

Item No. 2

**Application Reference Number** P/18/1397/2

<b>Application Type:</b>	Full	<b>Date Valid:</b>	10/07/2018
<b>Applicant:</b>	Mr Sharp		
<b>Proposal:</b>	Conversion of single C3 dwelling to 3 C3 self-contained flats comprising 1 x 1 bed and 2 x 2 bed and erection of first floor extension to rear.		
<b>Location:</b>	1 Woodgon Road Anstey LE7 7EQ		
<b>Parish:</b>	Anstey	<b>Ward:</b>	Anstey
<b>Case Officer:</b>	Joseph Davies	<b>Tel No:</b>	01509 634988

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Background

This application was reported to the Plans Committee meeting of 20th September 2018. The Committee's resolution to approve the application is set out in the minutes elsewhere on the agenda. A copy of the previous committee report is attached as an appendix to this report

Following the meeting, the lack of reporting of Parish Council comments, submitted in response to standard consultation processes on the application, was noted. The decision on the application has not been issued because in determining an application the representation received from the Parish Council should be taken into account.

In the circumstances, the Committee is asked to confirm its resolution on this item having taken account of this update report and the Parish Council comments.

Updated Information

Anstey Parish Council – comments received 8th August 2018: proposal would exacerbate an already existing problem of parking on Woodgon Road and Edward Street.

Officer Update

The highway and parking implications of the proposal on the local road network were discussed in some detail at the meeting of the Plans Committee in September. The subject area was raised in both Public Speaking and the subsequent debate by Committee members.

The issues raised by the Parish Council do not raise any new material planning matters that were not considered during the previous resolution on the proposal by the Plans Committee.

In the circumstances there is no change to the officer recommendation set out in the previous report.

## Recommendation

That the Committee confirms its resolution on this item having taken account of this update report and the Parish Council comments.

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This application is presented to the Plans Committee at the request of Councillor Deborah Taylor on the grounds of parking provision.

**Description of the Application**

**Site Description**

The application site currently comprises a semi-detached 4 bedroom, 3 storey dwelling on the corner of Woodgon Road and Edward Street in Anstey. The property is finished in white render at ground floor level and brickwork at first floor level. To the west of the site is the attached dwelling at 3 Woodgon Road and to the north is the dwelling at 14 Edward Street.

**Proposal**

The application proposes the conversion of the existing single dwelling into three self-contained flats comprising 1 x 1 bed and 2 x 2 bed dwellings and the erection of a first floor rear extension to property to accommodate this, which would have a pitched roof, with a dormer at first floor level. The parking provision serving the proposed development would comprise two spaces to the rear, with the existing garages being converted to car ports. The rear extension would be approximately 3.39 metres in length, would be the same width as the existing dwelling and would be 4.27 metres in height to the eaves and 6.22 metres in maximum height. The materials of the proposed extension would match those on the original dwelling house.

**Development Plan Policies and other material considerations**

Charnwood Local Plan 2011-2028 Core Strategy

Policy CS1 – Development Strategy sets out the priority locations for growth in the Borough over the plan period. It establishes a settlement hierarchy in which Anstey is designated as a service centre.

*Policy CS2 – High Quality Design sets out the design-related criteria for achieving high quality design. It includes reducing the impact of development to make it more resilient to the effects of climate change; well-designed streets and spaces and making sure development is of an appropriate quality to protect the amenities of people who live or work nearby. It will therefore be essential to consider the massing, height, landscape, layout and materials in new development.*

*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.*

#### *Saved Policies of the Borough of Charnwood Local Plan*

*Policy EV/1 – Design seeks to ensure a high standard of design for development which respects the character of the area, nearby occupiers, and is compatible in mass, scale, layout, whilst using landforms and other natural features. It should meet the needs of all groups and create safe places for people.*

*Policy TR/18 – Parking Provision in New Development seeks to ensure adequate car parking is provided to secure highway safety and minimise harm to visual and local amenities. The adopted standards are used as a starting point in assessing the level of provision and represent the maximum level.*

#### *The National Planning Policy Framework 2018 (NPPF)*

*The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development.*

*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 108 states that in considering development proposals, opportunities to promote sustainable modes of transport should be taken up, safe and sustainable access should be achieved for all users; and any significant impacts from development on the transport network should be cost effectively mitigated to an acceptable degree.*

#### *Leicestershire Highways Design Guide (2018)*

*The Leicestershire Highway Authority was one of 6 East Midland authorities that adopted the Design Guide for new development. The guide contains in Section DG6 – Public Transport, advice that pedestrian access to bus routes should generally, in urban areas, be a maximum of 400 metres and desirably no more than 250 metres from proposed development. In rural areas the walking distance should not be more than 800 metres.*

*Although the guidance has been withdrawn and there is no replacement document as yet, it is likely that no major changes would be made to its recommendations, albeit without the input of the Leicestershire County Council.*

### Leading in Design (SPD)

*Seeks to encourage, promote and inspire higher design standards in new development throughout Charnwood and, amongst other things, at Appendix 4, sets out Space Standards for Residential Development.*

### **Relevant Planning History**

*P/81/2412/2 – Change of use to electrical contracting shop, office and stores - Refused.*

### **Responses of Statutory Consultees**

*LCC Highways – With regards to the parking provision for this application, the existing garage for the existing property is considered to be substandard as the internal dimensions are not in accordance with the Leicestershire Highways Design Guide (6m x 6m for a double garage) as the length of the garage to the doors is approximately 4.8 metres long.*

*As a result it could be considered the existing property does not have any available off-street parking provision. The existing four bed property would require three spaces. Should the Applicant remove the garage, the two parking spaces would meet the absolute minimum length of 4.8 metres long and given the parking area is 5.4 metres wide it would be of sufficient width to accommodate two vehicles.*

*The quantum of development proposed would require five parking spaces, however the above amendments would make two useable spaces within the site. As a result the development has a shortfall of three parking spaces, which is similar to what could be generated by the current dwelling.*

*There are no Personal Injury Collisions within the vicinity of the site during the last five years, thus the proposals would not give rise to any road safety concerns. The site is also located in a sustainable location in transport terms close to the centre of Anstey and regular bus services to Leicester City Centre and the Applicant is also providing cycle parking which is welcomed.*

*Given the above, the LHA would not seek to resist the proposals. It would be advisable to condition the car/ cycle parking spaces as part of any advice for approval.*

### **Other Comments Received**

- ) Councillor Taylor has requested that the application is called in to Plans Committee, due to concerns regarding parking provision.*
- ) The occupiers of 3 Woodgon Road and 11, 16, 20 and 21 Edward Street have objected to the application on the grounds of:
  - impact on parking provision**

- overlooking of the garden area
- insufficient parking provision and emergency access.

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

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

- 1. The principle of development;*
- 2. Design;*
- 3. Neighbour amenity; and*
- 4. Highway safety and parking provision.*

#### *The principle of development*

*All planning applications must be considered on their individual merits in accordance with the development plan in place at the time, unless material considerations indicate otherwise. In this context, the site of the proposed dwelling lies within Anstey, which is designated as a Service Centre under Policy CS1 of the Charnwood Local Plan Core Strategy 2015. The Core Strategy makes provision for at least 3,000 new homes within and adjoining Service Centres between 2011 and 2028. It also states that the Council will respond positively to sustainable development which contributes towards meeting development needs, supports the strategic vision, makes effective use of land and is in accordance with the policies in the Core Strategy.*

*The principle of residential development in this location is therefore considered to be acceptable, unless material considerations indicate otherwise. The proposed development therefore generally accords with the tenet of Policies CS1 and CS25 of the Charnwood Local Plan 2011-2028 Core Strategy.*

#### *Design*

*In relation to design, the only external alteration would be the two storey extension to the rear of the property, which would replace an existing single storey extension that detracts from the street scene. This two storey extension would be subservient, being set down from the existing building, with a pitched roof and a pitched roof dormer at first floor level. It would also incorporate matching materials. The design of the proposed extension is therefore considered to be acceptable and would not be out of keeping with the street scene. As there are no other external alterations, the impact on design and visual amenity is considered to be acceptable.*

*The impact of the proposed development on design and visual amenity is therefore considered to be in accordance with Policy CS2 of the Charnwood Local Plan Core Strategy and Saved Policy EV/1 of the Borough of Charnwood Local Plan 2004.*

#### *Neighbour amenity*

*The site is positioned on a corner plot and to the west of the site is 3 Woodgon Road. This property has no rear windows, close to the boundary with the applicant's property and there would therefore be no significant impact on loss of light as a result of the proposed two storey rear extension. Furthermore, there are no side windows proposed*

*facing this property that would result in overlooking, with the only new windows proposed facing the street scene on Edward Street. The impact of the proposal on 3 Woodgon Road is therefore considered to be acceptable.*

*The property at 14 Edward Street to the north would be approximately 7.5 metres from the rear elevation of the proposed extension and there would be no windows facing this property. Due to the distance between the two properties and the lack of rear windows in the proposed extension, the impact on loss of light and overlooking to this property is therefore also considered to be acceptable. There are also no other properties close enough to the site to be impacted upon by loss of light or overlooking.*

*In terms of the impact in relation to noise, as the property is currently in residential use and would remain as such, with only a minor intensification of this use, it is considered that there would be no significant impact in relation to noise and disturbance.*

*In light of the above, the impact of the proposed development on neighbour amenity is considered to be acceptable and would accord with Policies CS2 and EV/1.*

#### *Highway safety and parking provision*

*With regard to the parking provision, the existing garage for the property cannot be counted as a useable parking space as the internal dimensions are not in accordance with the Leicestershire Highways Design Guide which require a minimum internal size of 3 x 6 metres for a single garage and 6 x 6 metres for a double garage.*

*The existing property therefore does not have any useable off-street parking provision at present and the existing four bedroom property requires three off-street spaces. Should the Applicant remove the garage doors and internal dividing wall, converting the structure into a car port, the two parking spaces would meet the minimum length of 4.8 metres and would be 5.4 metres in width. This would comply with the minimum width requirement for 2 parking spaces.*

*The development proposed would require five off-street parking spaces. With the 2 additional spaces provided, the proposed development would have a shortfall of three parking spaces. This is the same as the existing shortfall of parking spaces at the site.*

*There have been no personal injury collisions within the vicinity of the site during the last five years, thus the proposals would not give rise to any road safety concerns. The site is also located in a sustainable location in transport terms close to the centre of Anstey and regular bus services to Leicester city centre and the Applicant is also providing cycle parking which is welcomed. It would be conditioned that the two additional off-street parking spaces and cycle parking are provided.*

*The Local Highway Authority has also confirmed that they have no objections to the proposed development.*

*Given the above, the proposed development is considered to be acceptable in relation to highway safety and parking provision and is in accordance with Saved Policy TR/18 of the Borough of Charnwood Local Plan 2004 and Paragraph 108 of the National Planning Policy Framework 2018.*

## Conclusion

*The application site lies within a Service Centre as designated in the adopted 2015 Core Strategy, which states that development would be supported in these locations subject to other material planning considerations. The design, visual amenity, neighbour amenity and highway safety issues raised by the proposal are considered to be acceptable. It is therefore recommended that planning permission is granted for the proposed development.*

## **RECOMMENDATION:-**

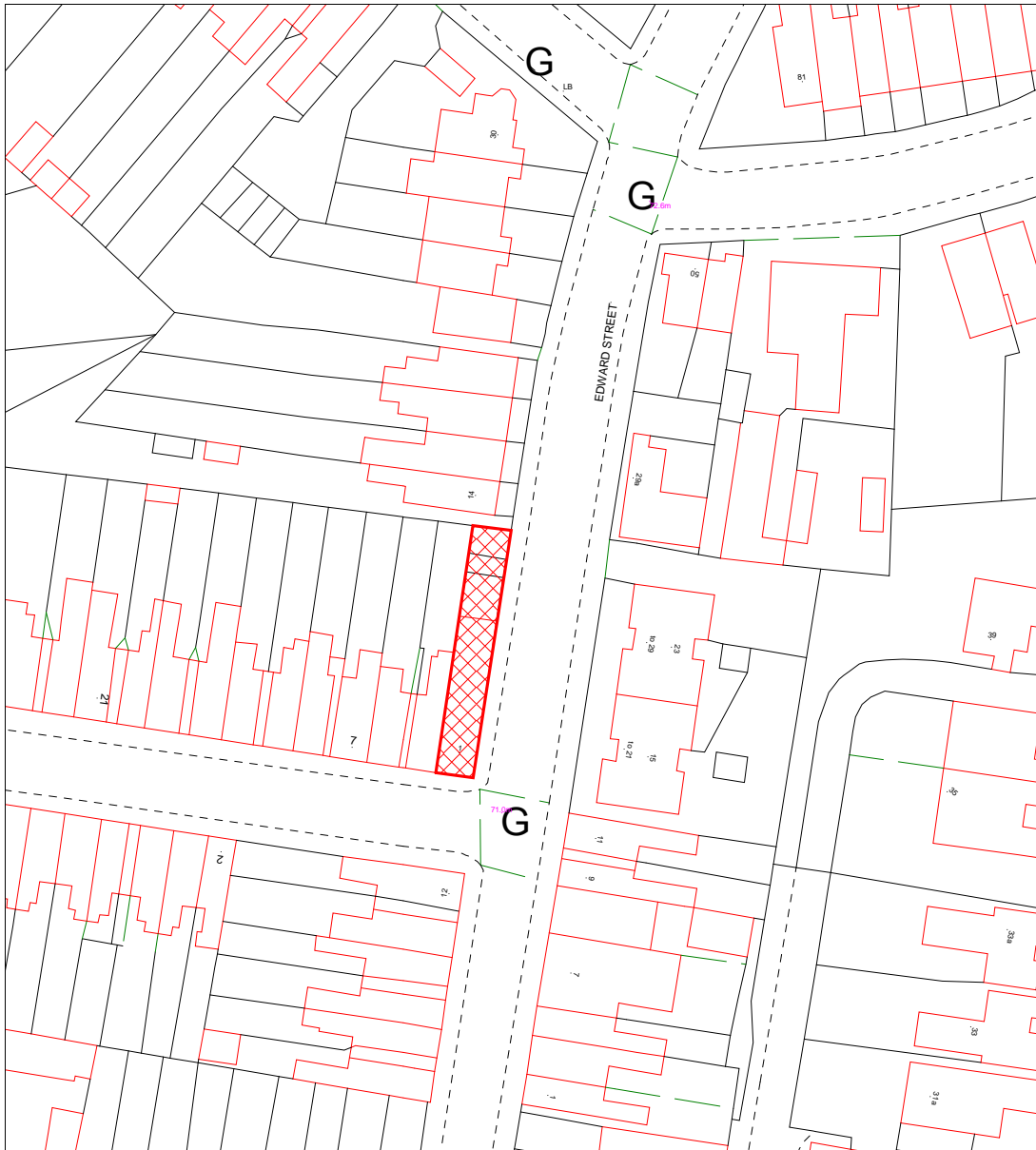
### *Grant Conditionally*

- 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 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.*
  
- 3     *The development hereby permitted shall be carried out in accordance with the following plans:  
Location Plan - A4 - 990/01;  
Site Plan - A3 - 990/02; and  
Proposed Plans & Elevations - 990/04.  
REASON: For the avoidance of doubt and to define the terms of the permission.*
  
- 4     *No use or occupation of the building shall begin until provision has been made within the application site for the parking of cycles, in accordance with the details shown on plan 990/02 - Site Plan - A3. The area occupied by the cycle parking shall thereafter not be used for any other purpose.  
REASON: To encourage the use of bicycles as an alternative to the car.*
  
- 5     *No occupation of the proposed development shall begin until the two parking spaces shown on the drawing entitled: Proposed Plans & Elevations – A1 – 990/04 are provided, with the garage dividing wall and doors removed. Those areas shall not thereafter be used for any purpose other than the parking of vehicles and for servicing.  
REASON: To ensure that adequate off-street parking is provided and maintained, in the interests of road safety.*

*The following advice notes will be attached to a decision*



- 1 *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 (paragraphs 186 and 187) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.*
- 2 *The provisions of the Party Wall Act 1996 may apply in relation to the boundaries with neighbouring properties. A Solicitor or Chartered Surveyor should be able to give advice about whether and how the proposed work falls within the scope of this Act.*



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