

Item No. 2

Application Reference Number P/20/1803/2

Application Type: Full **Date Valid:** 26/11/2020
Applicant: Mr D Gunningham
Proposal: Change of use of outbuilding to a dwelling (Use Class C3) and erection of new double garage to rear accessed off Disraeli Street.
Location: Mansfield Lodge
102 Station Road
Quorn
LE12 8BS
Parish: Quorn **Ward:** Quorn & Mountsorrel Castle
Case Officer: Deborah Liggins **Tel No:** 07864 603401

This item is referred to Plans Committee at the request of Councillors Shepherd and Hunt who both have concerns about highway safety and the loss of trees.

Description of the Site

Mansfield Lodge, (referred to as 'The House' in the application), is a large 5 bedroom, 2 storey render and Swithland slate dwelling located on the eastern side of Station Street. It stands immediately adjacent to a 90 degree junction with Stoop Lane. The property comprises the main house and a two storey brick and tile barn, ('The Barn'), to its south, which is currently occupied as an ancillary annex with an attached double garage. The rearmost portion of the garden lies outside the Conservation Area with the remainder of the application site within it. Vehicular gates leading into the existing rear garden area can be found within the southern boundary wall fronting Disraeli Street.

The site is within the village limits to development and falls within Flood Zone 2, which is identified by the Environment Agency as having a medium probability of flooding.

Boundary	Adjacent land use
South	Disraeli Street and residential properties on Station Road and Nursery Lane
North	104 Station Road and the perpendicular rear gardens of Mansfield Street dwellings
East	Junction of Station Road with Stoop Lane, with the Apple Tree PH and residential properties beyond
West	Disraeli Street and Mansfield Avenue dwellings

Description of the Application

The application proposal has 2 main elements:-

- The change of use of the 2 storey barn to a separate dwelling – no internal or external alterations are proposed to facilitate this. This building currently has garage, kitchen, lounge and w.c. at ground floor level and a large bedroom leading to a smaller en-suite room at first floor level. New 1.8m high close boarded fences would be erected to separate the two garden areas and a new fence erected to the western boundary. Access to this building is taken from the existing driveway off Station Road and this is to remain unaltered.
- The erection of a double garage in the existing rear garden and accessed off Disraeli Street. This building would serve the main house and would be built off a brick base and finished in Cedar cladding with roof tiles to match the barn. It would also include a lean-to store to the western side. The overall footprint of the garage would be 7.41m x 6.4m with the store to the side adding an additional 4.16m x 1.8m. The height of the building to eaves would be 2.4m and 5.1m to its ridge. The garage would be set 11.26m into the site from the southern boundary and would have a porous gravel forecourt area providing parking for an additional 2 vehicles or turning space. All existing trees along the southern boundary with Disraeli Street would be retained but the erection of the garage, on land outside the Conservation Area would result in the loss of overgrown vegetation, a small tree and an area currently laid to lawn.

The application is accompanied by a Design and Access Statement which includes sections on Flood Risk, Highways and Landscaping. This describes both The House and The Barn as already having separate utilities and separate vehicular access points with one off Station Road and one to the rear off Disraeli Street.

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, the saved policies of the Borough of Charnwood Local Plan and the Quorn Neighbourhood Plan. The policies below would be the most relevant ones to the determination this planning application.

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

The following policies are relevant to this application:

Policy CS1 sets out the development strategy for the Borough and places emphasis on Loughborough and Shepshed for delivering much of the Borough's growth in the plan period. Quorn is identified as a Service Centre because of its good access to services and facilities, employment and educational establishments. Approximately 3,000 homes are expected to be provided within Service Centres within the plan period.

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 – seeks to manage the delivery of the Borough's housing need and ensure a good mix of house types, tenures and size of properties, having regard to identified housing needs and the character of the area.

Policy CS14 – Heritage – this requires development to conserve and enhance historic assets for their own value and the community, environmental and economic contribution they make. This will be achieved by requiring development to protect heritage assets and their setting; supporting development which prioritises the refurbishment and re-use of disused or under-used buildings of merit; supporting development that is informed by and reflects relevant Landscape and Conservation Area Character Appraisals and Village Design Statements; and development that incorporates Charnwood's distinctive local building materials and architectural details.

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.

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

The saved policies relevant to this proposal include:

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 H/17 – Extensions to Dwellings (including garages) – states that planning permission will be granted provided the development meets the following criteria:

- It remains compatible in scale, mass, design and use of materials with the original dwelling;
- It would not appear as an intrusive or incongruous feature in the street scene to the detriment of visual amenities.
- It would not prove detrimental to the amenities of occupiers of nearby properties by reason of overshadowing, dominance, or substantial loss of privacy or light;
- It would not involve the removal of areas of existing landscaping important to the character of the location.

Policy TR/18 – Parking Provision in New Development - indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual and local amenities. The policy promotes standards that would require 2 parking spaces for a dwelling with 3 or less bedrooms and 3 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.

Quorn Neighbourhood Plan

This document has now been 'made' and its policies form part of the Development Plan. Relevant policies include:

- Policy S1 states that development proposals within the Neighbourhood Plan area will be supported on sites wholly within the settlement boundary where the proposal fully complies with all of the policies in the Neighbourhood Plan.
- Policy S2 states that new development should reflect the guidance of the Quorn Village Design Statement and that new development will be supported where it respects the character or appearance of the neighbourhood area and, where appropriate, incorporates vernacular building materials.
- Policy H3 seeks a housing mix of 1, 2, or 3 bed dwellings and homes suitable for older people and those with restricted mobility. Dwellings with 4+ bedrooms should be a clear minority
- Policy H5 sets out how windfall developments should be considered and states that small residential development proposals within the Settlement Boundary will be supported where they are well-designed, and comply with the relevant requirements set out in other policies in the Development Plan. The policy sets out a number of criteria which form part of this consideration.
- Policy ENV4 states that developments which result in unacceptable adverse impact on trees, woodland and hedges of environmental significance will not be supported.
- Policy EVN5 – seeks to protect sites of historic environment significance and states development proposals that would have a detrimental impact on them will not be supported unless the need for and benefits arising from the development outweigh the loss.

Development Plan Policy Weighting

The policies contained within the Core Strategy and Local Plan are over 5 years old, therefore there is a need to take account of changing circumstances affecting the area, or any relevant changes in national policy. With the exception of policies for the allocation of housing, the relevant policies listed above are considered compliant with the NPPF and up to date meaning there is no reason to reduce the weight to be given to them.

Because the Core strategy is now five years old, the Authority must now use the standard method to calculate a housing requirement. In light of this, the Authority cannot currently demonstrate a 5 year supply of housing land (4.1 years), and as a result, any policies which directly relate to the supply of housing cannot be afforded full weight if they restrict the provision of this supply. In this instance the proposal for a new dwelling within limits to development for Quorn does not conflict with policy CS1 and there is no need to reduce

the weight of the policy in this assessment.

As Quorn Neighbourhood Plan is less than five years old there is no reason to reduce the weight given to the policies within it unless there are material considerations which suggest otherwise. Given the shortfall in housing land supply as there is no conflict with policy S1 of the Neighbourhood Plan, which impacts on housing land supply, there is no reason to reduce the weight given to this policy.

Other Material Considerations

This shortfall in the supply of deliverable housing sites means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d) of the National Planning Policy Framework, any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, for planning permission to be refused. The compliance with policy CS1 and the development strategy remains a benefit of the proposal to be recognised in this balancing exercise.

Paragraph 14 of the National Planning Policy Framework states that where there is an up to date neighbourhood plan that identifies a housing requirement and makes allocations to meet this requirement that any conflict with this plan is likely to cause significant and demonstrable harm which is determinant. In this instance there is no conflict with the housing supply policies set out within the Quorn Neighbourhood Plan and as a result no significant and demonstrable harm.

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 54 sets out that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 55 states that 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.

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

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

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

Paragraph 70 sets out that plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example, where development would cause harm to the local area.

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

Paragraph 80 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

Chapter 8 of the NPPF relates to the promotion of healthy and safe communities and sets out how planning policies and decisions should aim to achieve healthy, inclusive and safe places.

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

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

Paragraph 123(c) states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities. In order to ensure that developments make optimal use of the potential of each site local Planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Chapter 12 (Paras 124-131) of the NPPF concerns itself with achieving well-designed places and sets out that good design is a key aspect of sustainable development. The use of visual tools and design codes is encouraged as is the development of design policies alongside local communities and neighbourhood plans.

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

Paragraph 131 states that, in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

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.

Paragraphs 184-196 set out how heritage assets should be considered in the assessing of planning proposals, with the underlying aim of preserving or enhancing their significance, character and setting. Where harms are identified, these should be weighed against the public benefits of the scheme.

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

These standards deal with internal spaces within new dwellings and sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights. The standard sets out the minimum space requirements dependent on different combinations of single and double/twin bedrooms. These standards are not yet embodied within any Charnwood development plan policies and are regarded as guidance at present. However, the standards have some weight in the planning balance.

National Design Guide (2019)

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

As well as helping to inform development proposals and their assessment by local planning authorities, it supports paragraph 130 of the National Planning Policy Framework which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

National Planning Practice Guidance (PPG)

The National Planning Practice Guidance (PPG) reinforces and provides additional guidance on the policy requirements of the Framework and provides extensive guidance on design and other planning objectives that can be achieved through getting good design. These include the consideration of local character, landscaping setting, safe,

connected and efficient streets, crime prevention, security measures, access and inclusion, efficient use of natural resources and cohesive and vibrant neighbourhoods.

ID 26 - Paragraphs 001-003 states that good design matters and what this can achieve through good plan making. Paragraph 004 notes that weight can be given to outstanding or innovative design and developments of poor quality design should be refused. Paragraph 007 states that planning should promote local character. New development should be integrated within existing surroundings.

The role of health and wellbeing is also considered in the PPG. Active and healthy lifestyles should be encouraged that are made easy through the pattern of development; good urban design, good access to local services and facilities; green open space and safe places for active play and food growing and which are all accessible by walking, cycling and public transport can be important contributions to achieving this.

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.

Planning (Listed Building and Conservation Areas) Act 1990 (as amended)

This consolidates previous legislation relating to special controls in respect of buildings and areas of special architectural or historic merit and sets out what alterations can be carried out to listed buildings and within Conservation Areas without the formal consent of the local planning authority. The Act also sets out the procedure for local authorities to consider compiling a list of properties considered to be of special architectural or historic interest and how applications affecting such assets are to be advertised. The legislation gives Local Planning Authorities a statutory duty to give special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Quorn Village Design Statement (2008)

This document seeks to record the natural and built features of Quorn that are valued by its residents with the purpose of safeguarding and enhancing the village with appropriate and contextually sympathetic development. This document states that new development should respect the diverse origins of the village and avoid uniformity. Variety and innovative contemporary design is encouraged subject to harmonizing with the scale and character of the immediate locality and the village as a whole. The document seeks to ensure that future developments preserve the essential character of Quorn and to suggest opportunities for appropriate restoration or enhancement. The aim of the document is to safeguard the integrity and independence of the village so that succeeding generations will continue to enjoy, understand and defend its historic foundation.

The Quorn Conservation Area Character Appraisal – The purpose of this appraisal is to examine the historical development of the Conservation Area and to describe its present appearance in order to assess its special architectural and historic interest. The appraisal will then be used to inform the consideration of management and development proposals within the Area. The document does not make specific reference to the application site but highlights the historic development of the village and the importance of Wrights Mill next door. Predominant materials used in the Conservation Area are red brick and slate with numerous feature details including segmented arches.

The Charnwood Strategic Flood Risk Assessment (2014)

This was the update report following the publishing of the original document in 2008. The 2014 update reports on the work that was included in the original SFRA and states that since that document there have been a number of changes to the planning system, including the Localism Act (2011) and the 2012 NPPF with the accompanying Planning Practice Guidance (March 2014). In addition, the provisions of the Flood and Water Management Act (2010) have been substantially commenced under a programme that was initiated by Defra in April 2010 and the Flood Risk Regulations came into force in December 2009 (these regulations transposed the EU „Floods Directive“ into UK law).

The purpose of this SFRA update is to

- provide information on the changes to planning, policy and guidance since the previous SFRA;
- provide a detailed assessment of the flood hazard within the Flood Zones;
- provide information on existing defences and flood risk management measures;
- allow a sequential approach to site allocation to be undertaken within a flood zone; and
- allow development of the policies and practices required to ensure that development in Flood Zones 2 and 3 satisfies the requirements of the Exception Test.

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 (July 2018)

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

Supplementary Planning Document - Charnwood Design (January 2020)

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

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.

Relevant Planning History

Reference	Description	Decision & Date
P/80/3574/2	(rear of 102 Station Road) Site for the erection of one detached bungalow	Granted conditionally 02/02/1981
P/87/1851/2	Conversion and extension of stable and existing dwelling to form a new residential unit	Granted conditionally 15/10/1987
P/98/1236/2	Extension to rear of detached house for swimming pool and conservatory and alterations to barn to form garages and leisure room	Granted conditionally 18/11/1998
P/01/2330/2	Retention of wall (2m high) to part of rear and Disraeli Street boundaries and gates (max 2.2m high) to Disraeli Street (retrospective application)	Granted conditionally 06/11/2001
P/03/0761/2	Extension of garage/barn for triple garage	Granted conditionally 17/12/2003
P/05/3688/2	Erection of single storey extension to side of dwelling and creation of basement storage room	Granted conditionally 18/01/2006
P/14/2519/2	Erection of one dwelling	Refused 11/04/2016 Dismissed on appeal 27/02/2017
+	Various applications relating to tree works within the Conservation Area	

Responses of Statutory Consultees

The Environment Agency –states site lies within Flood Zone 2 where the local planning authority can apply its standing advice. There are no other environmental constraints associated with the site which warrant comment.

Quorn Parish Council – is concerned about traffic congestion and the increased likelihood of accidents due to additional vehicle movements. The Parish Council is also concerned about the loss of the trees and the uncertainty about the ownership of Disraeli Street. If the Borough Council is minded to grant planning permission, the Parish Council requests

that regard be had to the use of materials which are compatible with the Conservation Area and that highway matters are considered.

Other Comments Received

Councillor Shepherd raises concerns about highway and safety issues and the loss of trees.

Councillor Hunt supports the comments of Councillor Shepherd.

Comments have been received from the following neighbours and concerns are summarised below. Full copies of representations are available to view on the Council's website.

Disraeli Street – 12, 15
Nursery Lane – 1, 3, 5, 7, 9
Mansfield Street – 12, 14
Station Road - 92

Concerns include:-

- The application incorrectly identifies Disraeli Street as being within the ownership of the applicant
- Disraeli Street is already congested and lacking adequate parking and the proposal will add to the congestion both during construction and after
- Construction traffic may damage and degrade the surface of Disraeli Street
- Disraeli Street is not wide enough for a fire engine to access
- The junction with Station Road lacks visibility
- Use of the existing gates off Disraeli Street causes congestion
- Vehicles may have to reverse out of the gates onto Disraeli Street causing dangers to pedestrians
- The garage would reduce light to the garden of No. 14 Mansfield Street
- The site is within a flood zone and the garage would add to flooding concerns
- The garage may be converted to a dwelling in the future
- Trees will be lost from the Conservation Area

Consideration of the Planning Issues

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

- Principle of the Development
- Housing Mix
- Design and Impact on Street Scene & Conservation Area
- Highway Considerations
- Flooding
- Amenity Impacts
- Other matters

Principle of the Development

Policy CS1 of the Core Strategy sets out a settlement hierarchy for the Borough and the criteria for the considering proposals within individual tiers of settlements. This policy defines Quorn as one of a number of Service Centres which provide a range of key services. The policy seeks to provide a minimum of 3,000 new homes within and adjoining service centres between 2011 and 2028. The policy sets out that the Council will respond positively to opportunities for sustainable development and which also make effective use of land. As the development concerns a new residential unit within a service centre it meets with the provisions of this policy.

Policy CS3 of the Core Strategy provides for the delivery of at least 13,940 new homes over the plan period including a proportion of affordable homes for proposed sites of 10 or more dwellings. The policy also seeks an appropriate mix of house types, tenure and size of homes, having regard to the identified housing needs and the character of the area.

Policy S1 of the neighbourhood plan states that development proposals within the Neighbourhood Plan area will be supported on sites wholly within the identified settlement boundary where the proposal fully complies with all other the policies in the Neighbourhood Plan. Policy H5 relates to windfall sites and sets out that small residential development proposals within the settlement boundary will be supported where they meet all the relevant criteria including in particular that a scheme is well-designed, retains natural boundaries and does not reduce garden land to the extent local character or neighbouring residential amenity is adversely affected. The proposed development for one separately occupied dwelling, with no alterations to the building being proposed, would retain the existing pattern of development within the street. No protected natural boundaries are lost as a result of the proposal and it is considered sufficient garden space and amenity is provided. Accordingly it is considered the relevant criteria are met.

The proposed development complies with the locational policies within both these plans and as a result is acceptable in principle. This acceptability in principle weighs in favour of the application within the planning balance.

Housing Mix

Policy H3 of the Neighbourhood Plan sets out that any new housing development proposals should provide a mixture of housing types specifically to meet identified housing needs in Quorn. The policy supports the provision of 1, 2 and 3 bedroom homes suitable for older people and those with restricted mobility. Dwellings with 4 or more bedrooms should be in a clear minority to the number of 1, 2, and 3 bedroom houses. Policy CS3 seeks a mix of housing that reflects local need and the character of the area. The proposal comprises a new 2 bedroom unit that is within a category supported by H3 and that reflects the Borough wide need for smaller units.

The proposal is for a single 2 bedroom dwelling and accordingly, it is considered the design and layout of the proposed dwelling and the scale of development is in general conformity with the Neighbourhood Plan and Policy CS3

Design and Impact on Street Scene & Conservation Area

Although only partly within the Conservation Area, the views in and out of the Conservation Area warrant assessment. The Quorn Conservation Character Appraisal advises that new development should respect the diverse origins of the village and avoid

uniformity. Variety and innovative contemporary design is encouraged, subject to harmonising with the scale and character of the immediate locality of the village.

The Appraisal is used to inform and guide any development decisions and it advises applicants to clearly illustrate how proposals will appear in relation to their immediate surroundings, whether neighbouring buildings or open land, and to demonstrate their successful integration.

No listed buildings are affected by the proposal but No. 102 Station Road is located within the boundary of Quorn Conservation Area, although the part of the site for the siting of the new garage lies outside of this boundary. The new garage is to be constructed with cedar clad brick walls and a tiled pitched roof to match that of 'The Barn'. Vehicular access to the garage is via the existing access and the existing brick boundary wall fronting Disraeli Street (which is an important feature within the Conservation Area) is to be retained in its entirety.

With regard to the appearance of Disraeli Street itself, this is an unmade road and makes no recognised positive contribution to the appearance of the Conservation Area. The access gates serving the garage already exist and the impact of the proposed garage on the street scene would be negligible. It is however recommended that, in the event planning permission is granted, a condition be imposed requiring the submission of details and a specification of the proposed materials, particularly the cedar cladding.

The proposal involves no physical alterations to the appearance of The Barn and in this regard, the impact of its conversion to a dwelling, both in the street scene and to the Conservation Area would not cause harm to significance. Having regard to the recessed siting of the garage and its use of materials and its design, the proposed garage is considered to be acceptable and would not harm the significance or setting of the Conservation Area. As such, the public benefits of the proposal do not fall to be weighed in accordance with Paragraph 196 of the National Planning Policy Framework. It is also concluded that the proposal would meet the requirements of Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 in ensuring the character or appearance of the Conservation Area is preserved or enhanced.

In summary, it is considered that the development would not be visually incongruous or prominent in the street scenes of Station Road or Disraeli Street and would not harm the significance of the Conservation Area or its setting in accordance with Policies CS2, CS14 and EV/1 and the SPD on Design, The proposal would also meet the requirements of preserving or enhancing the Conservation Area as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

Highway Considerations

Disraeli Street is an unmade road which lacks adequate width, surfacing and visibility splays at its junction with Station Road. However, there is an existing gated alternative access to No. 102 Station Road off Disraeli Street and no alterations are proposed to this gateway. Whilst it may be the case that this alternative access has not been intensively used in the past, it remains an access that the applicant can use. Nevertheless, the proposal would clearly lead to intensification in the use of this access when compared to its historical use. Given that this access could be used at present several times a day of required by the applicant, the use in association with the erection of the garage, is not to

be considered as a 'new' vehicular access. Although respondents to the application refer to increased pedestrian dangers and congestion, it is considered that the geometry and current use of Disraeli Street for on-street parking are such that vehicle speeds are low with highway users already having to use due care and attention. The traffic impact and highway safety considerations surrounding the suitability of the junction are therefore neutral in the planning balance.

The local highway authority refers the local planning authority to standing advice in relation to the access geometry and the quantum of parking to serve dwellings. Both of the existing vehicular accesses are substandard in terms of pedestrian visibility as both have high flanking brick boundary walls erected on the highway boundary. It is recognised that this does not meet standing advice but given the relatively small increase in use it is not considered that the access would have an unacceptable impact on highway safety or severe harm on the highway network.

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.

Given the above, it is considered that the proposal accords with Core Strategy Policy CS2 and saved Policy TR/18 in that any highway impact would not be so severe as to justify a refusal.

Flooding

The application site falls wholly within Flood Zone 2 which is an area at medium risk of flooding according to Environment Agency mapping. The Barn is an existing structure with no ground floor sleeping accommodation. The proposed garage would be considered 'minor' development and not introduce a more vulnerable use to the flooding area.

In respect of the proposed creation of a separately occupied dwelling, this has the potential to increase activity within an area at risk from flooding, albeit in a very minor way. As a result it is important to sequentially evaluate the proposal. Officers have considered the nature of the proposal, particularly given the existing use of the site and the small scale of the development and are satisfied that a sequential risk based assessment has been satisfied. The Environment Agency data stipulates a maximum flood level of 41.53AOD for the critical 1:100 year flood even + climate change. The proposed finished floor level of the garage would be 41.91AOD which is 0.38m above the identified flooding level. The Environment Agency does not object to the proposal and it is concluded that both elements of the proposal are therefore in accordance with the flood risk considerations set out in Policy CS16 and the relevant provisions of the National Planning Policy Framework.

Amenity Impacts

The Barn is already understood to be used as an annexe providing residential accommodation ancillary to No. 102 Station Road. Its separation from the host property

by way of fencing, (with no other physical alteration to the building) and its occupation by persons unrelated to the occupiers of No. 102 would not be out of character with this primarily residential area. Its continued residential occupation and a more intensive use of the access onto Disraeli Street would therefore be unlikely to cause significant additional noise, or loss of privacy, light or outlook to existing surrounding residents. There are also no amenity implications with regard to the continued use of the existing access onto Station Road.

The proposed garage is sufficiently distant from Disraeli Street, Nursery Lane, Station Street and Mansfield Street to avoid detrimental impact in terms of losses of light, privacy, outlook to existing occupiers and it would not be uncharacteristic to the area, sitting adjacent to an existing double garage between the site and No. 15 Disraeli Street.

It is therefore concluded that the proposal would accord with Policies CS2 and EV/1 and the adopted supplementary planning document on Design and also Policy S2 of the Neighbourhood Plan

Other Matters

It is understood that there is a legal dispute concerning ownership of the private drive (Disraeli Street), which could legally prevent access. However, the applicant is satisfied that he owns the drive and, in any case, this is a private legal matter and does not affect the planning considerations of the proposal on Policy grounds and on its own planning merits.

Conclusion

The proposal provides a new home within the limits to development which conforms to Policy CS1 in terms of the growth pattern planned for the Borough. It performs an economic role in terms of modestly contributing towards the Council's 5 year land supply, providing a separate dwelling to the occupancy of Mansfield Lodge and which also complies with the relevant policies of Quorn Neighbourhood Plan. Socially it links well to the village and is in a sustainable location. The proposed garage is of an acceptable design and siting and would not harm the amenities of neighbouring occupiers, the appearance of the street scene and the development is acceptable in highway safety terms. It is concluded that the proposal would not harm the significance of the Conservation Area or its setting as a heritage asset.

In conclusion, therefore, the proposal would not lead to significant or demonstrable harms is considered to accord with Policies CS1, CS2, CS14, CS15 and CS16 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies ST/2, EV/1, and TR/18 of the Borough of Charnwood Local Plan 2004, and Policies S1, S2, H3, H5, ENV4 and ENV5 of the Quorn Neighbourhood Plan.

It is recommended, therefore, that planning permission be granted, subject to the following conditions.

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:
20.551.02 A - Proposed garage elevations and floor plan, proposed site layout
20.551.01 - Topographical survey and existing site location and block plans
4522ia - barn floor plans and elevations as existing.

REASON: To define the terms of the planning permission.

- 3 No materials shall be placed on the site until such time as details of the type, texture and colour of the materials to be used on the external surfaces of the proposed development have been submitted for the agreement of the local planning authority including a technical specification and construction detailing for the proposed cedar cladding. Only materials agreed in writing by the local planning authority shall be used in carrying out the development.

REASON: To make sure that the appearance of the completed development is satisfactory.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS3, CS14 and CS16 of the Charnwood Local Plan (2011-2028) Core Strategy and EV/1, H/17 and TR/18 of the Borough of Charnwood Local Plan and Policies S1, S2, H3, H5, ENV4 and ENV5 of the Quorn Neighbourhood Plan have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Design Supplementary Planning Document, and, therefore, no harm would arise such as to warrant the refusal of planning permission.
- 3 In addition, as the proposed development is located within a conservation area, the Council has considered whether it would enhance or preserve its character and appearance. Planning permission has been granted on the basis of the Council's opinion that the development would, at least, preserve that character.
- 4 The decision has been reached taking into account paragraph 38 of

the National Planning Policy Framework and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

5. This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

