

Item. 03

Application Reference Number P/20/0290/2

Application Type:	Full	Date Valid:	12/02/2020
Applicant:	Mr Adrian Russell		
Proposal:	Partial demolition and conversion and change of use of the host building from Use Class B2 to Use Class C3, and erection of two-storey extension to create a new apartment building comprising of 9 no. apartments.		
Location:	1 Albert Street Loughborough Leicestershire LE11 2DW		
Parish:	Loughborough	Ward:	Loughborough Southfields
Case Officer:	Jeremy Eaton	Tel No:	01509 634692

This item is referred to 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 Ted Parton. Councillor Parton objects to the proposed development. Concerns relate to the inadequate provision of off-street vehicular parking provision, increased traffic generation and highway safety.

Description of the site

The application site relates to the premises of No. 1 Albert Street, which is situated to the south-western corner at the highway junction of Albert Street and Royland Road/Bedford Street, within the Development Limits to the town of Loughborough.

The site is adjoined by residential properties, No. 3 Albert Street and an apartment scheme on Royland Road (comprising of 10 no. apartments), to the south-eastern and south-western boundaries respectively.

The site is occupied by a vacant Victorian factory building which is understood to have previously been occupied by GTG Engineering Co. (Loughborough) Ltd. for the purposes of an engineering use under Use Class B2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). The site has been vacant since 1st May 2019.

The factory building is a part single, part two, and part three-storey building. To the north-western end of the application site, adjacent to the host building, is an area of hardstanding which is served by an existing gated vehicular access off Royland Road.

The application site is located within the Loughborough Victoria Street Conservation Area, and lies to the south of the Loughborough Emmanuel Church Conservation Area.

The application site is located within Flood Zone 1.

The Application Proposals

This application seeks full planning permission for the conversion and change of use of an existing factory building and outbuildings to residential use, the demolition of a single storey rear extension to the original Victorian factory building a, a two storey extension and the addition of a third floor to an existing two storey extension. The works would create a residential development of 9 no. apartments.

The external areas around the building are proposed to be landscaped, and would include an area of communal amenity space. Provision will be made for bin and cycle storage, and a laundry facility, to the rear of the building.

The existing vehicular access off of Royland Road is proposed to be stopped-up, and is proposed to be replaced by a pedestrian access. In addition, the existing brick wall to the north-eastern and north-western boundaries of the application site is proposed to be lowered, to approximately 1.5m in height.

The application has been accompanied by the following plans:

- Site Location Plan;
- Drawing No. 1975/01 (Floor Plans and Site Layout As Existing);
- Drawing No. 1975/02 (Elevations As Existing);
- Drawing No. 1975/03 (Floor Plans and Site Layout As Proposed);
- Drawing No. 1975/04 (Existing Streetviews); and
- Drawing No. 1975/05 (Proposed Streetviews).

In addition, the application has been accompanied by the following information:

- Planning, Design & Access and Heritage Statement;
- Phase I & II Geo-Environmental Investigation Report;
- Daytime Bat Survey Report; and
- Parking Technical Note - June 2020.

Development Plan Policies

Charnwood Local Plan Core Strategy 2011-2028 (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 CS3 – Strategic Housing Needs - outlines that the Borough Council 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 CS7 – Regeneration of Loughborough – supports development that contributes to the regeneration of the town of Loughborough.

Policy CS13 - Biodiversity and Geodiversity - seeks to conserve and enhance the natural environment and to ensure development takes into account impact on recognised features.

Policy CS14 - Heritage - sets out to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make.

Policy CS16 - Sustainable Construction and Energy - supports sustainable design and construction techniques.

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 National Planning Policy Framework (NPPF).

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

The policies relevant to this proposal include:

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

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

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

Other material considerations

The National Planning Policy Framework 2019 (NPPF)

The National Planning Policy Framework 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 strong 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 development plan they should normally be refused unless material considerations indicate otherwise.

In terms of the remainder of the National Planning Policy Framework, sections relevant to the consideration of this application include the following:

Paragraph 59 outlines that in order to support the Government's objective of significantly boosting the supply of homes, it is important that, amongst other things, the needs of groups with specific housing requirements are addressed.

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

Paragraph 63 outlines that affordable housing should not be sought for residential development proposals that do not constitute major developments, other than in designated rural areas.

Paragraph 68 states that to promote the development of a good mix of residential sites Local Planning Authorities should, amongst other things, support the development of windfall sites through their decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 108 states that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, given the type and location of development; and that safe and suitable access to the 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 the effective use of previously-developed or brownfield land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 118 outlines that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

Paragraph 127 seeks to foster high quality design.

Paragraph 155 outlines that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk; however, where development is necessary in such areas, it should be made safe without increasing flood risk elsewhere.

Paragraph 163 states that planning decisions should ensure that flood risk is not increased elsewhere. Development should only be allowed in areas at risk of flooding where it can be demonstrated that: within the application site, the most vulnerable development is located in areas of lowest risk, unless overriding reasons exist; the development is appropriated flood resilient; it incorporates sustainable drainage systems (where relevant); any residual risk can be safely managed; and safe access and escape routes are included (where appropriate) as part of an emergency plan.

Paragraph 170 outlines that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, minimising impacts on and providing net gains for biodiversity, and preventing new development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of pollution and should remediate and mitigate any contaminated land.

Paragraph 184 outlines that heritage assets should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 190 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).

Paragraph 192 outlines that in determining planning applications, Local Planning Authorities should take account of, amongst other things, the desirability of sustaining and enhancing the significance of heritage asset, and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraphs 193 to 199 relate to the assessment of the impact of development proposals on designated and non-designated heritage assets.

National Planning Practice Guidance (NPPG)

This document provides additional guidance to ensure the effective implementation of the planning policy set out in the NPPF. The NPPG is a web-based resource that is continually updated.

Design Supplementary Planning Document (SPD)

This document sets out the Local Planning Authority's design guidance to support the Charnwood Local Plan 2011-2028 Core Strategy (2015) and the "saved" policies of the Borough of Charnwood Local Plan 1991-2026, which is intended to encourage, promote and inspire a higher standard of design.

Housing SPD

This document sets out the Local Planning Authority's guidance to support the Charnwood Local Plan 2011-2028 Core Strategy (2015) and the "saved" policies of the Borough of Charnwood Local Plan 1991-2026.

Leicestershire Highways Design Guide

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

Loughborough Victoria Street Conservation Area Character Appraisal

This document sets out a character appraisal for the Loughborough Victoria Street Conservation Area.

Loughborough Emmanuel Church Conservation Area Character Appraisal

This document sets out a character appraisal for the Loughborough Emmanuel Church Conservation Area.

Leicestershire Housing and Economic Development Needs Assessment (HEDNA) – 2017

The HEDNA provides an up to date evidence base of local housing needs including an objectively assessed housing need figure to 2036 based on forecasts and an assessment of the recommended housing mix based on the expected demographic changes over the same period. Whilst the objectively assessed need figure remains untested in a plan making environment and is therefore not to be relied upon at the current time, the housing mix evidence can be accorded significant weight as it reflects known demographic changes.

Relevant Planning History

The application site has the following planning history:

- P/19/1749/2 - Partial demolition of existing single-storey extensions, erection of a two-storey extension and conversion to create 5 no. apartments (Advice) - Pre-Application Advice Provided (23.09.2019); and
- P/19/2338/2 - Partial demolition of existing single-storey extensions, erection of a two-storey extension and conversion to create 5 no. apartments and creation of 4 self-contained studio apartments (Advice) - Pre-Application Advice Provided (09.12.2019).

Response of Consultees

Charnwood Borough Council (Councillor Ted Parton)

Objection raised by Councillor Parton. Concerns relate to the inadequate provision of off-street vehicular parking provision, increased traffic generation and highway safety.

Charnwood Borough Council (Environmental Health)

No objection raised.

Leicestershire County Council (Local Highway Authority)

No objection raised. 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. Subject to Planning Conditions (see Planning Conditions No.'s 12-14, below) and Informative Notes (see Informative Note No. 5, below), the proposed development is considered to be in accordance with the relevant provisions of Paragraph 109 of the National Planning Policy Framework.

Leicestershire County Council (Lead Local Flood Authority)

No objection raised. The Lead Local Flood Authority have referred the Local Planning Authority to their Standing Advice.

Other Comments Recieved

Six letters of objection have been received in connection with this planning application. The comments made are summarised below:

- It is suggested that the local road network already experiences on-street parking problems;
- It is suggested that the proposed development has inadequate provision of off-street vehicular parking, which will lead to an increased demand for on-street parking in the local area, which in turn would exacerbate the existing on-street parking problems within the local area; and
- a further representation encloses a Parking Capacity Survey. This Survey covers the local road network, including Albert Place, Albert Street, Burton

Street, Gray Street, Park Street, Princess Street and Victoria Street, over the period 6th March 2020 to 16th March 2020.

Six letters of support have been received and the comments are summarised below:

- It is suggested that the proposed development will provide affordable, smaller-sized residential units within the town of Loughborough;
- It is suggested that the re-development of the application site and the host commercial building is a positive response, which would result in the retention and extension/alteration of the host building which, in turn, will enhance the character and appearance of the application site and the wider local area;
- It is suggested that the proposed development will represent sustainable development within a sustainable location, where future residents would have access to local services and amenities available within Loughborough, and access to public transport; and
- It is suggested that the proposed development would improve highway safety by virtue of the proposed stopping up of the vehicular access to the application site off of Royland Road.

Consideration of the Planning Issues

This application is for Full Planning Permission, and the principal issues for consideration in this case relate to the following matters:

- The principle of the proposed development;
- Housing mix;
- Design;
- The impact on designated heritage assets;
- Residential amenity;
- Land contamination;
- Ecology;
- Flood risk/drainage; and
- Highway matters.

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 relevant parts of the Development Plan for Charnwood in terms of this application comprise the Charnwood Local Plan 2011-2028 Core Strategy (2015) and those saved policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy.

The application site is located within the Development Limits to the town of Loughborough, as established under “saved” Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026.

“Saved” Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026 outlines that built development will be confined to sites within Limits to Development, unless

specific exceptions exist under other Development Plan policies that would otherwise allow for development outwith Limits to Development.

Policy CS1 of the Charnwood Local Plan Core Strategy 20011-2028 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 CS7 of the Charnwood Local Plan Core Strategy 20011-2028 outlines that proposals which contribute to the regeneration of the town of Loughborough will be supported.

In this case, whilst the proposed development will result in the loss of a building used for employment, this will not result in the loss of any designated Employment Land, either within the town or within the Borough. The extant planning policies of the Development Plan would not restrict the loss of this non-designated employment site, in which case this element of the proposal would be considered to be acceptable in principle.

With regard to the proposed residential development, the site lies within the town of Loughborough, which is considered to be a sustainable location for housing growth. As a result, there is no conflict with the Development Plan in terms of housing growth. In addition, by virtue of the proposed development including the re-use of a currently vacant building, this will assist in terms of the regeneration of the town. Accordingly, this element of the proposal would be considered to be acceptable in principle.

Charnwood Borough Council are currently able to demonstrate a 5-year supply of deliverable housing sites. This is outlined within the Council's 'Five Year Housing Land Supply – 31st March 2020' statement, which indicates a supply of 5.52 years. Accordingly, the Development Plan policies which restrict the supply of housing (notably Policy CS1 of the Charnwood Local Plan Core Strategy 20011-2028 and "saved" Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026 in this case) are considered to be up-to-date in respect of Paragraph 11 of the National Planning Policy Framework (the presumption in favour of sustainable development), in which case they are wholly relevant to the determination of this planning application submission, and full weight of the Development Plan therefore applies to them.

In view of the above, it is considered that the principle of the proposed development would be acceptable in this case, in line with the relevant provisions of Policies CS1 and CS7 of the Charnwood Local Plan Core Strategy 20011-2028 and "saved" Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026. Furthermore, it is considered that the proposed development would likely be in accordance with the relevant provisions of the National Planning Policy Framework.

Housing mix

Policy CS3 of the Charnwood Local Plan Core Strategy 20011-2028 outlines a requirement to secure an appropriate housing mix having regard to the identified housing needs and the character of the area. The Housing SPD provides further guidance in support of Policy CS3.

The Leicestershire Housing and Economic Development Needs Assessment (HEDNA) 2017 outlines a recommended housing mix for the Borough in respect of both market and affordable housing. This includes the following market housing mix: 0-10% 1-bedroom, 25-35% 2-bedroom, 45-55% 3-bedroom and 10-20% 4-bedroom.

The housing mix proposed as part of the proposed residential development scheme includes 9 no. studio apartments, all of which will comprise market housing. This equates to 100% of all units comprising 1-bedroom dwellings.

In this case, it is considered that the housing mix proposed would not be in line with the recommended housing mix contained within the Housing & Economic Development Needs Assessment (HEDNA), and this is a material consideration in this case. Notwithstanding the above, this proposal relates to the conversion of an existing and vacant building within a town centre location where the limitations of the building and the development economics dictate the size of the flats that can be realised. Having regard to Policy CS3 of the Charnwood Local Plan Core Strategy 20011-2028, it is considered that the housing mix proposed would be acceptable in this case as it would result in the creation of smaller-sized residential units within the town of Loughborough, which in turn would be considered to be compatible with the adjoining and wider residential development located within the town centre.

In view of the above, it is considered that the proposed development would be in accordance with the relevant provisions of Policy CS3 of the Charnwood Local Plan Core Strategy 20011-2028.

Design

Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026 seek to ensure high quality design and layout, which respects the character and appearance of the building and is compatible with the streetscene and wider built context.

In support of this application, the Applicant has submitted a Planning, Design & Access and Heritage Statement.

The proposed development will retain the original Victorian factory building on-site, proposing only demolition of the later single-storey extensions to the rear of the building.

In respect of the retained building, the proposed conversion works will include minor alterations to the existing fenestration/door design to the front elevation, the insertion of new windows and Juliet balconies to the rear and side elevations, the replacement of existing doors and windows and the re-rendering of the building’s facades. The proposed extensions to the retained building will include the creation of two

subservient two-storey, hipped-roof elements to the rear together with a third-floor extension above an existing two-storey rear extension.

It is considered that these works, by virtue of siting, scale, massing, material treatment and overall appearance, would be in keeping with and would enhance the character and appearance of the existing building on-site. In combination with the proposed landscaping scheme, it is considered that the proposed development would improve the character and appearance of the application site, in comparison to that existing, and would result in an enhanced street frontage along Royland Street, on a prominent corner plot. It is considered that this form of proposed development would enhance the character and appearance of the street scenes along Albert Street, Browns Lane and Royland Road, and the wider local area.

In the event that Members are minded to approve the proposal, given the prominent town centre location of the site, it is recommended that a planning condition is attached to any approval which secures further details of the proposed materials and constructional details. Conditions requiring further details of landscaping and boundary treatments are also recommended for the same reason.

In view of the above, and subject to planning conditions, it is considered that the proposed development would be acceptable on design grounds, in accordance with the relevant provisions of Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 and "saved" Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026. Furthermore, it is considered that the proposed development would be in accordance with the relevant provisions of Chapter 12 of the National Planning Policy Framework.

The impact on designated heritage assets

The application site is located within the Loughborough Victoria Street Conservation Area, whilst it lies outside, to the south of, the Loughborough Emmanuel Church Conservation Area, both of which comprise designated heritage assets.

In context of Conservation Areas, Section 72(1) of The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 advises Local Planning Authorities that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Policy CS14 of the Charnwood Local Plan Core Strategy 20011-2028 seeks to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make.

Chapter 16 (Paragraphs 184 to 202) of the National Planning Policy Framework sets out Central Government's policy in respect of heritage assets, and seeks to conserve and enhance historic assets for current and future generations. Paragraph 190 outlines that an assessment of the significance of the heritage asset to be affected is required before than assessing the level of impact caused to the heritage asset by virtue of that proposed. The assessment of harm to the heritage asset is addressed under Paragraphs 193 to 202.

In support of this application, the Applicant has submitted a Planning, Design & Access and Heritage Statement.

The Loughborough Victoria Street Conservation Area Character Appraisal outlines that the Conservation Area forms an integral part of Loughborough's inner urban area, and its essential character of the area is one of being a quiet residential area. The application site is located within the Victoria Street – Burton Street part of the Conservation Area, which largely comprises a residential area containing a variety of housing ranging from detached and semi-detached houses to substantial terraced villas and terraces of smaller houses; however, there are a few non-residential buildings within the Conservation Area, including the application site premises.

Albert Street, along with a few other streets within the Victoria Street – Burton Street part of the Conservation Area, are particularly significant as they comprised the first streets to be developed outside the tight-knit medieval and Georgian town. Albert Street represents the most-intensively developed street within the Conservation Area, and comprises terraced properties located within relatively small-sized plots.

Buildings located within the Conservation Area are generally of a modest scale of no more than three-stories in height. The larger institutional and non-residential buildings within the Conservation Area tend to have a presence within the streetscene; however, they are modest in scale, and do not dominate the surrounding buildings. Material treatments for the buildings are drawn from a relatively small palette of materials, including red brick (typically laid in Flemish bond, often with contrasting headers), and to a lesser extent stucco render, to the walls under plain clay tile or Welsh slate roofs. Stone is largely used as a decorative rather than a principal building material. Timber has traditionally been used for fenestrations and doors, and there is a whole range of surviving timber sash and casement windows and panelled doors throughout the Conservation Area. The buildings within the Conservation Area tend to have a wealth and variety of surviving architectural details that make a positive contribution to the character and appearance of the Conservation Area. These details often display the individuality of the builder or developer. As a result of the above, this results in a pleasant, consistent appearance within the Conservation Area, which in turn contributes to the sense of place.

The application site is not specifically referred to within the Loughborough Victoria Street Conservation Area Character Appraisal, nor is the building statutory or locally listed. Notwithstanding this, in this case, it is considered that the significance of the application site and host building in context of the Conservation Area is predominantly in connection with its historic industrial use, and architecturally, the fenestration design which is associated with its past use.

The proposal would preserve the character, appearance, and architectural details of the former works. The link to its past use, would be retained. In addition, in combination with the proposed landscaping scheme, it is considered overall that the proposal will enhance the character and appearance of the application site.

In this case, it is considered that the proposed development would not result in an incongruous form of development which would be out of keeping with the prevailing character and appearance of the local area. Indeed, it is considered that the proposal

would blend in with the surrounding built context, and in turn would assimilate well into the existing street scenes to Albert Street, Browns Lane and Royland Road. As a result it is considered the proposal would not result in harm to the significance of the Loughborough Victoria Street Conservation Area or its setting.

With regard to the Loughborough Emmanuel Church Conservation Area, which lies to the north of the application site, the character of this Conservation Area is focused on the Emmanuel Church and a short section of Victorian and Edwardian residential development located along Forest Road, that were constructed during the 19th Century. These buildings form the architectural core of the Conservation Area. The character of the Conservation Area is further enhanced by the areas of green space and landscape planting located across the Conservation Area, which form an important backdrop to the built development. Due to the siting of the proposal and its level of separation from this asset it is not considered that there would be any harm to its significance

Accordingly, it is considered the proposal would not harm the significance of designated heritage assets (Loughborough Victoria Street Conservation Area and Loughborough Emmanuel Church Conservation Area), or their settings. Additionally the proposal would conserve the significance of these assets which meets the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS14 and the relevant provisions of Chapter 16 of the National Planning Policy Framework.

Residential amenity

Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026 seek to protect the amenities of nearby properties.

Whilst this application proposes the conversion of the existing building, it also includes proposals for a two-story extension and a third floor addition to an existing two-storey rear extension, which need to be considered in terms of its impact on existing residential amenity.

In order to objectively assess the impact of the proposed development upon existing residential amenity, the Council has adopted the Design SPD, 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 most affected by the proposed development in respect of the above matters include No. 3 Albert Street and the apartment building on Royland Road, which adjoin the south-eastern and south-western boundaries of the application site respectively, and No.'s 29-33 Albert Street which are located opposite the application site to the north-eastern side of Albert Street. It is not considered that the amenity of the other neighbouring residential properties would be significantly impacted by the proposal.

No. **3 Albert Street**, has previously been extended to the rear following the grant of Planning Permission reference P/00/2356/2 by the Local Planning Authority on 6th February 2001. This property has a part single-storey, part two-storey rear extension projecting from its original rear elevation building line. Its side elevation forms a blank, un-fenestrated façade; whilst its rear elevation incorporates a principal habitable room window at ground floor level, which serves a kitchen, with a non-habitable room window at first floor level, which serves a bathroom.

In this case, based on the guidance contained within the Design SPD, there would be no significant loss of natural day light to the adjoining property (No. 3 Albert Street), specifically in context of the ground floor habitable room window. In addition, it is considered that the proposed development would not unduly affect the outlook from these ground floor windows and be overbearing in nature. Furthermore, by virtue of the orientation of the two properties, i.e. the application site and proposal being located to the north-west of No. 3 Albert Street, it would be expected that no loss of access to sunlight would occur. Whilst there are no concerns that the proposed development would result in any opportunities to overlook the rear elevation of No. 3, there are concerns that the proposed development would result in increased opportunities to overlook the private amenity space to this neighbouring property by virtue of the first floor windows that are proposed to the south-eastern elevation of the proposed extension. However, given that these windows serve a corridor/landing area, and hallway and bathroom to Apartment No. 8, it is considered that these windows could be restricted to be made to be obscurely glazed and non-opening, which could be secured by way of a planning condition, in order to overcome such concerns. Accordingly, it is considered that the proposed development would not be detrimental to the residential amenities to the current occupants of this neighbouring residential property.

With regard to the **apartment building on Royland Road**, it is considered that the the proposed development has been sensitively designed to ensure a satisfactory relationship can be achieved. The proposal would be sited between 1.35m and 1.76m from the side elevation to this building. As the side elevation is largely a blank, un-fenestrated façade, (with the exception of a roof light located with the north-eastern roof slope, which serves a staircase), there would be no material loss of light, privacy or outlook to this side elevation.

Although the proposed building would sit approximately 3.54m forward of the front elevation of the neighbouring apartment building, the closest windows serve an entrance door and bathroom. These are both non-habitable room windows, meaning there would be no material loss of light or outlook. The rear elevation of the building would not be impacted as the proposal does not project back behind this. Accordingly, it is considered that the proposed development would not be detrimental to the residential amenities of the current occupants of this neighbouring apartment building.

With regard to **No.'s 29-33 Albert Street**, the proposal is sited approximately 8.43m from the front elevations of these residential properties, orientated to the south-west and separated by the road. Whilst the building will be subject to a proposed change of use, these elevations will largely remain as existing, with the exception of some

relatively minor changes to the existing fenestration/door design. As a result, it is considered that the proposed development would not result in any adverse harm to the current occupiers of these neighbouring residential properties by reason of being overbearing in nature and loss of light both natural day and sun light. Whilst the proposed residential use of the building could result in increased opportunities to overlook the front elevations of these neighbouring properties, in comparison to the existing use, it is considered that the relationship with these neighbouring properties would be similar to the relationship of the surrounding residential development along Albert Street, accordingly it is considered that the proposed development would not result in any significant harm in respect of the residential amenities to these neighbouring properties by reason of overlooking, and consequent loss of privacy.

In summary of the above, and subject to planning conditions, it is considered that the proposed development would not adversely affect the residential amenities of the current occupants of the neighbouring residential properties.

With regard to the proposed apartments, it is considered that the proposed development would provide a good standard of amenity to its future occupants. The apartments are all of a good size and have access to suitable outdoor amenity areas.

It is considered that the proposed development would be in accordance with the relevant provisions of Paragraphs 127 of the National Planning Policy Framework, Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 and "saved" Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

Land contamination

Paragraph 170 of the National Planning Policy Framework outlines that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, preventing new development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of pollution, and remediating and mitigating contaminated land where appropriate.

In support of this application, the Applicant has submitted a Phase I & II Geo-Environmental Investigation Report, prepared by Geo Matters Ltd, dated November 2019.

This report outlines that whilst the application site has elevated concentrations of metals and Polycyclic Aromatic Hydrocarbons (PAHs) within localised made ground materials, no feasible pollutant linkages have been identified at this stage in connection with the application site. Remediation measures in respect of the hard and soft landscaping of the application site have been identified within this report.

Charnwood Borough Council's Environmental Health Team have been consulted in connection with this planning application. No objection has been raised.

In view of the above, and subject to the imposition of a planning condition to ensure that the remediation measures outlined within the Phase I & II Geo-Environmental Investigation Report are secured, it is considered that the proposed development would not be adversely affected by reason of land contamination.

In view of the above, and subject to planning conditions, it is suggested that the proposed development would be in accordance with the relevant provisions of the National Planning Policy Framework, notably Paragraph 170.

Ecology

Policy CS13 of the Charnwood Local Plan Core Strategy 20011-2028 seeks to ensure protected species are not harmed as a result of development proposals and wherever possible enhance the potential through landscaping and drainage solutions to provide development that promotes ecological benefit.

In support of this planning application, the Applicant has submitted a Daytime Bat Survey Report, prepared by Emec Ecology, dated November 2019.

This report outlines that a site survey was undertaken on 19th November 2019. No evidence of roosting bats was found during the site survey, and it outlined that the application site has no features that were considered suitable for roosting bats. As a result, no further requirement for additional survey work was identified, and no mitigation was deemed to be required.

This report also considered the potential impact on nesting birds. Whilst historical evidence of bird nesting materials were found within the roof void of the host building, it is understood that this dates to before the existing roof was re-lined. No evidence of any subsequent bird nesting was found during the site survey, and it outlined that the application site has no features that were considered suitable for nesting birds, with no access points identified. As a result, no mitigation was deemed to be required.

In this case, it is considered that no harm would arise in context of biodiversity.

In view of the above, it is considered that the proposed development would be in accordance with Policy CS13 of the Charnwood Local Plan Core Strategy 20011-2028, and the relevant provisions of the National Planning Policy Framework.

Flood risk/drainage

Policy CS16 of the Charnwood Local Plan Core Strategy 20011-2028 encourages sustainable design and construction and directing development to location within the Borough at the lowest risk of flooding, supporting developments which reduce flood risk elsewhere, and requiring new developments to manage surface water run off with no net increase in the rate of surface water runoff for Greenfield sites.

Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 seeks to ensure that development proposals reduce their impacts upon and be resilient to the effects of climate change in this context in accordance with Policy CS16.

Paragraph 163 of the National Planning Policy Framework requires local planning authorities to ensure that, when determining planning applications, flood risk is not increased elsewhere and to only consider development in areas of flood risk where,

informed by a site-specific flood risk assessment and will not put the users of the development at risk.

According to the Government's Flood Map for Planning, the application site is identified as being within an area (Flood Zone 1) at risk of suffering a 1 in 1000 year (0.1% chance) flood event. This is supported by the Council's own mapping data.

With regard to the proposed development, the proposed residential use is classified, under Table 2: Flood Risk Vulnerability Classification within the National Planning Practice Guidance, as 'more vulnerable' development. As per Table 3: Flood Risk Vulnerability and Flood Zone 'Compatibility' within the the National Planning Practice Guidance, 'more vulnerable' development would be considered acceptable within Flood Zone 1. Therefore, residential development within Flood Zone 1 is considered to be acceptable in principle in line with Paragraph 163 of the NPPF and Policy CS16 of the Charnwood Local Plan (Core Strategy).

The Application Form outlines that the method of foul and surface water drainage will be achieved by way of the mains sewer. This matter would be covered under Part H of the Building Regulations procedure and accordingly, there would be no grounds to refuse planning permission in respect to drainage.

Leicestershire County Council (Lead Local Flood Authority) were consulted, and no objection has been raised although Standing Advice is referred to.

In view of the above, it is considered that the proposed development would be in compliance with the relevant provisions of Policies CS2 and C16 of the Charnwood Local Plan Core Strategy 2011-2028, and the relevant provisions of the National Planning Policy Framework.

Highway matters

"Saved" Policy TR/18 of the Borough of Charnwood Local Plan 1991-2026 sets out vehicular and cycle parking standards in respect of development proposals.

Paragraph 108 of the National Planning Policy Framework states that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, given the type and location of development; and that safe and suitable access to the site can be achieved for all users.

Paragraph 109 of the National Planning Policy Framework 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.

In support of this planning application, the Applicant has submitted a Parking Technical Note, prepared by Mewies Engineering Consultants Ltd., dated June 2020.

As part of the proposed development, it is intended that the existing vehicular access off Royland Road would be stopped-up. A new pedestrian access off Royland Road would be created to serve the proposed development.

It is considered that this would result in improvements in respect of matters of highway safety, given that this proposal would remove an existing vehicular access that is sited at the T-junction of Royland Road and Browns Lane. The Highway Authority have supported the closure of this access point.

In terms of vehicular and cycle parking provision, "saved" Policy TR/18 of the Borough of Charnwood Local Plan 1991-2026, states a maximum 14 vehicular spaces should be provided. In addition, this Policy outlines that the proposed development should provide a maximum of 2 no. cycle spaces.

No off-street vehicular parking provision is provided within the application site; however, space for 10 cycles is proposed in a cycle store.

With regard to the immediate local highway network, Browns Lane and Royland Road are subject to parking restrictions, including double-yellow lines and time restrictions in parts, whilst the other residential roads in close proximity to the application site, are subject to these restrictions as well as resident only permit parking schemes. As a result, it is considered that these parking restrictions would restrict indiscriminate vehicular parking within the public highway. Furthermore, given that the proposed development would comprise a multi-occupation development, it would be expected that the future occupiers of the proposed apartments would not be allocated a residents parking permit to park within the local highway network, as confirmed by the Local Highway Authority. Therefore, the future occupiers of the proposed development would be reliant upon the public car parks which are available within walking distance of the application site, such as the Bedford Square, Beehive Lane and the Leisure Centre car parks, in order to park their vehicles. Given the availability of public car parks within the local area, it would be expected that the proposed development would not lead to on-street vehicular parking, nor would the proposal exacerbate any existing parking issues within the vicinity of the application site.

Additionally the application site is located within walking and cycling distances of the town centre, and the available amenities and facilities available within Loughborough, and is also accessible via public transport. Therefore, it would not be expected that the future occupiers of the proposed development would be wholly reliant on the private car.

In respect of the cycle parking provision, a cycle store would be created within a retained outbuilding to serve the 9 no. apartments. A total of 10 no. cycle parking spaces would be provided with the cycle store. This provision would be in line with the guidance contained within the Leicestershire Highways Design Guide, which outlines a minimum provision of 1 no. cycle space per 5 no. dwellings. It is considered that this over-provision would encourage future occupiers to cycle, and would also assist in terms of offering future residents a viable alternative means of travel as opposed to being reliant on the private car.

Leicestershire County Council (Local Highways Authority) was consulted in connection with this planning application. The consultation response received outlines that the Local Highways Authority raises no objection in respect of the proposed development, and it has advised that, subject to Planning Conditions (see Planning Conditions No.'s 12-14, below) and Informative Notes (see Informative Note No. 5, below), 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.

On balance, whilst the proposed development would not include any off-street vehicular parking provision, and, therefore, would be contrary to the relevant provisions of "saved" Policy TR/18 of the Borough of Charnwood Local Plan 1991-2026, it is considered this is balanced by the location of the proposal close to public car parks, within walking distance of the town centre and the provision of cycle storage facilities. Therefore the proposed development is considered acceptable and would not merit refusal of planning permission in this case subject to the proposed Planning Conditions and Informative Notes outlined by the Local Highway Authority

Conclusion

The proposed development would be acceptable in principle in accordance with the relevant provisions of Policies CS1 and CS7 of the Charnwood Local Plan Core Strategy 20011-2028 and "saved" Policy ST/2 of the Borough of Charnwood Local Plan 1991-2026.

In addition, the proposed development is considered to be acceptable in respect of the matters of housing mix, design, heritage, residential amenity, land contamination, ecology, flood risk/drainage and highway safety, in accordance with the relevant provisions of "saved" Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026 and Policies CS2, CS13, CS14, CS16 and CS25 of the Charnwood Local Plan Core Strategy 20011-2028. Furthermore, it is considered that the proposed development would be in accordance with the relevant provisions of the National Planning Policy Framework.

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

RECOMMENDATION

That planning permission be granted 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:

- Site Location Plan;
- Drawing No. 1975/01 (Floor Plans and Site Layout As Existing);
- Drawing No. 1975/02 (Elevations As Existing);
- Drawing No. 1975/03 (Floor Plans and Site Layout As Proposed);
- Drawing No. 1975/04 (Existing Streetviews); and
- Drawing No. 1975/05 (Proposed Streetviews).

Reason: For the avoidance of doubt.

3. Notwithstanding the details submitted in support of the planning application, before materials are first brought on to site, a detailed schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include walling, roofing, windows, doors and Juliet balconies, soffit/fascia boards and rainwater goods. Thereafter, the development shall be implemented in accordance with these approved details, and shall be retained as such in perpetuity.

Reason: In order to safeguard the character and appearance of the host building and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

4. Notwithstanding the approved drawings listed under Condition 2, prior to the occupation of the development hereby permitted, details of the following matters shall be submitted to, and approved in writing by, the Local Planning Authority:

- (a) Large scale details of all windows and doors (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of these features within openings, depth of reveal, heads, sills and lintels;
- (b) Large scale details of all proposed Juliet balconies (1:5 elevation and section);
- (c) Large scale details of proposed eaves and verges (1:5 elevation and section); and
- (d) Details of rainwater goods.

Thereafter, the development shall be implemented in accordance with the approved details, and retained as such in perpetuity.

Reason: In order to safeguard the character and appearance of the host building and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

5. Notwithstanding the details submitted in support of the planning application, prior to the occupation of the development hereby permitted, details of the proposed demolition, infilling and restoration works associated with the existing brick wall to the north-eastern and north-western boundaries of the application site shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details, and retained as such in perpetuity.

Reason: In order to safeguard the character and appearance of the application site and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

6. Prior to the occupation of the development hereby permitted, details of the design, external appearance and decorative finish of any new railings, fences, gates, walls, bollards and other means of enclosure (as appropriate) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and shall be retained as such in perpetuity.

Reason: In order to safeguard the character and appearance of the application site and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

7. Prior to the occupation of the development hereby permitted, a scheme of hard and soft landscaping shall be submitted to, and approved in writing by, the Local Planning Authority, the details of which shall include:
 - (a) Details of planting species, sizes and planting densities,
 - (b) site levels and finished floor levels;
 - (c) hard surfacing materials;
 - (d) minor artefacts and structures (e.g. raised planters, signs, lighting etc), where relevant; and
 - (e) programme of implementation.

Thereafter the development shall be implemented in accordance with the approved details, and retained as such in perpetuity.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

8. All soft landscaping comprised in the approved details of landscaping under Condition 7 shall be carried out in the first planting and seeding season

following the first occupation of the building(s) or the completion of the development, whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years from the date of first occupation of the development, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory landscaped setting for the development and to enhance the appearance of the development in the interest of the visual amenities of the area and the character and appearance of the Conservation Area, and to accord with the Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

9. Before the development hereby permitted is first occupied, the windows to be installed to the side (south-eastern) elevation of the two-storey rear extension at first floor level, to serve a corridor/landing area, and hallway and bathroom to Apartment No. 8, shall be glazed with obscure glass or film (to at least Privacy Level 3 of the Pilkington Texture Glass Privacy Levels, or similar) and fixed below 1.7m above finished floor level. Thereafter, the windows shall be permanently maintained as such at all times.

Reason: In the interests of residential amenity and privacy of No. 3 Albert Street, and to accord with Policy CS2 of the Charnwood Local Plan Core Strategy 20011-2028 and “saved” Policy EV/1 of the Borough of Charnwood Local Plan 1991-2026.

10. The development hereby permitted shall be implemented in accordance with the approved mitigation measures detailed in the Phase I & II Geo-Environmental Investigation Report, prepared by Geo Matters Ltd, dated November 2019, submitted in support of the planning application.

Reason: To ensure that the land is fit for purpose and to accord with Chapter 15 of the National Planning Policy Framework 2019.

11. The development hereby permitted shall not be occupied until such times as the cycle parking provision indicated on Drawing No. 1975/03 Rev – (Floor Plans and Site Layout As Proposed) has been provided on-site. Thereafter, it shall be maintained and kept available for use in perpetuity.

Reason: To promote travel by sustainable modes in accordance with the National Planning Policy Framework 2019.

12. Prior to the occupation of the development hereby permitted, the existing vehicular access on Royland Road shall be permanently closed and the existing vehicular crossings (highway kerbstone arrangement) reinstated in accordance

with details which are first to be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development is to be implemented in accordance with the approved details, and shall be so maintained in perpetuity.

Reason: In the interests of highway and pedestrian safety, and in accordance with the National Planning Policy Framework 2019.

13. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to, and approved in writing by, the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

Informative Note(s):

1. Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the above-mentioned policy/ies and there are no other issues arising that would indicate that permission should be refused.
2. The Local Planning Authority has acted pro-actively through early engagement with the applicant at the pre-application stage. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
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.

