

Item No. 4

Application Reference Number P/20/1161/2

Application Type: Full **Date Valid:** 08/07/2020
Applicant: R PATEL
Proposal: Change of use from dwelling house (Use Class C3) to a house in multiple occupation (Use class C4).
Location: 18 Byron Street Extension
Loughborough
LE11 5HE
Parish: Loughborough **Ward:** Loughborough Storer
Case Officer: Deborah Liggins **Tel No:** 07864 603401

This item is referred to Plans Committee at the request of Councillor Forrest who is concerned about parking and the impact of the change of use on the daily lives of permanent residents.

Description of the Site

The application site is located on the southern side of the street which is in a Primarily Residential Area as identified in the Borough of Charnwood Local Plan. The property is a detached hipped roof brick and tile house with an entirely tarmacked driveway and frontage and a 30m long garden to the rear. The dwelling is bounded the highway with a low brick wall

Boundary	Adjacent land use
South	21 Knightthorpe Road at a distance of 61m
North	Byron Street extension 7m wide carriageway beyond which is an electrical substation at the rear of the Range store
East	No. 16 Byron Street Extension – a semi-detached Class C3 dwelling
west	No. 20 Byron Street Extension – a semi-detached Class C3 dwelling

Description of the Application

The initial proposal was to change the use of the property to a 4 bedroom house in multiple occupation with 2 bedrooms to each floor and a small shared conservatory style lounge to the rear. However, a revised drawing received on 19th August shows one of the ground floor rooms being retained for a communal lounge, reducing the number of bedrooms at the property to 3. No changes are proposed to be made to the external appearance of the dwelling or its frontage or access.

Driveway parking to the front of the house provides 2 off-street car parking spaces with the entire frontage of the property also being hard-surfaced and suitable for additional car parking, if required.

Development Plan Policies

Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material planning considerations indicate otherwise. The development plan for Charnwood currently comprises the Charnwood Local Plan (2011-2028) Core Strategy and the saved policies of the Borough of Charnwood Local Plan. The policies below would be relevant to the determination of any planning application relating to a change of use of the property to a house in multiple occupation:

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

The following policies are relevant to this application:

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 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.

Policy CS4 – Houses in Multiple Occupation is concerned with managing the proportion of houses in multiple occupation. It states that the Council will support the well-being, character and amenity of communities by managing the proportion of houses in multiple occupation that, either in themselves, or cumulatively with other houses in multiple occupation, damage the social and physical character and amenity of a street or area, generate noise and disturbance which is detrimental to amenity, or generate increased demand for on-street car parking which would prejudice the safe operation of the highway or cause detriment to amenity. The policy explains that further policy and guidance will be prepared in respect of HMOs. In this regard, the Council has adopted its Housing SPD which is also a material consideration in determining the application.

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 (adopted 12 January 2004 (saved policies))

The saved policies relevant to this proposal include:

Policy ST/2 – Limits to Development - States that built development will be confined to allocated sites and other land within the Limits to Development identified on the proposals map, subject to specific exceptions.

Policy EV/1 – Design - seeks to ensure a high standard of design for developments, which, inter alia, respects and enhances the local environment, is of a design, layout, scale and mass compatible with the locality and utilises materials appropriate to the locality

Policy TR/18 - indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual and local amenities. The policy promotes standards that would require 2 parking spaces for a dwelling with 3 or less bedrooms and 4 spaces for a dwelling with 4 or more bedrooms although it states that this will be used as the starting point in assessing the level of provision and represent the maximum level. The quantity of parking allowed should reflect the proposed use and the location of development, the availability of public off-street parking; the current or potential accessibility by non-car modes and the scope for practical measures to significantly reduce the use of private car trips to and from a site.

Other Material considerations

Article 4 Direction

Local Government Circular 08/2010 'Changes to Planning Regulations for Dwelling houses 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.

National Planning Policy Framework (2019)

This confirms that planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. The Framework contains a presumption in favour of sustainable development and defines 3 roles a development must fulfil in order to be sustainable:

- An economic role – 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 role – 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 role – contributing to protecting and enhancing our natural, built and historic environment

Paragraph 8 identifies the economic and social roles of the planning system, both to build a strong responsive economy by ensuring land (and presumably buildings) are available in the right place at the right time, and supporting the health of the community by ensuring housing for present needs that has a high quality built environment, which encompasses social and cultural well-being.

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

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

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

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

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

Paragraph 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 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 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 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.

The Framework requires the planning decisions should, inter alia, create places that are safe, inclusive and accessible which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other, are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

In considering development proposals, it should be ensured that sustainable transport modes can be taken up, and that safe and suitable access to the site can be achieved for all users. Development should only be 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.

Planning decisions should ensure that developments (inter alia) create places that promote health and well-being, with a high standard of amenity for existing and future users.

Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

The Leicestershire Highways Design Guide (2018)

This is a guide for use by developers and published by Leicestershire County Council, the local highway authority, and provides information to developers and local planning authorities to assist in the design of road layouts in new development. 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; as well as to 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.

Housing Supplementary Planning Document (HSPD) May 2017

A Housing Supplementary Planning Document was adopted on the 11th May 2017 which provides guidance when dealing with Houses in Multiple Occupation proposals in the context of adopted Core Strategy Policy CS4.

Section 4 of the Housing SPD provides guidance for assessment of applications that propose small or large houses in multiple-occupation. Small HMOs are defined as shared houses or flats occupied by between 3 and 6 unrelated individuals who share basic amenities and large HMO's are for more than 6 occupiers and are a 'sui generis' use. i.e. they do not fall into any existing class in the Town and Country Planning (Use Classes) Order. These proposed changes of use do not benefit from being 'permitted development' in Loughborough due to the Article 4 directive which was granted by the Secretary of State in 2012 in recognition of these issues associated with a concentration of HMOs.

The SPD provides a methodology (at HSPD11) for assessing the concentration of Houses in Multiple Occupation against the criteria of Core Strategy Policy CS4 as part of understanding the potential for cumulative impacts. The methodology assesses the concentration of HMOs within 100m of the application site as a proportion of the total number of residential dwellings. Halls of Residence and purpose built student accommodation will not be included in the calculation. However, any Halls of Residence and purpose built accommodation will be considered as part of the overall decision making process in terms of their impacts.

The SPD accepts that HMO's help to meet local housing requirements and can be an important type of accommodation for a range of people including those on low incomes and young people (para 4.1) and it also repeats the objectives of Core Strategy Policy CS4 that seeks to support the well-being, character and amenity of local communities by managing the proportion of HMO's.

The methodology is under current review in preparation of the new replacement local plan and is in its early consultation stage. Early indications are that the policy would include a methodology that reduces the current 20% threshold to 10%. The replacement Local Plan remains in its early stages and can therefore be attributed little weight at this time, however, the most up-to-date evidence prepared to support the emerging Local Plan is of relevance to this proposal and this includes the Charnwood Houses in Multiple Occupation Assessment 2019.

The SPD also provides guidance in respect of the Policy CS4 criteria for considering the potential impact on the social and physical character and amenity (HSPD12), amenity space (HSPD 13), noise insulation (HSPD 14) and parking (HSPD 15).

The Council has used a threshold of 20% in decision making and therefore changes of use from Class C3 dwellings to Class C4 dwellings have usually been resisted in principle where the percentage of houses in multiple-occupation exceeds 20% in a particular area. This approach has been accepted in all appeal decisions since the adoption of the Housing SPD, with the exception of one. The calculation of the household percentage is the subject of a methodology specified in the SPD that uses data held by the University and College, the Electoral Register, the HMO Licensing Register and planning data and it is considered that collectively, this gives the best indication available of the relevant household situation and the most accurate picture of local balance and amenity.

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.

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 by managing the proportion of houses in multiple occupation. This would adopt a threshold approach of 10% within a 100m area of an application site and also prevent a Class C3 dwelling from becoming sandwiched between proposed and existing HiMO's.

Relevant Planning History

None

Responses of Statutory Consultees

Councillor Forrest is concerned that the proposal would exacerbate an already difficult parking situation, increase anti-social behaviour that already impacts the lives of locals. Councillor Forrest is also concerned that the Storer ward is already saturated with homes in multiple occupation and that Byron Street Extension is unsuitable for such a property.

Other Comments Received

The Council's Housing Standards Officer comments that all bedrooms meet the minimum bedroom sizes and there are adequate bathing facilities to meet standards set out in housing legislation. If no communal internal space or inadequate communal space were to be provided, bedroom sizes would need to be enlarged. Recommendations are made about fire safety of which the applicant is aware.

Concerns have been received from the following addresses:-
Byron Street Extension – 12, 14, 16 (representing 13 residents)

Concerns include:-

- The street is congested with commuter cars and heavy lorries
- The area is family occupied with a good sense of community
- The proposal would permanently damage the character of the area by causing noise, disturbance and additional refuse litter and vermin issues.
- The proposal will result in the permanent loss of a family home for which there is a need in the area.
- Car parking is inadequate in the street and the proposal would exacerbate this

- High saturations of HiMO's are correlated with high levels of anti-social behavior.
- There is no need for the change of use, given the amount of purpose built student accommodation in the town.

Consideration of the Planning Issues

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

- The principle of the Development
- Evidence
- The effect on the character and amenities of the area: community balance
- Anti-social behaviour and noise and disturbance
- Bin Storage
- Visual Amenity
- Car parking

The principle of the 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 Charnwood Local Plan are therefore the starting point for consideration.

The supporting text to Policy CS4 states that HiMO's provide accommodation for a group of tenants who do not live together as a family and who share basic amenities such as a kitchen, and bathroom facilities but have separate bedrooms. It acknowledges that HiMO's help to meet local housing requirements and can be an important type of accommodation for a range of people including those on low incomes and young people. In Loughborough, a large number of HiMO's are occupied by students in further and higher education.

The supporting text goes on to state that, whilst the Council values Loughborough University and Loughborough College and the significant economic, social and cultural contributions the student population brings to Loughborough, a negative impact has been experienced in some neighbourhoods because of the over concentration of HiMO's. It is noted that these impacts have affected some community facilities, the character and appearance of the area and caused disturbance and parking problems. In response to this, the Council has developed a strategy for managing the proportion of HiMO's in Loughborough, particularly where it is demonstrated that there are associated adverse impacts.

The application site is within the main urban area of Loughborough and, whilst the principle of development is acceptable as the property remains in residential use and would contribute to the mix of tenures of homes in the area (thus complying with Policy CS3), the proposal needs to be considered against Policy CS4 and whether a change of use to a HiMO will support the well-being, character and amenity of the community and other relevant policies and detailed planning considerations as assessed below.

In terms of the proposed change of use, the Council is able to identify that there are 37 residential properties within 100m radius of the application site, only 1 of which is known to be a house in multiple occupation. This equates to 2.7% which is significantly below the

20% threshold set out in the SPD. Whilst not in itself a determinative factor, it is important to also consider the fact there are at least 2 other houses in multiple occupation just outside the 100m radius. It is also important to consider the location of the property, in an established residential area with no nearby purpose built student accommodation or Halls of Residence.

It is also important to note that HiMO's are not always occupied by students but evidence in a recent study commissioned by the Council and undertaken by Loughborough University (December 2018) found that more mixed HiMO markets are forming that include both students and other social groups including working professionals, international migrant workers, low-skilled workers, benefit recipients and divorcees. This document forms part of the evidence base for the emerging replacement local plan.

The adopted Housing SPD identifies that where there is a high proportion of HiMOs in student occupation, this can lead to a sharp contrast between busy term times and a sense of abandonment during the holidays which impact on social interactions, surveillance and local services and facilities. Essentially this can lead to the loss of community spirit as permanent populations are replaced by transient ones and this is supported by evidence in the Study of Houses in Multiple Occupation Dec 2018. Given the low number of other houses in multiple occupation within the 100m radius of the application site, the location of the property and the predominantly residential surroundings of the site, it is considered that the current saturation and distribution of HiMO's would not be exacerbated by the proposal.

However, the issue is not confined to the mathematics of the case and the other individual considerations must be assessed and a judgment reached as to whether the level of harm that would be caused would be sufficient to dismiss the appeal or whether the impact would be so limited as to indicate that planning permission should be granted. These matters are considered below.

The effect on the character and amenities of the area: community balance

The 20% threshold allows for consistency in decision-making on proposals for changes of use to HiMO's and has been recognised by appeal inspectors as the level above which the problems associated with higher concentrations could occur.

Recent appeal decisions relating to Class C4 changes of use at Ashleigh Drive, Grange Street, Derby Road, Park Road, Frederick Street, Ashby Road, and Goldfinch Close (all within the built-up area of Loughborough) accept this threshold approach and attach weight to its use. Several relevant appeals have been dismissed since the Housing SPD was adopted in May 2017

The Council considers that the current low concentration of existing houses in multiple occupation in this desirable location is such that community balance and the availability of family housing in the local area would not be significantly harmed to the detriment of the social character and general amenities of the area. The property is within the Storer ward which, taken as a whole has a history of higher concentrations of houses in multiple accommodation, often above the 20% threshold, but the 100m radius threshold approach is based on a smaller output area in order to identify the more localised harms a proposal might present. In these ways and based on the adopted threshold approach, the proposal

would accord with Policy CS4 of the Core Strategy, the adopted SPD on Housing and the National Planning Policy.

In terms of the application property, the current saturation rate of HiMO's within 100m is just 2.7%.

In terms of neighbour amenity, Paragraph 4.9 of the Housing SPD states, "*It is important to note however that we will not adopt a rigid approach to decision making. The threshold will provide one material consideration to be considered alongside a number of other matters identified in Policy CS4 and the SPD related to the impact on the character and amenity of the area and safe operation of the highway.*"

There are other considerations which need to be assessed and a judgement reached as to whether the level of harm that would be caused, whether individually or cumulatively, to support a refusal of planning permission or whether the impact would be limited so as to indicate that planning permission should be granted. These are discussed below.

Anti-social behaviour and noise and disturbance

Noise in HiMO's can often be a concern for objectors because of the number of people who are living independently within the property which can be considered to adversely affect the amenity of neighbouring properties. The adopted Housing SPD acknowledges that where there is a high proportion of HiMO's it can often result in a higher incidence of anti-social behaviour, particularly at unsociable hours and increases in crime and fear of crime. Permitting an additional house in multiple occupation to an area with an existing high concentration of such properties would be likely to cause unacceptable harm to the living conditions of local residents and the amenity of the local area. This would be in conflict with Policies CS2 and CS4 HSPD 12 and Paragraph 127 of the National Planning Policy Framework. However, the immediate area to the application site has a very low concentration of HiMO's and it is considered that the living conditions and amenity of the local area would not be adversely affected and that the proposal would accord with Policies CS2 and CS4.

Information from the Borough Council's Community and Partnerships Department shows that over the past year, there have been 27 recorded incidents relating to anti-social behaviour on Brisco Avenue, Byron Street Extension, Derby Road and Knightthorpe Road. Incidents included acts directed at people, misuse of public space, a disregard for community or personal well-being or environmental damage. This indicates that the existing residents already experience a degree of disturbance incidents which may affect their domestic lives although it is acknowledged that Derby Road and Knightthorpe Road are very long streets and incidents may have occurred some distance from the application site.

The adopted Housing SPD acknowledges that where there is a high proportion of HMOs it can often result in a higher incidence of anti-social behaviour, particularly at unsociable hours, and increases in crime and fear of crime. However, there is a low concentration of HiMO properties within 100m of the application site and incidents of anti-social behaviour relating to such would therefore be proportionately diluted. It is considered that the proposal would not result in significant increases in anti-social behaviour.

In addition, HMOs can often be noisier than a family home because of the number of people who are living independently within the property which can adversely affect the amenity of neighbouring properties. In this case, the proposed 3 bedroom use is likely to be as intensively occupied as the previous C3 use and the number of bedrooms is proposed to be limited by planning condition. The position of the property, within the established residential area and its detached nature mean that any potential noise increases are likely to be less disruptive to existing neighbouring occupiers.

Having regard to the above, it is concluded that there is insufficient justification to refuse the application on the basis of the noise and disturbance that the existing HMOs in this area and the proposal is likely to have an acceptable impact on the character and appearance of the area. It is considered that the proposal therefore accords with Policies CS2 and CS4, saved Policy EV1 and the adopted SPD.

Bin Storage

In terms of amenity space for the storage of refuse/recycling containers, there is adequate provision for such storage within the rear garden which would be secure, unobtrusive and accessible to residents. In terms of storage of refuse/recycling storage and the potential for its negative impact, the proposal accords with HSPD12 and 13 and CS16 of the Core Strategy.

Visual Amenity

This application is for a change of use only and there are no proposed alterations to the external appearance of the property.

The perceived poorer maintenance and repair of the property potentially arising from the proposed change of use is raised by a neighbour. However, there is no evidence that this would occur. Given that the proposed Class C4 use would be similar in scale to the existing Class C3 use, it is considered that it would be difficult to demonstrate that this potential issue would be likely to have a damaging impact on the appearance of the area, such that it provides reasonable grounds for refusing the application.

Taking account of the above, the proposal is assessed to accord with Policy CS3 of the Core Strategy, saved Policy EV/1 of the adopted Local Plan and the adopted SPD on Housing.

Highways and Car Parking

The existing property currently has a driveway accessed off the public highway and hard-standing to accommodate at least 3 vehicles. The Highway Authority has not commented on the application as standing advice would usually relate to proposals of this nature. To refuse a planning application on highway safety grounds it must be demonstrated that there is severe residual cumulative impacts resulting from the proposal or that there would be increased highway dangers posed by the proposal.

In this case, highway standards expect 3 bedroom dwellings to be provided with a maximum of 2 off-street car parking spaces and these can be provided within the application site. It is therefore unlikely that the proposal would lead to indiscriminate parking within the street, to the detriment of highway safety.

Having regard to the above, it is considered that the proposal accords with the National Planning Policy Framework and saved Policy TR/18 of the adopted Local Plan and that severe highway impacts as described in Paragraph 109 of the NPPF would not be caused by the development.

The National Planning Policy requires that safe and suitable access to the site can be achieved for all users and 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. Given the characteristics of the local road network and the application site, together with the convenient location of the property to facilities and services, it is considered that the proposed on-site parking provision would not be contrary to the National Planning Policy or saved Policy TR/18 of the adopted Local Plan.

Conclusion

For the reasons given above, it is considered that the proposed change of use would not result in an overconcentration of HiMO's in the area that would result in a community imbalance. Furthermore the proposal would not result in harm to the residential character and amenity of the area or be detrimental to highway safety. It would therefore comply with Policies CS2, CS4 and CS16 of the Core Strategy, and Policies EV/1 of the Local Plan and the Housing SPD. It is acknowledged that in terms of on-site vehicle parking provision, it does not accord with saved Policy TR/18 however this does not outweigh the benefits of the scheme.

Whilst the Housing SPD does acknowledge that there may be situations where permitting a HiMO in an area where there is low proportion of HMOs may be judged to be so significant under the provisions of Policy CS4, it is not considered that the circumstances are such in this case.

Accordingly, having regard to the above considerations, it is recommended that planning is 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:
1:1250 scale site location plan
2192 Rev B - Revised proposed floor plan received 19th August 2020

REASON: To define the terms of the planning permission.

- 3 The use hereby permitted shall be limited to 3 bedrooms only as shown on the revised plan received by the local planning authority on 19th August 2020.

REASON: For the avoidance of doubt and to ensure adequate internal communal living space is provided.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS2, CS3, CS4, CS16 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies EV/1 and TR/18 of the Borough of Charnwood Local Plan have been taken into account in the determination of this application.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policy/ies and, otherwise, no harm would arise such as to warrant the refusal of planning permission.
- 3 The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process. 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.
- 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.

