

### Item No. 3

**Application Reference Number** P/20/2306/2

**Application Type:** Householder                      **Date Valid:** 10/12/2020  
**Applicant:** Mr Robert Mitchell  
**Proposal:** Two storey extensions to rear and side of detached house, widening of vehicular accesses and formation of patio to rear and hardsurfaced area to frontage.  
**Location:** 6 Elms Drive  
Quorn  
Leicestershire  
LE12 8AF  
**Parish:** Quorn                                              **Ward:** Quorn & Mountsorrel Castle  
**Case Officer:** Deborah Liggins                      **Tel No:** 07864 603401

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This item is referred to Plans Committee in accordance with the Council's scheme of delegation embedded within section 8.2 of the Constitution.

#### **Description of the Site**

The application site is a two storey, 3 bedroom detached house standing in a generous plot and located on the south-western side of the street and within an established residential area. . Dwellings in the street vary in type, style and in the materials used. They are individually designed and with varying depth of frontages, giving a varied architectural character to the street. The application property is constructed of brick with a Flemish bond and has a clay tiled roof. It features a forward projecting two storey gable with boarding in its gable. On the southern side of the house and recessed 5.5m from the front elevation is an attached flat roofed single garage and a covered way. To the northern side is a less substantial flat roofed carport. The property has a hard-surfaced frontage and twin driveway accesses (each being 2.3m wide) and is bounded to the street with a low brick wall with 1m high piers. A young Holly tree and various shrubs are planted behind this wall and are proposed to be retained. To the rear the property has a garden depth of 33m defined by a 1.8m close board fence which adjoins the perpendicular garden boundaries of dwellings on Craddock Street.

<b>Boundary</b>	<b>Adjacent land use</b>
South	4a Elms Drive a gabled bungalow with a flat roofed extension on its northern side to the boundary and with a blank facing elevation and roof plane
North	8 Elms Drive – an 'L' shaped bungalow which turns the corner of the street and which has both an attached flat roofed garage and integral garage on its southern side closest to the application site.
East	Residential properties on Elms Drive opposite the site
West	The long garden of No. 24 Craddock Drive and gardens of Craddock Drive dwellings beyond.

## **Description of the Application**

The application proposal has 4 main elements:-

- A two storey rear extension spanning between 2.5m and 5.53m deep. This extension is proposed to be constructed in contrasting materials which would be a mix of white render and fibre cement weatherboard 'Cedral' cladding in a dark colour.
- A 1.5 storey extension on the southern side of the property which incorporates the existing garage and workshop to its rear and extends its footprint forward by 1.3m with en-suite facilities built into the roof space above. This extension would be constructed of brick and tiles to match the existing dwelling.
- Alterations to the site frontage including new block paving and widening of the vehicular accesses each to 3.5m with the remainder of the boundary wall being retained.
- External alterations to the rear to form a raised patio area spanning the width of the plot.

The proposal would result in an enlarged kitchen/dining area at ground floor level with improved access to natural light and 4 larger bedrooms at first floor level. The extensions would not increase the height of the dwelling but would necessitate the provision of a rectangular flat roofed area to the main roof, which would be undiscernible from the street.

Revised plans received on 27<sup>th</sup> January 2021 show a proposed first floor bedroom window in the northern side of the new extension to be removed and also correct a dimension on the ground floor rear extension.

## **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 this planning application.

### 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.

### 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 minimise 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.

### **Other Material considerations**

#### 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 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 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.

#### 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.

#### 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.

#### 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.

#### 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.

### **Comments Received**

The occupier of No. 8 Elms Drive has concerns about the proposed first floor window, (now removed from the plans), in the side elevation of the 2 storey extension which would have the potential to overlook the lounge window and garden to that property resulting in a loss of privacy.

### **Consideration of the Planning Issues**

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

- Design and Impact on Street Scene
- Design and impact on residential amenities
- Car parking

#### Design and Impact on Street Scene

The frontage of the property would retain its current appearance for the most part as the 2 storey extension is located to the rear of the dwelling and would not contribute to the Elms Drive street scene. The proposed 1.5 storey extension to the southern side of the dwelling is set back from the front elevation and highway boundary and is subordinate in appearance with a hipped roof sloping away from No. 4a and in accordance with adopted

design guidance. Combined with the use of matching materials to the front elevation, this would ensure the extensions are not incongruous in the street scene. The alterations to the property frontage and the renewal of hard-surfaced areas would enhance its appearance within the street scene and the slight widening of the access points would not be detrimental to the overall character of the area but would allow easier access and egress.

The design, scale and appearance of the proposed extensions and the use of materials (to be agreed by condition) would complement the existing dwelling and would be in-keeping with the varied residential character of the area. The design is therefore considered to be acceptable.

In summary, it is considered that the proposal would not be visually harmful or incongruous in the street scene and would accord with Policies CS2, EV/1 and the adopted Supplementary Planning Document 'Design'.

#### Impact on residential amenities.

The existing dwelling has 2 first floor small bedroom windows in its northern elevation astride the chimney breast and these already offer the potential to overlook to a small degree, the roof and garden of the neighbouring property at No. 8 Elms Drive. The revised plan received on 27<sup>th</sup> January 2021 removes the potential for additional overlooking to the neighbouring property and overcomes the concerns of the objector.

The southern extension involves a hipped roof which slopes away from the blank flanking elevation of No. 4a and there are no additional overlooking windows proposed which would affect the amenities of the occupiers of this dwelling.

The proposal accords with the 45 degree 'angle of light' rule and because of the position of the dwelling in relation to those either side, the proposal would not cause significant losses of daylight or sunlight to neighbouring properties.

The revised proposal is therefore considered to be acceptable in terms of preserving the amenities and particularly the light, privacy and outlook of neighbouring occupiers in accordance with Policies CS2 and EV/1 and the adopted Supplementary Planning Document on Design.

#### Car parking & highway safety

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.

The development is of a scale and nature whereby the standing advice of the local highway authority would apply. This relates to the quantum of parking provision within new developments and access geometry. The existing parking provision would be retained and the indicated 3 frontage car parking spaces are considered sufficient to meet the needs of the enlarged dwelling and would accord with the current standards of the local highway authority. The proposed widening of the points of access would improve ease of use.

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 National Planning Policy Framework would not be caused by the development.

## **Conclusion**

The proposal is considered to accord with relevant development plan policies and national planning guidance. It is not considered that the proposal would result in material harm to residential amenity or highway safety and there are no other matters raised which provide justifiable grounds for refusing this application. 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:  
WAA099 - 01 - Site location plan  
WAA099 - 02 Rev A - Proposed site plan  
WAA099 - 10 Rev E - Proposed floor plans - revised plan received 27th January 2021  
WAA099 - 12 Rec A - Proposed elevations 1 of 2  
WAA099 - 13 Rev E - Proposed elevations 2 of 2 - revised plan received 27th January 2021  
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 including the cladding have been submitted for the agreement of the local planning authority. 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 DECISION**  
- Policy CS2 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies EV/1, H/17 and TR/18 of the Borough of Charnwood Local Plan have been considered in reaching a decision on 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 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.

