

## COMMITTEE REPORT

<b>20222199</b>	<b>413 London Road, Sefton House</b>	
Proposal:	Construction of loft conversion; alterations to sides and rear of house (Class C3)	
Applicant:	Rehana Latif	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	13 February 2023	
TEI	TEAM: PD	WARD: Knighton



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### Summary

- Application brought to committee as 8 objections from 8 city addresses received
- Main issues are impact of the proposal on the heritage significance of the building, impact on amenity, and highways.
- Objections relate to heritage, loss of privacy, human rights and construction traffic.
- The application is recommended for approval.

## The Site

The application relates to a two and three storey building in residential use and in a residential part of the city. The building is two storey at the front and three storey at the rear reflecting the drop in land levels. It is a locally listed building built circa 1902 for a Mrs Batten by the nationally recognised architect Frank Seale and is known as 'Sefton House'. It and has an Article 4 Direction removing all householder permitted development rights and permitted development rights for demolition.

For clarity, the site is not in the Stoneygate Conservation Area and sufficiently far south of the Stoneygate Conservation Area so as not to affect its setting.

## Background

There is another application at the site (ref. no. 20222199) for the construction of hardstanding and vehicular access to classified road at the front of the property.

## The Proposal

This proposal is for substantial alterations to the rear elevation, including extending the roof height at the rear to create additional third floor accommodation and minor alterations to the side elevations. The front elevation will remain unaltered.

The alterations at the rear include lifting the ridge height of the left side, and slightly lowering the ridge height of the right side so that both ridge heights will be the same and will sit just below the ridge height of the front part of the property. The third floor will be recessed to provide a covered terrace serving the master bedroom with a glazed balustrade flush with the rear of the building and served by two French doors. The existing first and second floors will be slightly adjusted but at the ground floor there will be bi-folding doors extending along 7 metres of the elevation. There will also be three conservation rooflights to the rear of the front part of the building.

There will be two new conservation rooflights and two new second floor windows to the south elevation and three rooflights and new second floor window to the north elevation.

A Heritage Statement has also been submitted with the application.

## Policy Considerations

### National Planning Policy Framework (NPPF) 2021

Paragraphs 2 (Application determined in accordance with development plan and material considerations)

Paragraph 11 (Presumption in favour of Sustainable Development)

Paragraphs 39 and 40 (Pre-applications)

Paragraphs 43 (Sufficient information for good decision making)

Paragraph 56 (Six tests for planning conditions)

Paragraphs 126, 130, 132 and 134 (Good design and ensuring high standard of amenity)

Paragraphs 194, 195, 197, 199, 201, 202, 203, 206, and 208 (Heritage Assets)

### Development Plan Policies

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

### Supplementary Planning Documents (SPD)

Residential Amenity SPD (2008)

## Consultations

None

## Representations

Eight objections have been received from eight Leicester addresses raising the following concerns:

- that the alterations at the rear, in particular the third floor terrace and French doors will fundamentally change the property's design and appearance out of keeping with its heritage,
- that the third floor terrace would result in an unacceptable impact on the privacy of surrounding gardens, contrary to Article 8 of the European Convention on Human Rights,
- that the third floor terrace would also result in noise and light pollution,
- that the building works will have an unacceptable impact on parking in the local area, particularly given that the local area is already congested due to the nearby Leicester High School for Girls,
- that the building works will compromise the ability of emergency services to access Holbrook Road, will block the view of the road for people waiting at the bus stop and obscuring vehicular exits from the driveways of adjacent properties, and
- that there are some inaccuracies in the plans including a failure to show the white painted weatherboard cladding at the rear of the property and showing a hedge along the site boundary other than the existing fence.

## Consideration

### Principle of development:

The proposal is for residential development in a residential part of the city and is acceptable in principle.

### Design:

In this instance considerations of design are intrinsically related to the proposal's locally listed status and so are considered below.

### Heritage Assets:

The building is a good example of an early 20<sup>th</sup> Century suburban house located on a prominent thoroughfare into the city and is a well-designed red brick building with

rendered upper floors, with a pair of visually prominent tall and narrow red brick chimneystacks to either gable end. The gable ends are clearly visible from the streetscene, resulting in the house having a prominent impact upon London Road, one of the main thoroughfares into and out of the city.

The proposal does not alter the front elevation of the building and by introducing a window to the north elevation better reveals the gable end from this approach. I do not consider that the proposal will harm the architectural interest or significance of the proposal. Nevertheless, in order to preserve the architectural significance of the building and to ensure that any alterations are well integrated into its historic fabric I consider it necessary to attach a condition requiring materials for all external elevations and for the section details of new windows and doors to be agreed prior to the commencement of the development.

Living conditions (*host property*):

All new principal rooms will have good levels of outlook and will not compromise the enjoyment of the amenity space of the host property whose already acceptable standard of living conditions will not be harmed by the proposal.

Residential amenity (*neighbouring properties*):

The proposed extension will be set 21 metres from the rear garden of the nearest Holbrook Road property, far greater than the minimum distance of 11 metres recommended in the residential amenity SPD, and despite the rear balcony being high up and overlooking these gardens I consider that this distance is significant enough so that the impact on the privacy of these properties is not unacceptable. The distance between the proposed extension and the rear gardens of 405 and numbers 515-417a London Road is much closer (at approximately 5 metres on either side). However, given the incline of the proposed roof the overlooking into the main part of these gardens would not be direct and I consider the proposal to be acceptable in this respect.

Given the respective orientation of the properties I consider the proposal will have very little impact on the outlook from windows of neighbouring properties. Nor do I consider the proposal will have a particularly overbearing impact or unacceptable overshadowing impact or impact on daylight to these properties.

I note the concerns above regarding potential light and noise pollution. However, as an extension to an existing dwelling I consider any impact on light or noise to be acceptable and reasonable in a residential area.

Highways and Parking

I consider the scale of the development to be comparable to many householder developments across the city and not so large or to have such an unacceptable impact on emergency vehicles, highway congestion or highway safety so as to require a construction management plan to be agreed. In addition, the accompanying application for hardstanding and an additional vehicular access

demonstrate that there is hardstanding area that could be used for contractors' vehicles on site.

### Other matters

I note the concerns over the inaccuracy of the existing plans. However, I am satisfied that this does not unduly compromise the proper assessment of the application.

Given the scale and nature of the proposal I do not consider that it contravenes Article 8 of the European Convention on Human Rights.

I therefore recommend APPROVAL subject to the following conditions:

#### CONDITIONS

1. START WITHIN THREE YEARS
2. Before the development is begun, the following shall be submitted:
  - 1 metre<sup>2</sup> brick sample panel (showing brickwork, bonding and mortar) for any new exposed brickwork
  - details of the render to be used for the rear elevation
  - material sample to be used for the roof
  - ridge-tile sample to be used for the roof
  - details of materials to be used for the windows, barge board and doors and approved in writing by the local planning authority, implemented in accordance with the approved details and retained as such. (To preserve the architectural significance of the building, and in accordance with Core Strategy policy CS18.)
3. Before the development is begun, plans at a scale of 1:10 or 1:20 for the following shall be submitted:
  - window & door joinery details and finishes
  - cill and lintel details
  - bargeboard detailsand approved in writing by the local planning authority, implemented in accordance with the approved details and retained as such. (To preserve the architectural significance of the building, and in accordance with Core Strategy policy CS18.)
4. Development shall be carried out in accordance with the following approved plans:  
Plans as Proposed (alternative), ref. no. LE2-3330 PLN, rev. C, received 14.12.2022  
(For the avoidance of doubt).

#### NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and pre-application).

The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2021 is considered to be a positive outcome of these discussions.

### **Policies relating to this recommendation**

2006_AM12	Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
2006_PS10	Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
2014_CS02	Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
2014_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'.
2014_CS14	The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.
2014_CS18	The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.