – encourages sustainable design and construction and the provision of renewable energy including supporting developments that reduce waste, provide for the suitable storage of waste and allow convenient waste collections.

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

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

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

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

Other material considerations

The National Planning Policy Framework (NPPF) 2019

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

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

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

- An economic objective – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation
- A social objective – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future

generations, and by creating a high quality built development with accessible local services;

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

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

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

Paragraph 38 indicates that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers should seek to approve applications for sustainable development where possible.

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

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

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

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

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

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

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

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

Chapter 12 of the NPPF concerns itself with achieving well-designed places and sets out that good design is a key aspect of sustainable development. The use of visual tools and design codes is encouraged as is the development of design policies alongside local communities and neighbourhood plans.

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

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

Planning Practice Guidance

ID 26 - Paragraphs 001-003 states that good design matters and what this can achieve through good plan making. Paragraph 004 notes that weight can be given to outstanding or innovative design and developments of poor quality design should be refused.

Paragraph 007 states that planning should promote local character. New development should be integrated within existing surroundings.

The Crime and Disorder Act 1998

This places a duty on the local planning authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on community safety is therefore a material consideration in the determination of planning applications.

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

These standards deal with internal spaces within new dwellings and sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights. The standard sets out the minimum space requirements dependent on different combinations of single and double/twin bedrooms. According to these standards, the ground floor apartment at 94.4 sq.m. and the first floor apartment at 85.1 sq.m. would achieve and exceed the minimum living space standards which are 37 sq.m. for single occupancy and 50 sq.m. for double or twin bed spaced units.

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

The Leicester and Leicestershire Strategic Growth Plan 2018

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

The Leicestershire Highways Design Guide (2018)

This is a guide for use by developers and published by Leicestershire County Council and provides information to developers and local planning authorities to assist in the design of road layouts. The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; and help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking required to be provided in new housing development.

Article 4 Direction

Local Government Circular 08/2010 'Changes to Planning Regulations for Dwellinghouses and Houses in Multiple Occupation' recognises that a high concentration of shared homes can sometimes cause problems, especially if too many properties in one area are let to short-term tenants with little stake in the local community. As such, local authorities are able to apply for an Article 4 Direction to remove permitted development rights for new HMOs in defined areas.

The Secretary of State granted an Article 4 Direction for Loughborough in recognition of the issues in the town and this was introduced in February 2012 and which removes the rights to change the use of Class C3 dwellings to Class C4 Houses in Multiple Occupation in Loughborough without the need for planning permission. These are dwellings where between 3 and 6 unrelated persons, sharing basic amenities could occupy a property without the need for planning permission - whereas, the Article 4 Direction limits this to occupation by a family or up to 2 unrelated persons (or 3 or where one is the owner of the property) living as a single household. Planning permission is required for the occupation of dwellings by residents in excess of these numbers.

Housing Supplementary Planning Document (July 2018)

This document sets out the Council's goals for the delivery of housing and how it will deal with applications for new development. The document seeks to provide clarity for those who live in the Borough and for the developers who deliver the new homes. It includes guidance on affordable housing, houses in multiple occupation and purpose built and campus student accommodation. The SPD will be a material consideration in the determination of planning applications in the Borough. It should be noted that the SPD cannot and does not propose new policy; rather it explains how Policies CS3, CS4, H/12 and CS23 will be used.

Draft Charnwood 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. This document also includes Draft Policy LP9 which seeks to support the well-being, character and amenity of our communities.

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

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

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

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

Supplementary Planning Document - Charnwood Design (January 2020)

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

Relevant Planning History

Reference	Description	Decision & Date
P/19/0574/2	Two storey extensions and alterations to dwelling and conversion into 5 studio flats	Refused 24/06/2019 and appeal dismissed
P/20/0200/2	Two storey extensions to side and rear and change of use from detached dwelling (Use Class C3) to a house in multiple occupation (Use Class C4)	Refused

Responses of Statutory Consultees

The Council's Housing Standards and Renewal Officer has no objection to the proposal.

The Nanpantan Ward Residents Group objects to the proposal stating that if the development is permitted there will be 60 students living within 100m of the site. All the proposed bedrooms could be double bedrooms and between 6 and 12 residents could be expected, requiring a similar amount of cars. There is no on-street car parking. The Group considers that there are already too many students living in the street and the proposal has the potential to damage the community, generate noise and anti-social behavior with incidents having been reported to the police and university security services. The group considers that the only suitable use for the site would be as a Class C3 family dwelling. The group considers that the mental well-being of permanent residents of the street has been adversely affected by the over-dominance of student accommodation.

Councillor Smidowicz considers that the proposal as rented accommodation would contribute to the cumulative effect on the imbalanced community and refers to the Inspectors report in dismissing an appeal at No. 39 Ashleigh Drive. This related to a proposed house in multiple occupation. Councillor Smidowicz also has concerned about the potential of the development to generate a demand for on street car parking which would prejudice the safe operation of the highway adjacent to barrier access/egress to the University Campus and considers that the submitted plans show potential for 8 occupants. There is also a worry that future internal modifications may be made to increase occupancy and this would be outside the remit of the Council to control. Councillor Smidowicz opines that the proposal does not support the well-being, character or amenity of the permanent residents who are sometimes sandwiched between HiMO's and supports the comments of neighbours that there is no need for the proposal due to other dedicated student developments in the town. Anti-social behavior and noise is not often reported to the Borough Council as these often occur outside business hours.

Other Comments Received

Ashleigh Drive – 14, 23, 29, 42, 51

Mountfields Drive – 56, 58, 60

Concerns include:

- The street already exceeds the acceptable percentage of rental properties which leads to high vacancies outside term times.
- There is no need for the accommodation due to several purpose-built student accommodation developments in the town.
- Problems of refuse, noise and antisocial behavior would be exacerbated.
- Permanent loss of a Class C3 dwelling
- Demise in the appearance of the area through maintenance neglect.
- The proposed extensions would be overbearing in scale and mass and would dominate surrounding properties and gardens
- The proposal would be an overdevelopment of the site
- Potentially 8 persons living at the property
- Lack of adequate car parking where there are problems of street parking.
- Impact on garden wildlife
- Possible future reconfiguration of internal accommodation to increase occupancy
- The proposal is contrary to the existing and emerging local plan and the National Planning Policy Framework.
- The submitted plans lack dimensions and a room is unlabelled.
- The conversion of the property to flats is not in keeping with the area
- All comments about occupation by students are relevant to the proposal

Non-Material Considerations which have been raised.

Whether or not the proposed apartments would be occupied by students is not material to the determination of this planning application. A Class C3 or C4 dwelling can be let to anyone, regardless of their employment or academic status and the Council has no control over who the owner chooses to occupy properties or when they are advertised as being available. The Article 4 Direction in place in Loughborough does however limit occupancy of Class C3 dwellings by making it necessary for planning permission to be sought when they are to be occupied by 3 or more unrelated persons. Such a use would be deemed to be a 'house in multiple occupation' and this is not the proposal before the Council for consideration. The proposal is therefore limited by legislation to only permit 1 or 2 unrelated persons to occupy each unit and also legislation relating to minimum space standards. This contradicts comments by neighbours who consider the resulting development could be occupied by 8 people.

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

Consideration of the Planning Issues

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

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

Principle of Development

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

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

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

Notwithstanding this, the proposal would result in the loss of a 3 bedroom family sized house, a type of home which has reduced significantly in numbers in recent years in the local area as many have been converted to HiMO's. According to the HEDNA study, around half of all new homes should ideally be 3 bedroom dwellings with 2 bedroom dwellings accounting for 25-35% of new housing stock. This proposal would replace a three bedroom dwelling with two 2 bed flats which for which HEDNA also identifies a need. Whilst, the reduction in the number of Class C3 dwellings available has already reduced the mix and type of homes in the area and this is a factor which weighs against the proposal, the creation of two dwellings would modestly contribute to the overall housing land supply within the Borough which is currently calculated to be 6.41 years. The resulting development of two 2 bedroom units at the site is, on balance considered to be acceptable and in accordance with Policy CS3, subject to further design and other considerations as set out above.

The design and impact of the proposal on the street scene

The property occupies a position at the end of the road which features predominantly semi-detached hipped roof dwellings on the southern side of the street. Opposite there is a mix of dwellings including detached, extended semi-detached two storey dwellings and a bungalow and the current dwelling on the site is at odds with the predominant house type. The proposed extension to the western side of the dwelling is recessed from the front elevation by 0.6m and the rear elevation is stepped in from the eastern side elevation by the same amount. The resultant building would therefore retain a relatively deep

frontage and have a front elevation sitting significantly behind that of the neighbouring dwelling at No. 57. It is therefore considered that because of the design of the front elevation, the use of brick and render to match the existing dwelling and matching roof pitches, eaves heights and materials, the resultant building would not appear out of scale or character in the street scene. In this respect, the proposal would accord with Policies CS2 and EV/1 and the adopted SPD 'Design'.

Amenity

Policies CS2 and EV/1 seek to achieve high quality design and development which protects the amenities of adjoining properties, and particularly their light and privacy. In terms of amenity impact to neighbours, the proposed building would be no closer to neighbouring properties to the side and rear than existing, although would contain additional first floor rear facing windows 3.6m closer to Mountfields Drive properties to the rear. A distance of 34m would be retained between the rear elevation and the closest point of No. 60 Mountfields Drive to the rear and this distance exceeds the recommended minimum 27.5m separation distance as set out in adopted Supplementary Planning Document 'Design' in terms of the proposed first floor rear facing principal windows. In addition, there is some intervening landscaping and outbuildings within the garden of No. 60 Mountfields Drive which would obscure direct views further and it is therefore concluded that the degree of additional overlooking and loss of privacy would be limited, given that there are already first floor windows in the rear of the existing dwelling and the distances retained.

In terms of the impact on No. 57 Ashleigh Drive, this dwelling has a glazed kitchen door and lounge window in its rear elevation and a secondary kitchen window in its side elevation and stands some 8m further forward of the existing dwelling at No. 59. There is a secondary kitchen window proposed to the ground floor eastern elevation and it is recommended that a condition be imposed to require this to be obscure-glazed as, although the principal window to this room is in the rear elevation, this treatment would add further privacy protection for the occupiers of No. 57 and their garden. In summary, it is considered that the orientation of the properties, the location of principal windows and the design of the proposed extensions are such that no significant losses of light or privacy are likely to be experienced from occupiers of that or other dwellings.

In terms of the amenities of future occupiers of the apartments, the proposals meet the requirements of the National Technical Standard and the building would occupy a large plot with a good sized outside amenity space to the rear. Both units would have good access to natural daylight and would provide a good standard of accommodation.

It is acknowledged that noise can often be a concern for objectors because of the number of people who are living independently within any property which can be considered to adversely affect the amenity of neighbouring properties. Whilst it is acknowledged that there will sometimes be a clash of lifestyles between neighbours, it is considered unreasonable to assume this will happen to an extent greater than might be the case for any other residential use. The proposed C3 units maybe occupied by a wide range of households . The configuration of accommodation and the gross internal floor areas dictate potential occupancy levels as measured against the National Technical Standard published by the Department for Communities and Local Government 2015 as set out above. These are also to be read in conjunction with the requirements of the Article 4 Direction which would limit occupation of the Class C3 dwellings to either a family in each

or by no more than 2 unrelated persons in each. Therefore, if rented to individuals, the total number of occupants across the development would be restricted to 4 persons. If the property were to be used, as a House of Multiple occupation with between 8-12 occupants, as suggested, this would be a material change of use and would require full planning permission.

The proposal represents an increase of one dwelling (Use Class C3) on the site which could potentially result in additional noise arising by way of intensification. However, it is considered that the occupancy of the whole building by either 2 families or up to 4 individuals distributed over an increased footprint would be akin to or only marginally greater than the intensity of occupation of the 3 bedroom house. Consequently, it is concluded that concerns that the noise would be significantly greater than a single C3 dwelling cannot be sustained. It is considered that the development would not therefore result in significant increases in noise or disturbance.

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

Car Parking

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

The submitted plan indicates the provision of 4 car parking spaces – 2 for each unit and this would accord with and slightly exceed the adopted standards as set out in Policy TR18 of the Borough of Charnwood Local Plan which recommends the provision of 1.5 spaces per unit where dwellings have 2 or less bedrooms. In addition, it is clear from the supporting text to Policy TR/18 that these standards represent the appropriate maximum provision, indicating there will be circumstances where fewer spaces may be acceptable. The aim of the policy is to secure a level of car parking which discourages reliance on the private car but provides sufficient off-street parking to allow developments to proceed without creating traffic problems. It is therefore considered that the indicated provision of 4 spaces, with 2 of these in a tandem arrangement is appropriate in this location which is within walking or cycling distance of the town centre and already served by effective public transport connections on Forest Road.

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

To refuse a planning application on highway safety grounds it must be demonstrated that there is severe harm caused by the proposal. Although respondents consider the proposed quantum of car parking is insufficient, it meets adopted standards as set out above. It is therefore unlikely that the proposal would increase demand for on street parking to the extent that highway safety or the free flow of traffic would be result in such

harm. The property is located at the end of the street where there is a controlled barrier access to the campus and where traffic speeds are likely to be low and where additional vigilance for pedestrians and other highway users is practiced. It is therefore unlikely that the proposal would lead to unsafe operation of the local highway network or result in severe cumulative residual highway harms as set out in Paragraph 109 of the National Planning Policy Framework. It is concluded that the proposal accords with national policy, and the tenet of local policy as enshrined in Policy TR/18 of the Borough of Charnwood Local Plan.

Bin Storage

Bin storage is sometimes a visual issue when residential properties are subdivided into flats. In this case, there is ample space for the storage of bins or a communal larger receptacle to the rear of the building and this should enable occupants to participate in the usual weekly collection service. There would therefore be no need for bins to be stored on the property frontage or pavement although it is acknowledged that this appears to be an issue within the street and is a problem which is currently beyond the scope of the planning function to improve. Policy CS16 sets out the ways that the Council will encourage sustainable design and construction and one of these is supporting developments that reduce waste, provide for the suitable storage of waste and allow convenient waste collections. It is considered that the development accords with Policy CS16.

Conclusion

Decisions on applications need to be made in accordance with the adopted development plan policies and the material considerations that support them, including in this case the adopted SPD on Design

The proposal would provide an additional 2 bedroom unit within Loughborough in a sustainable location close to the town centre. The extended dwelling to accommodate this is considered to relate well to the character and appearance of the area and the extensions themselves do not overwhelm the existing house. There would be no harm to the amenity of adjacent occupiers and good standards of amenity for new residents would be provided. Ample parking and bin storage could be provided within the curtilage thereby ensuring no compromise to highway safety or visual amenity. Accordingly the proposal complies with policies CS1, CS2, CS3, CS16, EV/1, H/17 and TR/18 of the development and the supporting Design SPD. There are no material considerations which override this including within the Framework and it is recommended that planning permission be granted conditionally.

RECOMMENDATION:

Grant Conditionally

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
1901-01 Rev D - Block and site location plans
1901-03 Rev E - Proposed elevations and floor plans
REASON: To define the terms of the planning permission.
- 3 The facing materials to be used in the construction of the new works hereby permitted shall match as closely as possible those of the existing building.
REASON: To ensure the satisfactory appearance of the completed development.
- 4 No occupation of either of the apartments shall take place until such time as the parking facilities shown on the approved drawing No. 1901-01 Rev D have been provided, hard-surfaced and made available for use. Thereafter, the parking facilities shall not be obstructed in any way that would prevent such use.
REASON: To make sure that adequate off-street car parking is provided in the interests of road safety.
- 5 The ground floor kitchen windows in the eastern elevations shall be glazed with obscure glass to Pilkington (or equivalent) Privacy Level 4 or above, which shall thereafter be retained at all times. No changes shall be made to this window nor shall any additional windows be inserted in this elevation thereafter.
REASON: To minimise the effect of the development on the privacy and amenities of 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 and CS25 of the Charnwood Local Plan (2022-1018) Core Strategy and Policies EV/1, H/17 and TR/18 of the Borough of Charnwood Local Plan have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Document 'Design' (adopted 2020), 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.

