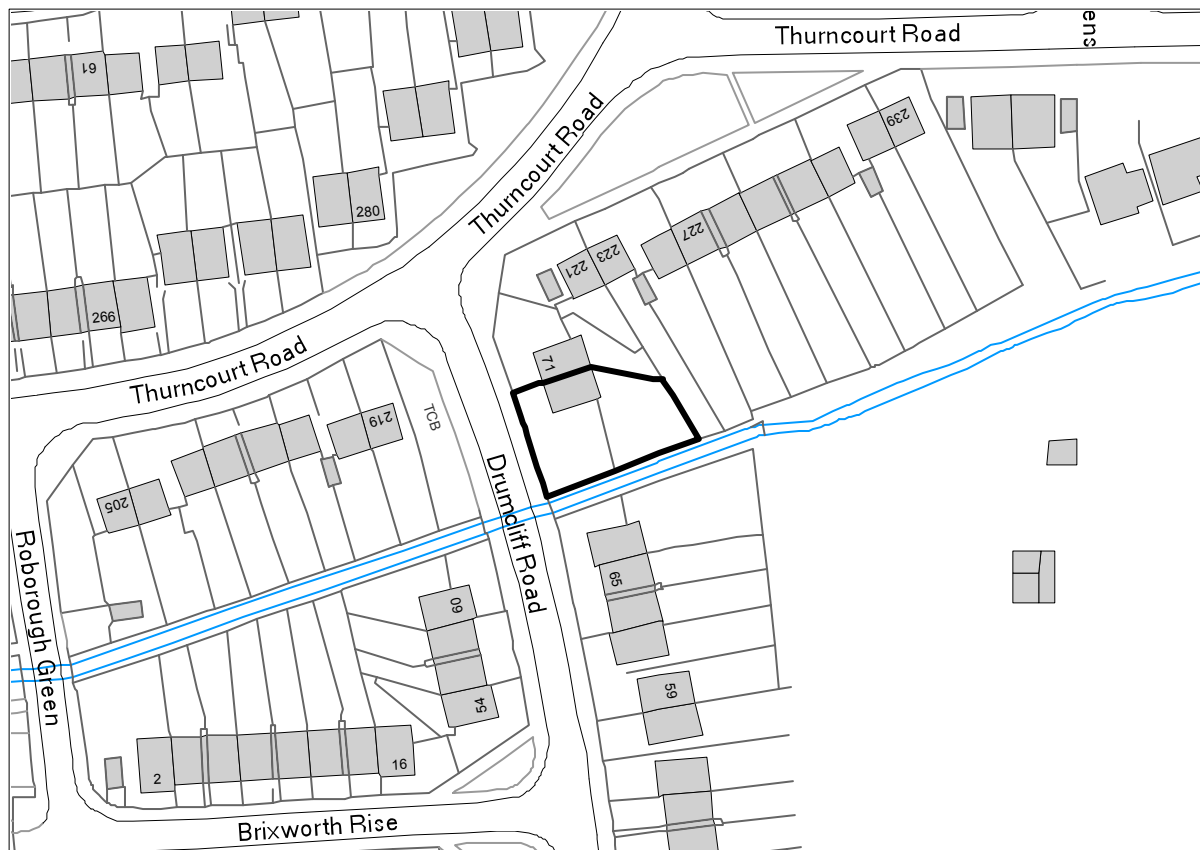


Recommendation: Conditional approval	
20140149	69 DRUMCLIFF ROAD
Proposal:	TWO STOREY EXTENSION AT SIDE AND REAR; SINGLE STOREY EXTENSION AT REAR AND DORMER EXTENSION AT REAR OF HOUSE (CLASS C3)
Applicant:	MR CLINT JONES
App type:	Operational development - full application
Status:	Householder development
Expiry Date:	24 March 2014
FJ	WARD: Thurncourt



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Summary

- The application is being reported to committee due to the number of objections received and the recommendation is for approval.

- A total of 3 objections and a petition containing 10 signatures have been received regarding, design, flooding and loss of privacy.
- The main issues are the design of the proposal and residential amenity.

Introduction

This application relates to a semi-detached house located in a residential area and adjacent to Thurnby Brook.

Background

20040323 – two storey extension at side, approved but not built.

20071361 – detached house was refused for the following reasons:

1. The development, by reason of its location in the 1:100 year flood risk zone and by reason of the lack of a flood risk assessment and of any remedial measures, presents an unacceptable risk of increased flooding in the surrounding area, contrary to policies BE19 and BE20 of the City of Leicester Local Plan.
2. The development, by reason of the proposed dormer windows to the front elevation, would be out of keeping with the style of adjacent houses and hence with the street scene, contrary to policies UD01 and H14 of the City of Leicester Local Plan.

20101985 – three storey building containing two flats, car parking was refused for the following reasons:

1. The site lies within Flood Zones 3a and 2 defined by Planning Policy Statement 25 as having a high probability of flooding where the risk to life and/or property from fluvial inundation would be unacceptable. In particular: (i) the proposed development will impede flood flow and/or reduce capacity thereby increasing the risk of flooding elsewhere; (ii) the site is currently not defended to the appropriate standard taking into account climate change over the lifetime of the development and the property maybe at risk of flooding; (iii) the development may not have a safe means of access and/or egress in the event of flooding. Consequently, there would be an unacceptable risk to the health and safety of the occupants in a flood event; (iv) the Flood Risk Assessment submitted does not correctly characterise the risk of flooding to the site and does not provide a suitable basis for assessment of the proposal. It is thereby contrary to Planning Policy Statement 25 and Policy BE20 of the City of Leicester Local Plan.
2. The height, design and position of the proposal would have an unacceptable impact upon the amenities currently enjoyed by the occupiers of the neighbouring properties due to overlooking and loss of privacy. The proposal would leave insufficient amenity space for the use of occupiers of 69 Drumcliff Road therefore represents overdevelopment of the site. It is therefore contrary to policy PS10 of the Local Plan and adopted guidance in Supplementary Planning Document (Residential Amenity.)

3. The design of the proposed development being raised up on pillars would be out of character with the street scene. Therefore it is contrary to policy Core Strategy CS3.

20131068 - two storey extension at side; single storey extension at side and rear; dormer extension at rear of house – approved. This proposal has been implemented but it came to our attention it was not being built in accordance with the approved plan.

At that time it also came to our attention that there has been an increase in land levels and that a 1.8 metre high boundary wall towards the top of the river bank would have a finished height of over two metres. The applicant was advised that planning permission would be required for the raising of the land levels as it was engineering works. No application has been submitted.

The Proposal

The proposal is the retention of a canopy to the front, two storey extension to the side and rear; single storey extension at rear and a dormer extension at front and rear.

Policy Considerations

Development plan policies relevant to this application are listed at the end of this report.

Supplementary Planning Document (SPD): 'Residential Amenity'.

Representations

Three letters of objection and a petition containing 10 signatures have been received raising the following concerns:

- Too close to the boundary leading to overlooking and loss of privacy.
- Loss of light.
- An eyesore and does not fit in the area.
- Been built on a 'flood plane', increase risk of flooding.
- Lack of communication with the residents and the Council.

Consideration

Front

The front elevation is now flush with the existing elevation, with no drop in the ridge and includes a dormer window. The property is only one of a pair of semi's and is rendered. I therefore consider that the proposal as constructed does not have a terrace effect and there would be no issues with regards to the matching of materials. The side elevation has been constructed in brick and I would suggest a condition be attached requiring that wall be rendered to match that of the existing house and the neighbouring houses.

Side

The side extension would be between 8 metres and 8.7 metres from the bank of Thurnby brook.

The proposal would be 16 metres away from the property to the far side of Thurnby Brook, therefore the proposed side windows would have a minimal effect upon the adjacent property 67 Drumcliff Road.

Rear

The single storey rear extension has been built following the boundary line, therefore it runs at an angle away from the attached semi, 71 Drumcliffe Road. It would have a depth of 3 metres. There is a kitchen door closest to that proposal, therefore the main principal room window is some distance away and I consider there would be no loss of amenity to the occupiers of that property.

The two storey side/rear extension and the rear dormer window would be between approximately 5m to 7.5 m from the side and rear boundary. Windows in the rear would look towards the rear gardens of 71 Drumcliffe Road and 223 Thurncourt Road. The dormer window could be built under the limits of permitted development. The two storey side/rear extension as approved had a finished height of 6.7 metres. That extension as built has a height of 8.3 metres. That is an increase in height of 1.6 metres, the window to that extension would be the same distance away from the rear boundary as previously approved but there will also be an additional window at a higher level.

Flooding

The extension has been built leaving a distance of between 8.13 metres and 8.74 metres of the top of the river bank. The Environment Agency stated for the previously approved application “no objections to the proposed development since it retains an 8 metres corridor free of development alongside the brook and that any works within 8 metres of the top of the bank of the watercourse will require the EA’s prior written consent under the terms of the Midlands Region land Drainage Bylaws.”

Conclusion

The proposed distance from the rear elevation to the rear boundary of between 7m to 8m is short but it would look across to the rear garden of 223 Thurncourt Road. It has been constructed higher than what was originally approved but it is considered on balance the proposal is acceptable.

I therefore consider that the proposal is not contrary to policies and is acceptable.

I recommend APPROVAL subject to the following conditions:

CONDITIONS

1. START WITHIN THREE YEARS
2. The elevations shall be rendered in a colour to match that of the existing house. (In the interests of visual amenity and in accordance with Core Strategy policy CS3.)
3. This consent shall relate solely to the amended plans received by the City Council as local planning authority on 11th February 2014, unless otherwise

submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

Policies relating to this recommendation

- 2006_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 2010_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.