

Item No. 3

Application Reference Number P/14/0510/2

Application Type:	Full	Date Valid:	21/03/2014
Applicant:	Harrington Investments Ltd		
Proposal:	Erection of single and two-storey annex for 2 cluster flats (ground floor flat - 7 bedrooms and first floor flat - 4 bedrooms) and wardens office. (Revised scheme - P/13/1891/2 refers).		
Location:	Radmoor House, Radmoor Road, Loughborough, Leicestershire, LE11 3BS		
Parish:	Loughborough	Ward:	Loughborough Southfields
Case Officer:	Louise Winson	Tel No:	01509 634742

Description of the Application

This is a revised application for the provision of an annex to Radmoor House to provide additional student accommodation. The length of the annex would be 36.8 metres, with it being two-storey for approximately 21 metres before dropping to one storey towards the rear. The main building, Radmoor House, is currently in use as student accommodation. The new building would replace the existing single storey outbuildings along the northern boundary of the site.

Radmoor House is a large Victorian red brick building situated in substantial grounds at the edge of the Ashby Road Conservation Area. Radmoor Road is characterised by Victorian terraces, many of which retain original features. There is an area of public open space to the south of the site and a public footpath along the northern boundary, adjacent to the location of the proposed building.

Development Plan Policies and other material considerations

- **Development Plan Policies**

Borough of Charnwood Local Plan (adopted 12th January 2004) (saved policies)

Policy EV/1 - Design - seeks to ensure a high standard of design for developments which respect the character of the area, nearby occupiers and is compatible in mass, scale and layout.

Policy H/12 - Student Halls of Residence - seeks to ensure new student housing developments are on, or readily accessible by cycle, public transport or on foot to, the university and college campuses.

Policy TR/6 - Traffic Generation from New Development - seeks to ensure new development does not result in the unsafe and unsatisfactory operation of the highway system or has a significant adverse impact on the environment.

Other Policies

The adopted Leading in Design Supplementary Planning Document is a working document intended to encourage, promote and inspire higher design standards in development throughout Charnwood.

The adopted Student Housing Provision in Loughborough Supplementary Planning Document provides guidance regarding the control of the intensification of student occupation in new developments in Loughborough.

The National Planning Policy Framework sets out a presumption in favour of sustainable development. The Framework also deals with the historic environment and emphasises the importance of securing development that preserves and enhances the character and appearance of designated heritage assets.

Relevant Planning History

P/13/1891/2 - Erection of two-storey annex for two five-bedroom cluster flats and wardens office. This application was withdrawn following concerns raised by officers regarding design and the impact of the building on the rear garden areas of Nos. 26 & 28 Radmoor Road and 11 York Road.

Responses of Statutory Consultees

The Highway Authority raises no objections to the proposal due to the provision of the no car agreement for the site. This is discussed further in the report.

The Borough Council's Tree Officer raises no objections to the proposal.

The Borough Council's Conservation & Design Officer raises no objections to the proposal. Conditions are recommended below to ensure appropriate materials and windows details are used.

The Borough Council's Ecologist has inspected the site and raises no objections to the proposal. This is subject to the provision of conditions to mitigate the impact of the development on protected species.

The Borough Council's Community Safety Team has commented on the proposal, the contents of which are discussed below.

Other Comments Received

17 letters of objection; 14 of which are pro forma letters, have been received from occupiers of properties along Westfield Drive, Seward Street, Windleden Road, Ashby Road, York Road and Radmoor Road. A further letter of objection has also been received from the Storer and Ashby Area Residents Group. Objections are raised on the following grounds:

- The development goes against the intentions of the adopted Article 4 Direction which prevents the conversion of dwellings to houses in multiple occupancy.
- The development is contrary to the provisions of the adopted Student Housing Supplementary Planning Document.
- The provision of more student housing in an area with high levels of student occupation would be detrimental to the amenities of neighbouring residents, creating a community imbalance.
- The provision of the building will be over dominant to the properties along York Road and Radmoor Road.
- The development may adversely affect the protected species on the site.
- The warden's office is only staffed during office hours.
- The proposal would result in parking issues in the area.
- The development would result in antisocial behaviour, litter and vandalism.

Consideration of the Planning Issues

The main material planning considerations in the assessment of the proposal are the principle of the development, design, the impact on neighbouring amenity and highway safety.

The Principle of the Development

The site occupies a key position between the university and college campuses and the town centre. Access to both campuses and the town centre can be easily achieved on foot, by cycle or public transport. Saved policy H/12 seeks to encourage the provision of new student housing development in these areas, which therefore suggests the principle of the development should be accepted. However, the percentage of student occupation in the relevant output areas around the site is 40.8%. The provisions of the Student Housing in Loughborough Supplementary Planning Document indicate that applications for new student housing developments in areas where student occupation is greater than 20% should be resisted. However it is pertinent to point out that this document does not form part of the development plan and provides guidance only. Whilst this is a material consideration, there is a requirement to take a balanced decision in light of the development plan and having regard to all material considerations not just the SPD.

The location of the development site within the boundary of Radmoor House is a significant consideration in the assessment of the proposal. The proposal would provide an additional 11 bed spaces on the site, which is already occupied by students. Objections have been raised which allege the provision of additional bed spaces would lead to additional noise and disturbance in the locality. Whilst it is acknowledged that there are a high number of student properties in the area around the site, the local output area for the application includes the halls of residence along Radmoor Road and Kingfisher Way. The presence of these halls of residence may therefore be seen to distort the student numbers in the locality.

Data from the Electoral Register has been gathered which shows that two of the four properties directly opposite the site along with the three neighbouring properties along Radmoor Road (Nos. 24-28) are occupied by students. In addition to this, two of the four properties along York Road (Nos.11-17) which span across the north eastern

boundary of the site are also occupied by students. With this in mind, similar applications and any associated appeal decisions for student housing in the locality are also a consideration in the assessment of the proposal. One notable case would be that of 154 Ashby Road, Loughborough, where an application to allow the ex-guest house to be used as a house in multiple occupancy was granted at appeal by the Planning Inspectorate. When assessing the appeal proposal, the Inspector gave significant weight to the occupation of the neighbouring properties to the site by students, and consequently concluded that the proposal would not result in unacceptable harm to neighbouring amenity. This appeal decision should be borne in mind when assessing the current proposal, where the majority of the neighbouring properties are houses in multiple occupancy.

The evidence provided by the Council's Community Safety Team shows there have been 40 reported cases of crime along Radmoor Road during the period 23rd June 2013 – 23rd June 2014. Whilst it is accepted that this number is not insignificant, only one of these incidents has been attributed to a resident of Radmoor House. The data can also be broken down into the following categories:

- Of the 40 complaints, 2 residents made 12 complaints each, which is 30% of the total.
- 1 resident made 8 complaints, which is 20% of the total and the remaining 6 complainants constitute the remaining 20% of the total complaints made.
- The 4 main categories of ASB complained about were Noisy Neighbours (23) Loud Music (13) Shouting and Swearing (8) and Drunken Behaviour (7).

This data indicates that whilst there are instances of anti-social behaviour in the area, it may not be unacceptably disruptive to the majority of the residents in the area. The application makes provision for a warden's office, along with the use of mature student sub-wardens who live at the site and out of hour's staff who are available for emergencies and disruptive behaviour. It is considered that the provision of this level of management is a benefit to the proposal, and would provide a deterrent to anti-social behaviour at the site.

Overall, when assessing the principle of the development, a balanced judgement needs to be taken as to whether, taking all of the above into account, the development would cause significant and unacceptable harm to the amenities of neighbouring properties. The National Planning Policy Framework presents in favour of sustainable development, and, due the location of the application, it is considered that the proposal complies with the requirements of this national planning policy. In this regard, the development is also considered to comply with saved policy H/12 of the Local Plan. The increase in the number of managed bed spaces in the town would also contribute the number of this type of accommodation, which is the preferred method of accommodation for students in Loughborough. Whilst the development fails to adhere to the guidance laid out in the Student Housing Provision in Loughborough Supplementary Planning Document, it would be difficult to demonstrate the extra bed spaces on this existing student site would result in unacceptable rise in noise and disturbance in the area. On balance therefore, the principle of allowing the development is considered to be acceptable.

Design

The site at present contains several connecting single storey outbuildings which currently create a break between the large two storey terraces and Radmoor House.

The scale and form of the proposed building maintains the existing relationship between Radmoor House and the adjacent outbuildings albeit a two storey element has been introduced close to the street. The building has been designed to appear subservient to the main house and the courtyard area created by the projecting one and a half storey wing retains the current arrangement of the site. Preserving the orientation of the building with the gable end facing the street emphasises this deference with the length and bulk of the structure stretching away from the street, rather than along it. The use of varying heights to different sections of the building help to break up the mass of the structure which extends further along the boundary of the site than it does at present.

The proposed materials are in-keeping with the prevailing character of the area and the design of the building draws on appropriate existing details both from within the site and the surrounding area.

It is clear that the development as proposed will have an impact on the street scene as it currently appears, however it is not considered that this impact will harm the significance of the conservation area. The two storey element closest to the street is simple in appearance and the orientation of the building with the gable facing the street draws attention to the width of the structure rather than its length. Materials and design features which are identifiable elsewhere within the conservation area have been used throughout the scheme, allowing the development to appear more established within its setting. Crucially the existing relationship between the outbuildings and Radmoor House is maintained and this also sustains the connection of the site as a whole to the street scene. It is therefore considered that the proposal does not harm the significance of the conservation area and allows for the preservation of its character.

The Impact of the Building on Neighbouring Amenity

The revised scheme, whilst projecting further into the rear garden area of Radmoor House than the original scheme, complies with the minimum distances set out in the Leading in Design Supplementary Planning Document to prevent over dominance on the outlook from the neighbouring properties along Radmoor Road and York Road. With regards to the loss of light, the existing outbuilding would have some impact on the light to the neighbouring properties at the present time. The sections of the new building adjacent to the rear garden areas of the neighbouring properties have been kept at single storey level to replicate the existing impact. The last section of the building which would span across the rear boundary of No.15 York Road would also be set at a lower level than the rest of the building. It is therefore unlikely that the new building would block an additional and unacceptable level of light to the neighbouring properties. Overall, it is not considered that the scale and mass of the building would be detrimental to the amenities of the neighbouring properties.

Highway Safety

Radmoor House currently benefits from a small amount of off-street car parking spaces in the courtyard area. However, these serve the existing building and therefore cannot form part of any car parking provision for the new development. The application does not include any off-street car parking provision for the new development; however a draft 'No-Car' Unilateral Undertaking has been submitted pursuant to s.106 of the Town and Country Planning Act 1990. This agreement would prevent occupiers of the new building from bringing vehicles to the site, except for the purposes of dropping off/collecting of belongings. On this basis, the Highway Authority has raised no formal objections to the proposal and it would therefore be difficult to resist the proposal on these grounds.

Ecology

The Council's Ecologist has commented on the application due to the proximity of the building to the badger setts on the site. No formal objections to the proposal have been raised, although conditions are considered necessary to protect the badger setts throughout the construction of the development. The development is unlikely to result in harm to the protected species.

RECOMMENDATION A

That authority is given to the Head of Planning and Regeneration to issue the planning permission upon the receipt of a satisfactory and completed Unilateral Undertaking which is tied to the planning permission.

RECOMMENDATION B

That subject to the completion of the undertaking in A, permission is 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 shall be carried out only in accordance with the details and specifications included in the submitted application, as amended by the revised drawings Nos. 12/066-32 Rev A and 12/66-31 Rev E received by the local planning authority on 8th April 2014.
REASON: To make sure that the scheme takes the form agreed by the authority and thus results in a satisfactory form of development.
- 3 No materials shall be placed on the site until such time as samples of the facing

bricks and any other materials to be used on the external walls and of the roofing slates, tiles and any other materials 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 Prior to the commencement of development work on site, details of an exclusion zone defined by suitable protective Heras fencing to prevent any disturbance to badgers and their setts during construction phase shall be agreed in writing with the local planning authority and the agreed scheme shall be fully implemented and retained until the completion of the development.
REASON: In the interests of the protected species.
- 5 There shall be no storage of equipment, spoil and material, movement of machinery and personnel within the exclusion zone throughout the construction phase.
REASON: In the interests of protected species.
- 6 No dwelling or building on the site shall be occupied until a wildlife management plan, including long term design objectives, management responsibilities and maintenance schedules for all wildlife areas has been submitted to and agreed in writing by the local planning authority. The agreed management plan shall then be fully implemented.
REASON: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.
- 7 No development, including site works, shall begin until each tree shown to be retained on the approved plan has been protected, in a manner which shall have first been submitted to and agreed in writing by the local planning authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.
REASON: The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.
- 8 The first floor windows in the northern elevation shall be glazed with obscure glass which 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.
- 9 Notwithstanding the submitted details, no works shall begin until details of the design, materials of construction and finish of all new window openings have

been submitted to and agreed in writing by the local planning authority. The works shall be carried out only in accordance with the agreed details.
REASON: To ensure the satisfactory appearance of the completed development.

- 10 The ground floor windows along the Radmoor Road and True Lovers Walk frontages shall be of a type which opens inwards only and shall be retained as such at all times thereafter.
Reason: In the interests of the safety of users of the highway immediately adjacent to the building.

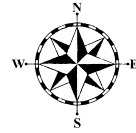
The following advice notes will be attached to a decision:

- 1 The Local Planning Authority acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England)) Order 2010 (as amended).
- 2 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies EV/1, H/12 and TR/6 of the Borough of Charnwood Local Plan (adopted 12th January 2004) have been taken into account in the determination of this application. The proposed development complies with the requirements of these saved Local Plan policies and there are no other material considerations which are of significant weight in reaching a decision on this application.
- 3 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, otherwise, no harm would arise such as to warrant the refusal of planning permission.
- 4 Any damage caused to the highway/footpath during construction shall be reinstated to Highway Authority standards entirely at the applicant's expense.
- 5 No roof water drainage shall be discharged on to the highway/footpath and any existing such discharge shall be prevented as part of the proposed building works.
- 6 Appropriate good practice measures should be adopted during the construction phase to minimise risks to badgers, such as covering trenches or foundation excavations at night, providing sloping sides or means of escape. Materials such as netting and wiring should not be openly left in the work area where they might entangle or injure badgers.
- 7 This permission has been granted following the submission of a completed Unilateral Undertaking relating to the restriction of the occupiers of the annexe from bringing vehicles to the site.



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Application No:

P/14/0510/2

Location:

Radmoor House, Radmoor Road, Loughborough, Leicestershire, LE11 3BS

Scale:

1:1250

