

Item No. 3

Application Reference Number P/21/0228/2

Application Type: Full **Date Valid:** 25/02/2021
Applicant: Mr & Mrs Hobbs
Proposal: Proposed extensions and alterations to existing dwelling to create first floor accommodation and single storey extension to rear. Erection of new detached 2.5 storey dwelling, Erection of double garage to front and proposed alterations to the access. (Revised scheme to P/20/0587/2).
Location: 23 Buddon Lane
Quorn
Leicestershire
LE12 8AA
Parish: Quorn **Ward:** Quorn & Mountsorrel Castle
Case Officer: Deborah Liggins **Tel No:** 07864 603401

This item has been referred to Plans Committee by the Head of Planning and Regeneration as in their opinion, as the previous application was refused by plans committee, this application is potentially controversial or likely to be of significant public interest.

Description of the Site

The application site relates to the residential property of No. 23 Buddon Lane, situated to the north-western side of Buddon Lane, located within the Development Limits to the village of Quorn, Leicestershire. It is not within the Conservation Area. The lane has a verdant, semi-rural character assisted largely by a belt of trees on the opposite (south-eastern) side and running the length of Buddon Lane which are part of a Leicestershire County Council group Tree Preservation Order. The street is characterised by large individually designed dwellings on spacious plots and the narrowness of the lane and the lack of footways, provides an intimate, attractive and varied street scene. Buddon Lane also forms the route of Public Bridleway K9 which runs from the junction with Chaveney Road, goes underneath the railway line and continues to Woodhouse.

The site is occupied by an existing detached 1.5-storey bungalow which occupies a position to the right hand side of the application site. To the front lies a garden including an area of hardstanding, which is served by existing vehicular accesses off Buddon Lane, whilst to the rear lies the property's private amenity space.

The application site is adjoined by residential properties, including No. 21 Buddon Lane, Wyvernho, No. 22 Wyvernho Drive and No.'s 42-50 (even) Toller Road to the north-eastern, north-western and south-western boundaries of the application site respectively.

Boundary	Adjacent land use
South east	Buddon Lane and the 45m deep frontage of No. 22

South west	Gardens of 2 storey Toller Road properties
North east	No. 21 Buddon Lane – a bungalow
North west	22 Wyvernhoe Drive

The current application follows the refusal of planning permission, contrary to officer's recommendation for the development of the site for 2 No. five bedroom dwellings under application P/20/0587/2 and which is subject to a current appeal. Permission was refused for the following reason:

“Buddon Lane has a distinctive character which derives from its semi-rural nature, extensive greenery and the relatively low proportion of built form within the good sized residential plots. The proposed development is considered to be out of context and character as it would introduce two substantial 2.5 storey dwellings which would span almost the entire width of the plot and be substantially higher than the neighbouring bungalow. The combination of this scale and massing in relation to both the size of the plot and neighbouring dwellings would not respect or enhance the character of Buddon Lane in terms of design, scale, massing, height and layout and would give rise to visual harm contrary to policies EV/1, CS2 and S2 of the Development Plan along with the Council's Adopted Supplementary Planning Document on Design, the National Design Guide, Quorn Village Design statement and the National Planning Policy Framework. Additionally as the proposal would provide two 5 bedroom properties which are not considered to be in keeping with the character of the area and as a result would conflict with Development Plan policies CS3 and H5 which seek to secure an appropriate mix of housing for new development.

Whilst the appeal remains pending, this report will consider how this revised scheme varies from the previous proposal and if the proposed amendments are sufficient to overcome the previous concerns raised in the refusal reason.

Description of the Application

The application proposal has 2 main elements:-

- The demolition of the existing detached double garage to the south-western corner of the site and the erection of a 2.5 storey detached dwelling which is referred to as Plot 1 on the submitted plans. This would provide a 5 bedroom dwelling on the western side of the site of a similar design and equivalent footprint and height to that previously considered under P/20/0587/2. The footprint would be 180 sq.m and would include a single storey flat roofed 'extension' to the rear. The height to the ridge would be 8.33m and 5.47m to the first floor eaves and the dwelling would have a hipped roof with a central flat roofed area – often termed a 'crown roof'. The roof would feature dormer windows to the front and rear planes and roof lights to the sides. The dwelling would include a 3.3m high flat roofed portico style porch to the front elevation and the dwelling would have a symmetrical principal elevation. The dwelling would be positioned 1.5m back from the front elevation of No. 23 Buddon Lane.

The proposal would also include the erection of a detached double garage in a forward location and perpendicular to the street. This would be 6.6m x 6.6m and would have also have a crown roof and would be 3.8m high and 2.5m to eaves and

finished in materials to match the house. This would be partially screened from the street with an area of new hedgerow planting.

The driveway to Plot 1 would be increased to 4.8m with a tarmacadam vehicle crossing, with the forecourt and additional 2 parking spaces being surfaced in gravel.

Differences between the earlier scheme include:-

- Change in materials from brickwork to a white through colour render finish and slate roof (materials to be agreed).
 - Loss of integral garage and erection of new detached double garage.
 - Repositioning of the dwelling further from the south-western (Toller Road boundary). Distance to boundary now 1.6m at its closest point and 2.2m at its furthest from this boundary.
 - 2m retained between the new and existing dwelling
 - Repositioning the dwelling 2.5m further into the site from Buddon Lane
 - Inclusion of an electric 1.8m high sliding gate with brick piers and positioned 4.6m from the Buddon Lane carriageway and approximately 2.5m within the application site boundary.
 - Areas of new hedgerow planting with no loss of existing trees.
- The retention of the existing dwelling (No. 23 Buddon Lane) and its alteration and extension. This is a 1.5 storey dwelling referred to as Plot 2 on the submitted plans. The proposal involves the external and internal remodelling of the dwelling to also include areas of demolition and new extensions as follows:
 - Demolition of snug, study, pantry and store to the south-west side of the dwelling and the existing porch entrance to the north-east side.
 - New fenestration to all elevations
 - Raising of eaves (by 1.4m) to 3.97m and the ridge (by 0.08m) to 7.3m to facilitate a reconfiguration of first floor accommodation including 3 bedrooms and a new south-west (side) facing dormer window.
 - Re-covering of the roof with slate.
 - A new porch entrance to the side
 - A new bay window to the front elevation
 - The external materials for the dwelling would match those of the new proposed house i.e. a rendered/painted finish (to be agreed)
 - 3m deep single storey extension across the resultant rear elevation. This would have a flat roof 2.88m high and include 3 roof lights.

The proposal also includes a widening of the access drive to this property (which would not require planning permission in its own right) and the treatment of the frontage area including 3 indicated car parking spaces with a gravelled surface to match that of Plot 1. The property frontages would then be divided by a new internal hedgerow.

The application is accompanied by a Design and Access Statement which sets out the proposal in relation to its context and considers the relevant planning policies. This document also explains that the remodeling of No. 23 is to create a dwelling similar in appearance to No. 7a Buddon Lane and that the design of the new house reflects detailing in a similar property at No. 11 Buddon Lane.

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 – Development Strategy - 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 CS13 – Biodiversity and Geodiversity - seeks to conserve and enhance the natural environment and seeks to ensure development protects, enhances or restores biodiversity.

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)

Where they have not been superseded by Core Strategy policies, previous Local Plan policies remain part of the development plan. In relation to this proposal the relevant policies are:

Policy ST/2 – Limits to Development seeks to restrict development to within the existing settlement limits to ensure that development needs can be met without harm to the countryside or other rural interests. The Limits to development distinguish between areas of development and development potential, and areas of restraint.

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 specific criteria relating to the scale, mass, design and use of materials with the original dwelling etc.

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.

Leicestershire Minerals and Waste Local Plan (Up to 2031)

This plan was adopted in 2019 and forms part of the Development Framework for Charnwood. The document includes the County Council's spatial vision, spatial strategy, strategic objectives, and core policies which set out the key principles to guide the future winning and working of minerals and the form of waste management development in the County of Leicestershire over the period to the end of 2031. The Development Management Policies set out the criteria against which planning applications for minerals and waste development will be considered and a monitoring framework is included to examine the efficacy and effects of those policies.

In terms of Charnwood, Policy M11 seeks to safeguard mineral resources including sand, gravel, limestone, igneous rock, surface coal, fireclay, brick clay and gypsum. The policy sets out that planning permission will be granted for development that is incompatible with safeguarding minerals within a Mineral Safeguarding Area provided certain criteria are met.

Planning applications for non-mineral development within a Mineral Safeguarding Area should be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to it.

Quorn Neighbourhood Plan 2018-2036

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

- Policy S1 Settlement Boundary - 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 Design Guidance - states that new development should reflect the guidance of the Quorn Village Design Statement (Appendix E) 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 Housing Mix – states that any new housing development should provide a mixture of house types specifically to meet identified local needs in Quorn. Support will be given to dwellings of 1, 2, or 3 bedrooms and to homes suitable for older people and those with restricted mobility. Dwellings with 4+ bedrooms may be included in the mix of dwellings and where they are included they should be a clear minority to the number of smaller homes.
- Policy H5 Windfall Development - 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 and where such development a) Comprises a restricted gap in the continuity of existing frontage buildings or on other sites within the built-up area of Quorn or where the site is closely surrounded by existing buildings; b) Retains existing important natural boundaries such as trees, hedges and streams; c) Does not reduce garden space to an extent where it adversely impacts on the character of the area, or the amenity of neighbours and the occupiers of the dwelling; d) It provides for a safe vehicular and pedestrian access to the site; and e) Does not result in an unacceptable loss of amenity for neighbouring occupiers by reason of loss of privacy, loss of daylight, visual intrusion or noise.
- Policy ENV4: Trees, Woodland and Hedges - states that developments which result in unacceptable adverse impact on trees, woodland and hedges of environmental (biodiversity, historical, arboricultural) significance or of landscape or amenity value will not be supported.
- Policy ENV6: Biodiversity. Development proposals should not damage or adversely affect sites designated for their nature conservation importance (SSSI, RIGS, LWS), or Priority Habitats, Species of Principal Importance (species of conservation concern) or their key habitats, or other statutorily protected species.
- Policy TT1: Traffic Management: Development proposals that would result in an increase in vehicular traffic on the rural highway network should: a) Be designed to

minimise additional traffic generation and movement; b) Incorporate sufficient off-road parking; c) Provide any necessary improvements to site access and the highway network either directly or by financial contributions. d) Provide any necessary improvements to site access and the highway network either directly or by financial contributions.

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 in this regard.

As 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 are no longer considered up to date and cannot be afforded full weight if they restrict the provision of this supply.

As Quorn Neighbourhood Plan is less than five years old there is no reason to reduce the weight given to the policies within it in this regard. 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 S1 of the development strategy remains a benefit of the proposal to be recognised in this balancing exercise.

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.

Paragraph 14 of the National Planning Policy Framework sets out that in situations where the presumption (at Paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits provided all of the following apply:

- a) The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
- b) The neighbourhood plan contains policies and allocations to meet its identified housing requirement
- c) The local planning authority has at least a three year supply of deliverable housing sites (against its 5 year housing supply requirement, including the appropriate buffer)
- d) The local planning authority's housing delivery was at least 45% of that required over the previous 3 years.

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.

Chapter 8 (Paragraphs 91-101) 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 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.

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.

Conservation of Habitat and Species Regulations 2010 (as amended)

These Regulations contain certain prohibitions against activities affecting European Protected Species, such as bats. The Council as local planning authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.

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.

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.

Housing and Economic Development Needs Assessment (HEDNA) - The Housing and Economic Development Needs Assessment (HEDNA) has looked at a wealth of evidence, including population, household and economic growth projections, to assess the need for housing and employment land over the next 20 years. The study is an important part of the evidence base for the Strategic Growth Plan. It will also form part of the evidence base for Local Plans and will feed into the Strategic Economic Plan being revised by the LLEP.

The HEDNA looks at projections based on past population and demographic trends, with adjustments made (where necessary) for higher migration to support economic growth, and/or to address affordability issues, responding to an analysis of market signals and evidence of the need for affordable housing. The HEDNA also identifies the appropriate mix of homes of different sizes needed in the market and affordable sectors.

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/20/0587/2	Erection of two detached dwellings following demolition of existing dwelling	Refused 04/11/2020

Responses of Statutory Consultees

Minerals Authority

The site lies within a Mineral Safeguarding Area for sand and gravel. Policy M11 of the Leicestershire County Council Minerals and Waste Local Plan is relevant and aims to prevent minerals being sterilised by non-mineral development. Whilst the proposed development may sterilise mineral, the nature, scale and location of the proposal does not raise a significant safeguarding concern. A minerals assessment is therefore not required in this instance and the Mineral Planning Authority does not object.

Quorn Parish Council

Observes that the road is narrow and has concerns about increased traffic.

Local Highway Authority

It advises that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other development, the impacts on the road network would not be severe and would not conflict with Paragraph 109 of the NPPF. It does however, recommend the imposition of planning conditions relating to pedestrian visibility splays, the provision of parking and turning facilities and the completion of the access alterations.

Local Lead Flood Authority

Leicestershire County Council as LLFA advises the LPA that the proposed development is within Flood Zone 1 and consequently at low risk of fluvial flooding and at a very low risk of surface water flooding. The development is considered a minor application and therefore the LLFA is not a statutory consultee for this development and it refers the planning authority and the applicant to standing advice.

Other Comments Received

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.

Buddon Lane – 7, 22a
Paddock Close - 9
Toller Road – 42, 46, 48, 50
Wyvernhoe Drive - 22

Concerns include:-

- The revised scheme does not overcome the previous reasons for refusal
- The dwelling for Plot 1 would have a dominant effect on the lane and Toller Road properties and cause loss of privacy and visual harm to those dwellings
- The proposed alterations and extensions to the existing house would be overbearing
- The proposed new dwelling is in the wrong place for this type of development
- Buddon Lane is narrow, used by walkers, cyclists and horse riders and is unsuitable to cater for additional traffic.
- The proposal would be out of character with Buddon Lane, being closer to the road than other dwellings and would not conform to the pattern of development.
- The proposal would be overdevelopment of the plot
- The development would set a precedent for further future in-fill development
- The resultant 2 dwellings would span the width of the plot and the new dwelling would be significantly higher than surrounding buildings.

Three letters of support have also been received from residents of Warwick Avenue and Thomas Firr Close and a resident of Barrow-upon-Soar who believe that the proposal would enhance this part of Buddon Lane, effectively replacing an ugly, dated and environmentally unfriendly property with 2 attractively designed and modern homes. The existing property would remain as a 3 bedroom house and the new home is for the applicants and their family and not a housing developer. The proposal would share attributes such as scale, design and appearance with other dwellings on Buddon Lane and would not therefore be out of character. The proposal would create a high quality new dwelling which is needed in the village and which would not be overbearing to neighbouring properties or Buddon Lane. The proposal is on a large plot and the development would retain large gardens to both properties.

The applicant has provided a written response to the received objections and this is available to view on the Council's website and this sets out how the design has been arrived at and provides an example of a similar dwelling at No. 7 Buddon Lane which has a similar relationship with an existing dormer bungalow at its side. Materials have also been reconsidered to reflect what already exists in the lane.

Consideration of the Planning Issues

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

- Principle of the Development & Housing Mix
- Design
- Residential Amenity
- Highway Considerations
- Flood Risk
- Biodiversity and Landscape
- Other Matters

Principle of the Development & Housing Mix

The application site is located within the Development Limits to the village of Quorn, as established under "saved" Policy ST/2 of the Charnwood Local Plan 2004 and under Policy S1 of the Quorn Neighbourhood Plan. Quorn is identified as a 'Service Centre'

under the settlement hierarchy established under Policy CS1 of the Charnwood Local Plan (Core Strategy). These are settlements with a good level of local services and transport links where a proportionate amount of growth is encouraged. "Saved" Policy ST/2 of the Charnwood Local Plan 2004 states: "Built development will be confined to allocated sites and other land within the Limits to Development identified on the Proposals Map, subject to the specific exceptions set out in this Plan."

Whilst policy ST/2 is within an older plan, Policy S1 of the Neighbourhood plan, which is up to date, 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 the policies in this Neighbourhood Plan". The site is within the defined settlement boundary and is therefore acceptable in principle with the other impacts and policies considered in turn.

In this case, the proposed development would contribute one additional dwelling towards the Council's overall housing provision target within 'Service Centres', and in general, over the Plan period (2011-2028).

The site is already in residential use and within the development limits for Quorn. The proposal would provide a gain of one dwelling and would not exceed the threshold for affordable housing under Policy CS3 and as such there is no requirement to provide this. Policy CS3 of the Core Strategy and policy H3 of Quorn Neighbourhood Plan both deal with housing mix and seek a mix that includes smaller dwellings. The existing dwelling would remain as a 3 bedroom home and the proposed dwelling would have 5 bedrooms. The new dwelling does not therefore gain particular support from policy H3. It should, however, be noted that policy CS3 seeks an appropriate mix having regard to the character of the area. Given the surrounding area is characterised by large dwellings within large plots it is considered that the proposal meets with policy CS3.

In addition Policy H5 of the Neighbourhood Plan 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 additional dwelling and the existing dwelling retained in large plots would not harm the existing pattern of development within the street where the northern side is generally more developed. 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 of the policy are met.

On balance it is considered that the proposal provides a satisfactory mix in terms of the size of development and its location. The principle of the proposal is therefore considered acceptable. This acceptability in principle weighs in favour of the application within the planning balance.

Design

Policies CS2, EV/1, H/17 and H5 require developments of this type to be in context with the area and the existing dwelling.

The National Planning Policy Framework attaches great importance to good design and seeks to promote development, which is appropriate in terms of overall scale, massing, height, landscaping, layout, materials and access in relation to neighbouring buildings and the local area more generally. It further 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. Paragraph 130 then follows this by stating: "...where design of a development accords with clear expectations in plan policies, design should not be used by the decision maker to object to a development.

The Quorn Village Design Statement was published in 2008 but is appended to the adopted Quorn Neighbourhood Plan. The Design Statement details the history of the development of the village and lists certain zones. Buddon Lane is not specified in this but the document does have several guidelines which are relevant. Guidelines 4 and 5.3 discuss the importance of materials local to the area and features such as stone lintels. Guideline 5.4 states that planning applications should respond to their immediate setting and guidelines 5.1 and 5.2 state that the village is characterised by a pleasing jumble of roof types and a variety of architectural styles. The document also makes several mentions of the addition of chimneys. The materials and design reflect the aims of the guidance.

Buddon Lane leads off in a south-westerly direction from the junction with Chaveney Road. There is a cluster of dwellings on the north side of Buddon Lane but then there are a series of large gaps between dwellings up to the application site. The properties on the south side of Buddon Lane are generally large detached dwellings set in substantial plots back from the main road. At the far end of Buddon Lane is a small cul-de-sac of three modern detached dwellings, with the residential estate of Toller Road adjacent to the north and older detached dwellings on Wyvernhoe Drive adjacent to this. As such there is a variety of house types and ages on Buddon Lane and the surrounds with no unifying house type or vernacular. The cluster of dwellings on the north side of Buddon Lane, near the junction with Chaveney Road, have all been extended over the years. Number 11 Buddon Lane, (Woodbine House), sits on the end of this cluster of dwellings near the highway edge. The proposed development appears to take its influence from the design of Woodbine House.

The design, siting and materials have changed from the previous submission, but it is noted from the representations that concerns remain about the design. Buddon Lane comprises a variety of medium to large sized detached dwellings constructed in various architectural styles with no consistent ridge heights, separation distances or identifiable rhythm in the street scene. For the reasons described it is not considered that there is local design that is typical of this street. The design, as now submitted, has moved the new proposed dwelling away from the boundaries and revised the external materials to be a white through colour render finish with reconstituted stone detailing, on a blue brick plinth, slate roof, with classical piers to a flat roof porch, and multi-paned sash windows. Exact use of materials can be controlled by a planning condition. It is considered that its position within the plot, together with the position of nearby dwellings, would retain a specious character with ample private amenity space for each dwelling.

In terms of the proposed extensions and alterations to the existing dwelling (Plot 2) the alterations to the roof would effectively eradicate the top heavy appearance of the existing front gable and create a more balanced principal elevation. The removal of ad-

hoc flat roofed extensions to the sides of the dwelling would also improve its appearance and the change in external materials would give the property a more modern presence. It is also important to note that the dwelling would retain its existing position in relation to the boundary with No. 21, with the new proposed porch being a metre narrower than the existing porch and creating additional space around and distance from that boundary.

The National Planning Policy Framework makes it clear that it is not for the Local Planning Authority to impose certain design styles and that if the design of a development accords with the clear expectations of policy, in that it provides good quality design that does not cause harm to the character and appearance of the area, then design should not be used as a reason for refusal. The proposed new dwelling has an acceptable appearance, is well set back from the front and rear boundaries and has appropriate siting and materials. The alterations and extensions to the existing dwelling are also considered to be visually acceptable within the street scene. Conditions are attached requesting details of materials prior to construction above ground level in order to ensure the development is built in accordance with the details on the approved plans.

For these reasons and in this respect, it is considered that the proposed alterations to the scheme from the previous application overcome the concerns relating to the scale and massing in relation to the plot size and the boundaries of the site and the relationship with the neighbouring bungalow. Accordingly it is considered there would be no harm to the character of the surrounding area and the proposal is considered to comply with those relevant elements of policies CS2, EV/1, H/17 and H5 and the Quorn Village Design Statement.

Residential Amenity

Policies CS2, EV/1 and H5 require that the amenity of adjacent and future occupiers is considered. The Council's adopted design guidance explains how elements of this are assessed.

The proposed new dwelling would have a minimum distance to the rear boundary of 21m with 23.5m between the boundary and the two storey rear of the house and an overall width of the combined proposed rear gardens of approximately 27m. There would be distance of 13.8m between the front elevation of the proposed dwelling and the highway boundary of Buddon Lane. It is considered that these separation distances are more than sufficient to protect the amenity of residents of properties on Wyvernhoe Drive to the north and south of Buddon Lane both in terms of overlooking of properties and of gardens.

Numbers 48 and 50 Toller Road have a distance from the rear of those properties to the boundary of the application site of 25.4m and 21.20m respectively, with the development being sited between 1.6m and 2.2m from the same boundary. It is considered that these separation distances which far exceed the suggested 12.5m as set out in the in the adopted Supplementary Planning Document and are sufficient to protect the amenity of resident of properties on Toller Road. The south-western side elevation of the proposed dwelling also contains no principal windows and a condition could be imposed to ensure that no further openings are formed within this elevation which could create an overlooking situation.

It is also relevant to consider the impact of the new dwelling on the amenities of the occupiers of the retained dwelling. The fenestration alterations to the south-western side of No. 23 mean that no principal windows would remain in the flanking elevation to the new dwelling. The new first floor dormer window would serve en-suite facilities only and the proposal would not therefore cause a loss of privacy, light or outlook to the occupiers of No. 23 Buddon Lane and would have an acceptable relationship to it.

Additionally, and to retain an element of control over any future extensions it is recommended a condition is attached that removes permitted development rights so that any future extensions to the development would need to be considered on a planning application.

The property to the north east - 21 Buddon Lane, is a large bungalow off set within 4m of the boundary with No. 23, and has a low angle pitched roof. Members were previously concerned about the relationship between this bungalow and the previously proposed 2.5 storey dwelling directly adjacent to the site boundary. That bungalow is set within a good-sized garden to the front and rear. The scheme before members now retains the existing dwelling and because of the distance of that property from the boundary (and the position of existing windows within it) and the design of the proposed extensions and alterations to No. 23, it is considered that the occupiers of No. 21 Buddon Lane would not be adversely affected by the proposal in terms of losses of light, privacy or outlook. Contrary to the submitted drawings, the proposal would not conflict with the 45 degree 'angle of light rule'.

With the addition of a condition requiring obscure glazing to the first floor side windows of the new dwelling and for the reasons given it is not considered that there is sufficient loss of privacy to warrant refusal and that in combination there would be no loss of privacy, light or outlook to number 21 Buddon Lane No 48 or 50 Toller Road. Consequently, the proposal is considered to comply with those relevant elements of policies CS2, H5 and EV/1 and H/17.

In terms of disturbance during the construction works, members were previously concerned to ensure that delivery times for materials and construction traffic parking did not interfere with the free operation of Buddon Lane or cause obstruction. It is therefore recommended that a planning condition be imposed to secure details of construction and traffic management and this is set out as Condition 13 in the recommendation below.

Highway Considerations

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.

Access to the site is from Buddon Lane which is a private un-adopted road and Public Footpath K9 runs along its entire length. The site currently benefits from two vehicular accesses from Buddon Lane.

The Local Highway Authority (LHA) has reviewed the submitted proposed site plan drawing (drawing number 20-22.2) which demonstrates the proposed access arrangements at the site and shows that both dwellings will each have separate accesses leading to their individual driveways. The Local highway authority is satisfied that the proposed access arrangements are in general accordance to guidance detailed within Figure DG20 of Part 3 of the Leicestershire Highway Design Guide (LHDG) and are therefore acceptable. From the access design proposed, the LHA is satisfied that pedestrian visibility splays of 1m x 1m can be achieved to either side of the two accesses and given the existence of Public Footpath K9 along Buddon Lane, the LHA will seek to secure this by condition.

The local highway authority also advises that there have been no Personal Injury Collisions recorded within 500m of the site within the last 5 years and accordingly, there are no concerns about highway safety.

The proposed quantum of car parking serving each dwelling accords with Paragraph 3.173 of Part 3 of the Leicestershire Highways Design Guide and is therefore acceptable. 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 also 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.

Flood Risk

Policy CS16 of the Core Strategy encourages sustainable design and construction and directing development to locations within the Borough at the lowest risk of flooding, supporting developments which reduce flood risk elsewhere.

Paragraph 163 of the NPPF requires local planning authorities to ensure that, when determining planning applications, flood risk is not increased elsewhere and to only consider development in areas of flood risk where, informed by a site-specific flood risk assessment, will not put the users of the development at risk.

The site is located within Flood Zone 1 being at low risk of fluvial flooding and at a very low risk of surface water flooding - land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).

It is not considered that the development would have an unacceptable impact on flood risk and therefore accords with the requirements of Policy CS16 of the Core Strategy and the aims and objectives of the NPPF.

Biodiversity and Landscape

Policy CS 11 sets out to ensure that the development proposals should respond to, and mitigate, the landscape impact of the development proposals, with appropriate landscaping throughout the development. Policy CS13 states that development will be supported where biodiversity and geodiversity is protected, enhanced, restored or

recreated. Where there are impacts on biodiversity it is expected that this will be mitigated or as a last resort, compensated for.

The existing site is a residential site with limited biodiversity. The existing dwelling would be retained and a new dwelling erected at the side and with existing trees being retained. The landscaping to the front of the property on the road verge would largely be retained, with some removal of grass but areas of new hedgerow would be planted to the site frontage and between the properties.

It is considered that the landscape and ecology impacts would be minimal and when the development and the proposed planting (to be agreed by planning condition) are established, the development would be readily assimilated into its surroundings. As such, the proposal accords with the requirements of Policies CS11 and CS13 of the adopted Core Strategy.

Other Matters

Whilst a neighbour expresses a preference for the development of the site for one large, centrally positioned dwelling, this is not the proposal before the Council for determination.

It is considered that the application, if approved, would not set a precedent for further development within the area, given that each application must be considered on its own 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. The proposed development performs an economic role in terms of modestly contributing towards the Council's 5 year land supply, providing a new dwelling and securing renovations and alterations to an existing aged dwelling, thus prolonging its longevity and improving its appearance. Socially it links well to the village and is in a sustainable location. The proposed development 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. These are considered to be positives in the planning balance.

The shortfall in the supply of deliverable housing sites also means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, for planning permission to be refused.

Part i) of paragraph 11d sets out that where there are NPPF policies that protect areas or assets this can be a clear reason to refuse an application. These are set out in footnote 6 and are generally nationally designated areas such as SSSI's although Local Green Space and areas of archaeological interest demonstrably equivalent to ancient monuments can be included. In this case although the site is within the defined limits to development and does not benefit from any designations to qualify as an area or asset of particular importance as set out in footnote 6. For these reasons it is not considered by officers that in this instance paragraph 11d i) would apply

At a time when the 'tilted balance' under paragraph 11d of the National Planning Policy Framework is engaged, Paragraph 14 of the same sets out certain criteria that must all be met, for the adverse impact of conflict with the Neighbourhood Plan to be likely to constitute significant or demonstrable harm which would outweigh the benefits of the scheme.

Because the proposed dwelling is a 5 bedroom house which is not reflective of local need, there is some conflict with Policy H3 of the Quorn Neighbourhood Plan but the development is considered to accord with all of its other policies and also retained Policy CS3 of the Core Strategy. It is also noteworthy that policies of the Neighbourhood Plan itself will become 2 years old on 6th June 2021 and thus one of the criteria set out in Paragraph 14 is close to becoming deficient, but at the date of determination the proposal accords with the criteria of Paragraph 14. Whilst there may therefore be some small conflict with Policy H3 of the Neighbourhood Plan, and this is a negative in the planning balance, it is considered that the proposal would not conflict with the policies of the development plan when taken as a whole.

Overall, the proposal has been carefully assessed against the comments and consultation responses received and the policies of the Development Plan and the National Planning Policy Framework.

The principle of development in terms of the use proposed on the site is considered and deemed acceptable.

It is considered that the proposal relates well to the built form and settlement character of this area of Quorn and would preserve amenity for existing residents and create a high-quality environment for future residents.

In conclusion, therefore, the proposal would not lead to harms that would significantly and demonstrably outweigh the benefits of the scheme. The development is considered to accord with Policies CS1, CS2, CS3, CS13, CS16 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies ST/2, EV/1, H/17 and TR/18 of the Borough of Charnwood Local Plan 2004, and Policies S1, S2, H3, H5, TT1, ENV4 and ENV6 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:
20-22.2 Rev Q - Proposed site layout plan
20-22.4 Rev Q - Proposed ground and first floor plans Plot 1 and block plan
20-22.5 Rev Q - Proposed loft plan and elevations and proposed garage - Plot 1
20-22.7 Rev Q - Proposed floor plans and elevations - Plot 2
20-22.8 Rev Q - existing/proposed floor plans and elevations to Plot 2 with proposal overlaid.
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. 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.
- 4 No excavations shall begin on site until such time as full details of the way in which foul sewage and surface water are to be disposed of from the site have been submitted to and agreed in writing by the local planning authority.
REASON: To make sure that the site can be drained in a satisfactory way.
- 5 The new dwelling hereby permitted shall not be occupied until such drainage works as are needed for that dwelling have been completed, in accordance with the details agreed under the above condition.
REASON: To make sure that the drainage works are completed in a satisfactory way.
- 6 The new dwelling hereby permitted shall not be occupied nor the proposed extensions at No. 23 Buddon Lane brought into use until such time as 1 metre by 1 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access serving each respective property, with nothing within those splays being placed or allowed to grow higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, these splays shall be so maintained in perpetuity.
REASON: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2019).
- 7 The new dwelling hereby permitted shall not be occupied nor the proposed extensions at No. 23 Buddon Lane be brought into use until such time as the access arrangements shown on drawing number 20-22.2 Rev Q have been implemented in respect of each property.
REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2019).
- 8 The dwelling hereby permitted shall not be occupied, nor the extensions at No.

23 Buddon Lane be brought into use until such time as the parking, including the garage and turning facilities have been implemented for each respective property in accordance with drawing number 20-22.2 Rev Q. Thereafter the onsite parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

- 9 The w.c and en-suite windows in the south-western side elevation of the dwelling proposed for Plot 1 shall be glazed with obscure glass to a privacy level of 3 or above on the Pilkington scale of privacy and shall thereafter be retained at all times. No changes shall be made to these windows nor shall any additional windows be inserted in this elevation thereafter.

REASON: To minimise the effect of the development on the privacy and amenities of nearby residents.

- 10 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that Order, with or without modifications), no enlargement, improvement or other alteration of the dwelling or garage approved for Plot 1 shall be carried out.

REASON: To prevent undue impact on the amenity of neighbouring dwellings and the carrying out of development of this type may create difficulties in terms of the overall appearance and character of the area.

- 11 No above ground works shall begin on the dwelling hereby permitted on Plot 1 until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the local planning authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and/or hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

REASON: To make sure that a satisfactory landscaping scheme for the development is agreed.

- 12 The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting and seeding seasons following the first occupation of the new dwelling or in accordance with a programme previously agreed in writing by the local planning authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

- 13 No excavations shall commence on the new dwelling hereby approved until such time as until such as a construction and traffic management plan, including as a minimum, details of contractor vehicle parking and welfare facilities and a timetable for their provision, hours of deliveries and proposed construction hours has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.
REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.
- 14 No above ground works shall take place until a scheme for the treatment of the application site boundaries has been submitted to and agreed in writing by the local planning authority.
REASON: To ensure the satisfactory, overall appearance of the completed development.
- 15 The new dwelling hereby permitted shall not be occupied, nor the extensions to No. 23 Buddon Lane be brought into use until such time as the scheme for boundary treatment, agreed under the terms of the above condition, has been fully completed for each respective property.
REASON: To ensure the satisfactory, overall appearance of the completed development.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS3, CS13, CS16 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies ST/2. EV/1, H/17 and TR/18 of the Borough of Charnwood Local Plan and Policies S1, S2, TT1, H3, H5, ENV4 and ENV6 of the Quorn Neighbourhood Plan the emerging Core Strategy of the Local Development Framework have been taken into account in the determination of this application. The proposed development complies with the requirements of these Development Plan policies and there are no other material considerations which would outweigh the provisions of the Development Plan in reaching a decision on 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 policies and the Council's adopted Supplementary Planning Document 'Design' (adopted 2020).and, therefore, no harm would arise such as to warrant refusal of planning permission.
- 3 Discussion with the applicant to seek an acceptable solution was not

considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 4 Prior to the commencement of development at the site, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works. The Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980. The Public Right of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- 5 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.
- 6 Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.

