

Item No. 6

Application Reference Number P/21/0010/2

Application Type:	Householder	Date Valid:	25 th January 2021
Applicant:	Mrs. Z Wadi		
Proposal:	Erection of two storey and single storey extension to side of house		
Location:	124 Maple Road South Loughborough Leicestershire LE11 2JR		
Parish:	Loughborough	Ward:	Loughborough Shelthorpe
Case Officer:	Paul Oxbrough	Tel No:	07591 947040

This item has been called in to Plans Committee at the request of the late Councillor Bolton who had concerns regarding the proposal's appearance on the street scene and its overbearing impact on the area.

Description of application site

The existing dwelling is a 3 bed semi-detached house situated on the west side of Maple Road South, Loughborough, within the Loughborough Limits to Development. The area is residential in character, with a generally uniform scale of modern terraced and semi-detached two storey houses. The dwellings have gardens to the front and rear of the properties. To the front of this property is a grass verge and parking takes place in a lay by in the street.

The original house has been extended to the rear at single storey level to a depth of 2.6m.

Description of Development

The application seeks full planning permission for two storey extension to the side and single storey extension to the rear.

The proposed single storey rear extension would result in a continuation of the existing rear extension to the rear of the proposed two storey side extension with dimensions of 2.6m x 4.5m.

This application is a resubmission of a scheme granted planning permission in June 2016 under ref P/16/0513/2 for - Erection of two storey side extension to dwelling. This planning permission expired 1st June 2019.

Development Plan Policies

Charnwood Local Plan 2011-2028 Core Strategy

Policy CS1 – Development Strategy sets out the development strategy and directions of growth for the Borough.

Policy CS2 – High Quality Design – requires new developments to respect and enhance the character of the area, protect the amenity of people who live and work nearby and function well and add to the quality of the area.

Borough of Charnwood Local Plan

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– 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 notes 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.

Other material considerations

The National Planning Policy Framework (2021)

The National Planning Policy Framework is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development. The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are 3 dimensions to this:

- 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.

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 55 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 56 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.

Paragraphs 126- 136 – Development is required to achieve high quality design that respects local distinctiveness and poor design should be refused.

Paragraph 134 states that development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) 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 135 also affirms that local planning authorities should 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.

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.

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.

Design Supplementary Planning Document (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.

The Leicestershire Highways Design Guide (2018)

This is a guide for use by developers and published by Leicestershire County Council and provides information to developers and local planning authorities to assist in the design of road layouts. 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. The document also sets out the quantum of off-street car parking required to be provided in new housing development.

Relevant Planning History

Reference	Description	Decision & Date
P/16/0513/2	Erection of two storey extension to side of house	Granted – 01/06/2016

Comments Received

Councillor Bolton objected to the proposal for the following planning reasons:

- The effect of the appearance of the planned extension(s) on the street.
- The planned extension is extremely large and would have an overbearing impact on the area in which it is planned.

A letter of objection has been received from a neighbouring property raising the following concerns:

- There is very limited parking, raising concerns about impact this would cause.

This neighbour also raises the following matters which are not considered to be determinative to the proposal:

- Property would be used for HMO purposes.
- It would be lovely having a family in the property.

A letter of objection has also been received from neighbouring property at 122 raising the following concerns:

- There are many vehicles parked at the property causing problems on the highway and grass verges

This neighbor also raises the following matters which are not considered to be determinative to the proposal:

- The property is used as an unlicensed HMO.
- There are lots of changing tenants at the property
- The property is already suffering cramped conditions.

Consideration of the Planning Issues

The main issues to be considered in the determination of this application are:

- Principle of development
- Design and the Impact on the Street Scene
- The Impact on Residential Amenity
- Use of the property
- Highway Safety
- Other Matters

The Principle of the Development

The starting point for decision making on all planning applications is that they must be made in accordance with the Development Plan unless material considerations indicate otherwise. Policies in the adopted Core Strategy and the saved policies in the Borough of Charnwood Local Plan are therefore the starting point for consideration. The application site is within Loughborough, one of the main urban areas of the Borough, where the principle of extending dwellings is acceptable. The proposal is therefore considered to accord with Policy CS1 of the Core Strategy.

Design and the Impact on the Street Scene

Core Strategy Policy CS2 and saved local plan policies EV/1 and H/17 promote high quality design standards. Further guidance on design is set out in the Design

Supplementary Planning Document.

The proposed side extension has been set back from the existing front wall of the original house by 450mm. The roof shape is to match the existing pitched roof with a hip to the side. A single window is proposed to the front elevations at ground floor and first floor levels of the property in a manner that is similar to the original house. It is considered that the proposal is acceptable in design terms and due to its design, scale and set-back from the public highway, would not be unduly prominent or incongruous in the street scene.

The single storey extension attached to the rear of the two storey element will form a continuation of the existing single storey rear extension. This element of the proposed extensions is also not readily visible from within the street scene.

The proposal is therefore considered to accord with the provisions of the Development Plan and accompanying guidance in this regard and as set out in Policies CS2, H/17 and EV/1.

The Impact on Residential Amenity

Core Strategy Policy CS2 and saved local plan policies EV/1 and H/17 promote high quality design and layouts to preserve residential amenity for both occupiers of existing neighbouring properties and the future occupiers of new development.

The properties along this part of Manor Road South are not on a rigid 'building line' or pattern of development, but are situated on a corner plot and set back from the street scene with a grassed verge situated to the front of the properties.

Impact on 126 Maple Road South - the proposed extension to the side of the dwelling would be recessed 450mm from the existing front wall of the house. The side extension adjoins the boundary between the two properties at a corner point and then extends away from the neighbouring house due to the orientation of the properties being not set in a straight line. The proposed rear extension will not breach a 45-degree line taken from the centre of the nearest neighbouring habitable room for this property.

It is not considered that the residential amenity of No.126 Maple Road South would be significantly impacted by the proposed side or rear extension by reason of loss of light, loss of privacy or overbearing impact and accordingly it is considered the proposal complies with the guidance contained within the adopted Supplementary Planning Document on Design in this regard.

Impact on 122 Maple Road South - the proposed side and rear extension is situated to the far side of the property away from this neighbouring house. It is therefore considered the proposal accords with the advice contained within the adopted Supplementary Planning Document on Design which seeks to safeguard against loss of daylight.

Impact on 89 and 87 Manor Road to the rear - the proposed side and rear extension would be located 40m from the rear principal windows of the properties to the rear. There are no significant variations in ground levels between the properties. It is considered the proposal would not have an unacceptable impact on the residential amenity of the neighbouring properties to the rear.

Therefore, it is considered the proposal complies with Development Plan policies CS2, EV/1 and H/17 and the advice contained within the adopted Design Supplementary Planning Document.

Highway Safety

Saved local plan Policy TR/18 requires new development to provide off-street parking for vehicles and promotes standards that requires a maximum of 3 parking spaces for a 4 or more-bedroom dwelling in the interests of highway safety. Paragraph 111 of the NPPF states that new development should only be resisted on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.

The proposal would result in the increase in the number of bedrooms from 3 to 4. The existing situation for this property does not allow for vehicle access due to an existing grass verge situated between the highway and its front boundary. There are existing parking spaces for vehicles on the street, including two spaces marked as for use for disabled parking users. Majority of houses in the area have boundaries with access to the highway and have installed dropped kerbs and private driveways. The demand for on street parking is therefore not considered to be excessive in this case or the impact considered severe.

Having regard to the above, it is considered that refusing the application on highway grounds would not be reasonable in this case. It is considered that there is some broad conflict with saved Policy TR/18 of the adopted Local Plan due to the lack of parking provision. However, the existing property does not have any off street parking spaces and the addition of one further bedroom would not create a severe impact upon the highway or cause any highway safety issues as highlighted in the National Planning Policy Framework.

Other Issues

Concerns have been raised regarding the use of the property as a House of Multiple Occupation. The applicant is aware of the concerns raised in the consultation comments and has confirmed that one family has lived in the dwelling for the last three years and will continue to be used as a single family dwelling.

Notwithstanding this information, the use of the dwelling as a house of multiple occupation would represent a change of use of the property. An Article 4 Direction exists in Loughborough which removes certain permitted development rights and requires planning permission to be obtained for a change of use from Class C3 (House in Single family occupancy) to Class C4 (House in Multiple Occupation). This application is not seeking to change the use of the property. This application is for an extension to a dwelling and must be determined as such. Any possible future unauthorised use is not a material consideration in the determination of this application.

Conclusion

In summary, for the reasons set out above, the proposed development is considered to be

acceptable in its design and appearance and would have no significant impact on the wider street scene.

The proposal, given its design, scale and location would not be unreasonably detrimental to the amenities of neighbouring residential properties and in this case there are no significant highway safety or severe impacts that would sustain a refusal of the application.

It is therefore recommended that planning permission should be granted, subject to planning 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 plans:

Application Form - received by the Local Planning Authority on 4th January 2021.

Applications Plans Location plan and Block plan - Drawings Ref MPD-960-PL-01-B rev A received by the Local Planning Authority on 1st February 2022.

REASON: To define the terms of the planning permission

3. The facing materials to be used in the construction of the new works hereby permitted shall match as closely as possible those of the existing building.

REASON: To ensure the satisfactory appearance of the completed development.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS2, CS16 of the Charnwood Local Plan (2011-2028) Core Strategy, Policies EV/1, TR/18 and H/17 of the Borough of Charnwood Local Plan and the provisions of the National Planning Policy Framework have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies and there are no other material considerations which are of significant weight 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

