

Part demolition of existing building, erection of a two storey extension and change of use to five assisted living flats alongside other external works and alterations
2 - 4 Central Road Hugglescote Coalville Leicestershire LE67
2FD

Report Item No
A2

Application Reference
21/00896/FUL

Grid Reference (E) 442581
Grid Reference (N) 312840

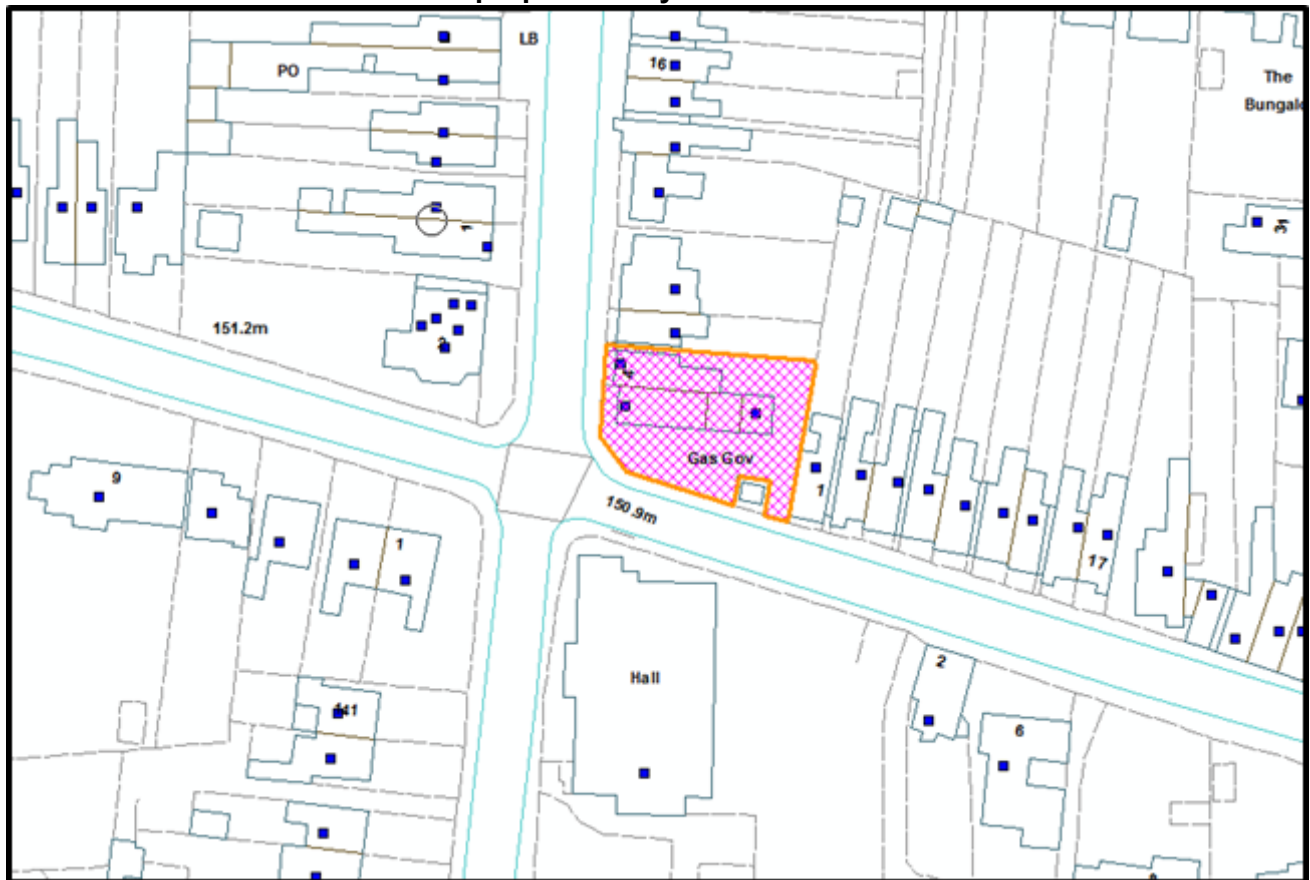
Date Registered:
12 May 2021
Consultation Expiry:
21 September 2021
8 Week Date:
7 July 2021
Extension of Time:
None Agreed

Applicant:
Mrs Patience Oyeniran

Case Officer:
Jen Wallis

Recommendation:
PERMIT

Site Location - Plan for indicative purposes only



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Call In

The application is brought to Planning Committee at the request of Councillor Johnson due to not being in the public interest, impact on residential amenity and highway safety.

Proposal

Full planning permission is sought for the partial demolition of the existing building, erection of a two storey extension and change of use to five assisted living flats. The site is located within the Limits to Development, as defined by the Policy Map to the adopted Local Plan.

Consultations

4 neighbour objections have been received to the proposal at the time of writing this report. Hugglescote Parish Council have raised concerns with regards to the proximity of the development to the junction, parking and highway safety. No other objections have been received from statutory consultees who have responded during the consultation process.

Planning Policy

The application has been assessed against paragraphs of the National Planning Policy Framework (NPPF) as well as the relevant policies of the adopted Local Plan, adopted Neighbourhood Plan and other guidance.

Conclusion

The principle of the development is acceptable. The proposal is not considered to have any significant detrimental design, residential amenity or highway impacts. There are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the adopted Local Plan, the Hugglescote Neighbourhood Plan and the advice in the NPPF.

RECOMMENDATION - PERMIT, subject to conditions

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

The proposal comprises the part demolition of the existing building, the erection of a two-storey extension and the change of use to five assisted living flats, alongside other external works and alterations. The property currently has a large single storey side extension which is proposed to be demolished and replaced with a two-storey side extension.

The accommodation would provide 5 flats spread over the two floors, with 3 x 1-bedroom flats on the ground floor with 1 single and 1 x 2-bedroom flats on the first floor. Each flat would have a bathroom and open plan kitchen/living space.

The proposal would provide accommodation for people with health/learning difficulties who want to live within the local community. The five flats would be let to 5 individual residents at any given time and one member of staff would attend site to provide care at any given time. The residents would have 24-hour care with some of the care hours split across the day. The residents would be supported to live independently in the community. The support staff would be based next door at 6 Central Road.

Revised plans have been submitted to address design issues raised by Officers.

The site accommodates the end terrace of three units and is a two-storey building with a painted façade under a slate roof. There is a bay window on the ground floor and a pedestrian access to the north providing access to this and the neighbouring property. On the southern elevation there is a large, rendered lean to extension with two other additions of diminishing scale to the rear of this, the end portion having a flat roof. At the rear of the main part of the dwelling there is a two-storey mono-pitch roof. There is undeveloped land associated with the property to the south.

The site is located within Limits to Development, as defined by the Policy Map to the adopted Local Plan. Precise measurements of the proposal are available to view on the submitted plans.

Planning History

20/00443/FUL Change of use to 9 no. assisted living units to include part demolition of existing dwelling and internal alterations, erection of a three-storey extension and associated site alterations - Withdrawn.

2. Publicity

19 neighbours notified.

Site Notice displayed 17 May 2021.

3. Summary of Consultations and Representations Received

Parish Council Object on the grounds that the proposed development is too close to the junction with Grange Road/Station Road/Ashburton Road, access & egress is on a blind corner, vehicles from the site would encounter standing traffic on Grange Road and be faced with traffic from the other three roads, to access/exit the site the movement would be to access from

Grange Road from the direction of Birch Tree roundabout and exiting in the same direction which cannot be determined, visibility for drivers of vehicles turning left from Central Road will also be hindered, there is insufficient parking on site for day, overnight staff and visitors, delivery and any emergency vehicles, any vehicle entering or leaving the site will be crossing traffic flow, staff will be potentially arriving and leaving at peak periods which includes Hugglescote school drop off/pick up times, the accommodation proposals are overdevelopment given the location.

Highways No objection to the revised plans subject to conditions and informatives.

Conservation Officer No objection subject to a condition relating to materials.

Environmental Protection No objection.

LCC Ecology No objection subject to a condition regarding swifts.

Ward Members Cllr Russell Johnson has stated there is no construction management plan with this application and refers to the previous application of this site 20/00443/FUL which was refused on highway grounds.

Third Party Representations Four representations received raising concerns that there is insufficient space on site for the staff required, the site is adjacent to one of the busiest junctions in the area with the exit being blind from Central Road and very little visibility from the east, inadequate parking for the site and the roads around are already clogged with parked vehicles or are double yellow lines, significant congestion already, impact on safety of existing crossing, insufficient space for emergency vehicles, parking, deliveries and construction vehicles, there would be overlooking neighbouring gardens, the amenities within the village are not enough to support the ever increasing population, public transport is also poor so would not support these new residents moving to use amenities in other areas.

4. Relevant Planning Policy

National Planning Policy Framework (2021)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.

Adopted North West Leicestershire Local Plan (2021)

The following policies of the adopted Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

- S2 - Settlement Hierarchy
- D1 - Design of new development
- D2 - Amenity
- IF4 - Transport Infrastructure and new development
- IF7 - Parking provision and new development
- EN1 - Nature Conservation

Neighbourhood Plan

The Hugglescote and Donington le Heath Neighbourhood Plan forms part of the development plan and the following policies of the Neighbourhood Plan are relevant to the determination of the application:

G1 Limits to Development
G3 Design
H1 Housing Mix
ENV4 Non-designated Heritage Assets
T2 Residential and Public Car Parking

Other Policies and Guidance

National Planning Practice Guidance
Leicestershire Highways Design Guidance (Leicestershire County Council)
Good Design for North West Leicestershire SPD - April 2017

5. Assessment

Principle of Development

The site is located within Limits to Development as defined by the adopted Local Plan and Neighbourhood Plan, where the principle of extensions and alterations to existing dwellings and the provision of housing are acceptable, subject to all other planning matters being addressed.

The existing building comprises a three-bedroom dwelling (Use Class C3(a)) and the proposal would provide five separate flats with 4 x 1-bedroom flats and 1 x 2-bedroom flat. The flats are all separate units without any communal facilities which would result in the residents being able to live separate lives within the property with an element of care being available to them. Therefore, in line with the decision of The Right Honorable Mr Justice Holgate in the Secretary for Housing and Communities and Local Government versus South Oxfordshire case law dated the 8th July 2020 the proposal would amount to the change of use of the existing property to a Use Class C2 residential institution use which is considered to be a single planning unit with the provision of care to the residents where they need it.

The application states the proposal is to lease the units to a Registered Provider for the purpose of supported living. The tenants occupying the property would be working age adults with diagnosed learning disabilities and/or autism and be in receipt of a core package to assist with their day to day living, to be provided by a separate Support Provider commissioned by the Local Authority. In addition, an on-site management agreement would be agreed with the Registered Provider which would outline which party would be responsible in relation to the management of the property. Staff would be based in the adjacent property, 6 Central Road.

To maintain a good quality living environment, all communal areas of the building would be monitored by cctv and communal areas including secure cycle store and green outdoor space would be provided. The internal community facilities would be managed by staff on a daily basis. The scheme would have cctv installation enabling on-site and off-site staff to monitor remotely.

The proposal seeks to provide new accommodation for residents to live within the community

but on an assisted basis.

The proposal is considered appropriate for the location and complies with Policy S2 of the Local Plan and Policies G1 and H1 of the Neighbourhood Plan.

Scale and Design

The proposal comprises the removal of the single storey elements to the side/rear of the property and the erection of a two-storey side extension. Policy D1 of the Local Plan seeks a high standard of design along with the SPD and Policy G3 of the Neighbourhood Plan.

The side/rear elements added to the property are unsympathetic and unsightly and the harm to the building and street scene is increased by the prominent siting of the building and site, adjacent to the crossroads. Furthermore, the existing boundary treatment and vacant appearance detracts from the site and surroundings. As such, the removal of these elements is supported.

The proposed extensions have been scaled down from the previous application and amended during this application. The two-storey extension to the side of the building would be set back from the façade and would have a lower ridge height than the existing. The rear projecting wing would also be set in from the side of the proposed extension to reduce the massing and to better articulate the addition.

Although the rear gable would benefit from being slightly narrower, approaching half of that gable already exists on the existing building. Overall, it is considered that the design approach, to reflect the traditional characteristics of the building, is appropriate and the proposal would result in a substantial improvement over the existing extensions and appearance of the site. Subject to conditions relating to materials, no objection is raised on visual grounds to the extension.

The existing boundary treatment comprises concrete stanchions and wire mesh fencing and is an unattractive feature within the street scene. It is proposed to replace this with a brick dwarf wall with black painted railings; this is considered a suitable boundary treatment and would visually enhance the site and surroundings. A timber close boarded fence is proposed along the rear boundary and along the side boundary with the adjoining property.

Hugglescote Community Centre is to the south of the site and is a non-designated heritage asset in the Neighbourhood Plan and as such Policy ENV4 applies. It is considered the current condition and appearance of the site and building detracts from the setting of this asset and that the proposals would enhance the site and therefore benefit the setting of the community building.

The development is therefore considered to be compliant with Policy D1 of the adopted Local Plan, Policy G3 of the Neighbourhood Plan, the Council's Good Design SPD and the advice contained within the NPPF.

Impact upon Residential Amenity

The proposal comprises the change of use from a dwelling to five assisted flats and extensions to the building. The use would increase the occupancy of the building from the current three bedrooms to 4 x 1-bedroom flats and 1 x 2-bedroom flat, totalling 6 bedrooms. The proposed use of the enlarged building would be more intensive than the existing three-bedroom dwelling.

However, the number of flats would be limited to five with six bedrooms in total. It is not considered that this level of accommodation would lead to an unacceptable impact on the residential amenities of occupiers of neighbouring properties. In planning terms, the property would still be classified as a dwellinghouse

To the north, the application dwelling is attached to the neighbouring property. The proposed two-storey extension would include the existing two-storey rear projection and this would incorporate a bedroom window in the ground floor side elevation; however, any potential overlooking or loss of privacy would be mitigated by boundary treatment which would comprise close boarded fencing. The first-floor side elevation would incorporate a bathroom window as existing which could be conditioned to be obscure glazed. The impact of the proposed two-storey rear projection would be comparable to the existing and would not be unduly harmful to the amenity of the adjoined property.

To the east, the site looks into the side elevation of the neighbouring dwelling which presents a blank gable to the side with a two-storey rear projection set further from the boundary; this elevation includes a first-floor window. The proposal would increase the width of the two-storey rear gable and would include one bedroom window; this is similar to the existing. Given this and the separation distances, it is not considered the proposal would lead to undue overlooking or loss of privacy of this neighbouring property.

To the south and west the highway would intervene.

The proposal also includes a single storey lean to extension to the rear. This would be set off the boundary to the north and a significant distance eastern boundary. Given the limited dimensions and the separation distance, this element would not unduly affect residential amenity.

The bin storage is proposed in the south-eastern corner of the site. It is considered that subject to a condition detailing the nature of the storage, this would not lead to undue impacts on the neighbouring properties.

Overall, the proposal is not considered to result in any unacceptable impacts upon surrounding residential amenity when having regard to overlooking, overbearing or overshadowing impacts. Furthermore, the proposed use of the building would not result in undue levels of noise or disturbance to occupiers of neighbouring properties. Therefore, the proposed development is considered to be in accordance with Policy D2 of the adopted Local Plan.

Highway Considerations

The proposal as originally submitted sought to utilise the access onto Grange Road and the Highway Authority recommended refusal on the grounds that this would lead to the intensification of use of an access which has substandard vehicular visibility and no separation between the existing pedestrian crossing and vehicular access.

Following this, revised plans were submitted omitting this access from the proposals. The latest plan shows the access closed up and replaced with the proposed boundary wall.

The Agent has confirmed that residents will not own/drive vehicles and therefore no on-site parking for residents would be required. The Agent also confirmed that carers would use public transport and not travel in their own vehicles and notes the proximity of bus stops to the site. The site is located adjacent to the signalised crossroads junction of Central Road, Grange

Road, Ashburton Road and Station Road. The crossroads junction is protected by a comprehensive package of on-street parking controls.

As there is no longer vehicular access to the site proposed, there is no parking proposed within the site. Typically for this type of development parking should be provided on the basis of one car space per four bedrooms plus one car space for each staff member on site. The Transport Statement states that there are expected to be a maximum of two-three members of staff on site at any one time. Therefore based on the proposed six bedrooms, there should be 4 parking spaces provided. However, the staff would be based at 6 Central Road, a property also within the ownership of the applicant.

However, it is noted that the Transport Statement also states that due to the nature of the proposed site, residents are not expected to hold a driving licence and as such would not require parking facilities and would use public transport or cycles to access local services.

Whilst the shortfall of four parking spaces is not ideal, the Highway Authority seek to resist a proposal only where there would be unacceptable impacts on highway safety or where the impacts on the road network would be severe. Given the existing on-street parking controls protecting the crossroads junction, the Highway Authority does not consider that the shortfall of four parking spaces could be considered severe in the context of paragraph 111 of the NPPF and conclude it would be unreasonable to seek to resist the proposal.

The Transport Statement states that the use of sustainable transport options to travel to and from the site via a Travel Plan would be encouraged. Although this would be welcomed, given the relatively limited nature of the proposal, it is not considered reasonable to seek a travel plan via a condition. A condition requiring further details of a covered cycle store is recommended.

Furthermore, the nearest bus stops are located within 135m of the site, which are connected by existing footways and are served by frequent services to Coalville and Ibstock, and hourly services to Ravenstone and Hinckley.

The application property is currently a residential dwelling and No. 6 (the premises for the staff) is a residential dwelling. No. 6 currently has no off street parking provision and the access for No. 2-4 was considered to be too close to the junction to provide a safe access/egress. As the applicant has confirmed that staff will use public transport and the site is within a sustainable location with good public transport link, the lack of parking provision is not considered to have a detrimental impact upon highway safety.

There is no drop off/pick up provision for the property and there are existing on-street parking controls protecting the crossroads junction. Therefore, if vehicles were to park outside the property on Central Road or Grange Road this would be contrary to traffic legislation and would be a matter for the police. This is the same for the adjoining residential properties which have no off street parking and the current situation for the existing residential properties that are the subject of this application.

The highway authority are not objecting to the proposal on the grounds of insufficient parking or an impact on highway safety. The proposed change of use would not result in a material increase in traffic and is well served by public transport. Furthermore, if the visitors/occupiers of the property were to start parking on nearby streets, close to the junction, the streets are all protected by double yellow line and road traffic legislation would prevent this. As the proposal would change the use of the dwelling (Use Class C3) into a residential institution (Use Class C2) it is proposed to limit the use of that property to that described to prevent the applicant from

being able to use their permitted development rights to change the property into any other permitted uses without firstly obtaining planning permission from the Council.

No further consideration is required in relation to highway impacts and it is considered that the proposal is acceptable in relation to Policies IF4 and IF7 of the adopted Local Plan, Policy T2 of the Neighbourhood Plan, as well as the Leicestershire Highway Design Guide.

Comments on Consultation Responses

The Ward Councillor raised concerns over the lack of a construction management plan and that the previous application was resisted on highway safety grounds. The Parish Council objected to the original scheme on the grounds of highway safety, expressing concerns about the proximity to the junction, access and egress from the access, conflict with existing traffic and a parking shortfall. Local residents objected on the grounds of highway safety, congestion and parking.

Following these comments revised plans were received which omitted the access from the scheme which addressed the access issues. Although the revised scheme would provide no parking, a case has been made that the occupants are unlikely to drive vehicles and staff vehicles would be of a limited number. Notwithstanding the parking shortfall, there would be a highway safety gain through the closure of the existing access which would outweigh any negative impact resulting from the parking shortfall. Furthermore, a construction management plan can be secured via a condition given the proximity to the junction and a further condition is suggested to control the use of the property in line with that proposed by the applicant.

An objection was also raised on the grounds of over-development. However, the proposal would remove a significant footprint of unsightly additions to the property and the proposed footprint is deemed acceptable given the size of the plot.

An objection was raised on the grounds of overlooking neighbouring gardens. However, as set out above, it is not considered the proposals would lead to an unacceptable level of overlooking or loss of privacy given the details of the proposals and the separation distances.

Conclusion

The principle of the development is acceptable. The proposal is not considered to have any significant detrimental design, residential amenity or highway impacts. There are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the adopted Local Plan, the Hugglescote Neighbourhood Plan and the advice in the NPPF. It is therefore recommended that the application be permitted.

RECOMMENDATION - PERMIT, subject to the following conditions:

- 1 - time period
- 2 - approved plans
- 3 - materials
- 4 - closure of access
- 5 - cycle parking
- 6 - bin store details
- 7 - window details
- 8 - landscaping
- 9 - obscure glazing
- 10 - boundary walls
- 11 - construction management plan
- 12 - swift boxes
- 13 - removal of permitted development rights.