

COMMITTEE REPORT

20222152	23 Sidney Road, Land adjacent to	
Proposal:	Demolition of existing extension and garage; construction of single and two storey dwelling (1x3 bed) (Class C3) (AMENDED PLANS RECEIVED 26/01/2023 & 30/01/2023)	
Applicant:	Ms D Rayarel	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	6 January 2023	
PB	TEAM: PD	WARD: Knighton



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Summary

- Reported to the Committee as 7 objections have been received from 5 City addresses.
- Objectors raise issues relating to the character of the area, parking, infrastructure, biodiversity, pollution and precedent.
- The main issues in this case are: the principle of development; the character and appearance of the area; the amenity of neighbouring occupiers; the living

conditions of future occupiers; parking and access; and ecology and landscaping

The Site

This application relates to an Edwardian two storey end-of-terrace dwelling situated on the north side of Sidney Road. The dwelling occupies a wider than is usual plot for a terraced dwelling and this has previously been exploited by the addition of an extension (with main dwelling entrance) and attached single garage at the side. There is a driveway parking space in front of the garage. At the rear, the original dwelling has a two storey outrigger and, beyond that, a single storey extension.

The adjoining mid-terraced dwelling to the east, 21 Sidney Road, has a handed layout to that of the original application dwelling and also has a single storey extension to the rear of the outrigger. At roof level, the dwelling has been enlarged by the addition of a dormer.

The neighbouring detached dwelling to the west, 27 Sidney Road [there is no number 25], appears to date from the 1930s and has been enlarged by the addition of a two storey side extension adjacent to the boundary with the application side. It also has a single storey rear extension adjacent to the boundary with 29 Sidney Road.

Adjoining the site at the rear are the gardens of terraced dwellings at 1200124 (evens) South Knighton Road.

Development in Sidney Road is predominantly characterised by relatively short rows of Edwardian terraced and 1930s semi-detached houses. The carriageway width of Sidney Road is not particularly generous and on-street parking is not controlled.

Background

Planning permissions for extensions to the original dwelling were granted in 1978 (19781791) and in 1981 (19810202).

The Proposal

Planning permission is now sought for the following development, following the demolition of the existing side extension and garage:

- The construction of a new single and two storey dwelling to the side of the original dwelling at 23 Sidney Road. The new dwelling would comprise two main parts:
 - a) A two storey sideward 'replica' continuation of the existing terrace. This part would have a sideward projection of 4.3 metres and would span the full depth of the original dwelling, including the outrigger. It would continue the ridge line of the original dwelling (with rooflights in the front and rear roofplanes) and have a subordinate pitched roof at the rear, alongside that of the original outrigger.
 - b) A two storey sideward 'extension' to the new house. This part would have a sideward projection of 3.2 metres and would be set-back from the front wall of the main part by 3.3 metres, producing a subordinate

end-gable roof over. It would also have a subordinate pitched roof at the rear.

- There would also be a single storey element behind the main part. This would project further rearward by 2.5 metres and would broadly correspond with the existing extension to the rear of the outrigger on the original dwelling. The single storey part would have a monopitch 'lean'-to' roof.

The new dwelling would comprise: a living room, kitchen, utility room and garage on the ground floor; three bedrooms, a bathroom, dressing room and *en-suite* on the first floor; and a home-office within the attic space.

Policy Considerations

National Planning Policy Framework (NPPF) (2001)

The presumption in favour of sustainable development

Paragraph 11 states that decisions should apply a presumption in favour of sustainable development which means: (c) approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies (or the most important policies are out of date) granting permission unless NPPF policies that protect areas or assets of particular importance provide a clear reason for refusal, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies as a whole.

Decision taking

Paragraph 38 encourages local planning authorities to approach decisions in a positive and creative way and states that they should work proactively with applicants. It goes on to state that decision makers should seek to approve applications for sustainable development where possible.

Paragraph 56 lays down the tests for planning conditions. They are that planning conditions must be: necessary; relevant to planning; relevant to the development; enforceable; precise; and reasonable.

Delivering a sufficient supply of new homes

Paragraph 69 states that local planning authorities should support the development of windfall sites through their planning decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.

Promoting healthy and safe communities

Paragraph 92 states that planning decisions should aim to achieve healthy, inclusive and safe places which (b) are safe and accessible, so that crime and the fear of crime do not undermine quality of life or community cohesion.

Promoting sustainable transport

Paragraph 110 states that, in assessing applications for development, it should be ensured that: (a) opportunities to promote sustainable transport have been taken up; and (b) safe and suitable access can be achieved.

Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Paragraph 112 states that applications for development should (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Making effective use of land

Paragraph 120 states that planning decisions should (d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Paragraph 123 states that local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purposes in plans, where this would help to meet identified development needs.

Achieving well-designed places

Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Paragraph 130 states that planning decisions should ensure developments: (a) will function well; (b) are visually attractive; (c) are sympathetic to local character and history; (d) establish or maintain a strong sense of place; (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and (f) create places with a high standard of amenity for existing and future users.

Paragraph 131 notes that trees make an important contribution to the character and quality of urban environments and can also help mitigate climate change. It states that planning decisions should ensure that existing trees are retained wherever possible.

Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Conserving and enhancing the natural environment

Paragraph 174 states that planning decision should contribute to and enhance the natural and local environment by (d) minimising impacts on and providing net gains for biodiversity.

Paragraph 180 states that (a) if significant harm to biodiversity cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused.

Leicester Core Strategy (2014) and City of Leicester Local Plan (2006)

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

Supplementary Planning Documents and Guidance

Residential Amenity Supplementary Planning Document (SPD) (2008)

Consultations

Highway Authority: No objection subject to conditions.

Trees & Woodlands: No objection.

Representations

Representations have been received both objecting to, and in support of, the proposed development.

In terms of objections, these have come from seven individuals at five city addresses, raising the following issues:

- overdevelopment on crowded street/inadequate space for new dwelling/out of keeping
- additional street parking pressure (removal of off-road parking and another household with cars)
- north side only has 25 parking spaces with 12 premises having garage/driveway; south side has 26 parking spaces; at time of survey (16:00 on 21/12/2022) only 5 vacant spaces
- narrow road – potential damage to cars and trees during construction/disruption
- precedent for other houses with existing garages
- additional stress on infrastructure (traffic/healthcare/education)
- will create oppressive and enclosed environment
- loss of break in building pattern (which provides visual/aesthetic and environmental amenity)
- loss to environment and biodiversity (mitigation unenforceable)
- increased pollution from additional traffic
- public transport suffered reduced service levels/increase unreliability in recent years

In terms of support, this have come from two individuals at two city addresses, making the following points:

- design more in keeping with street and area

- proposal includes off-street parking,
- attention has been paid to sustainability and environmental impacts
- important to consider drainage and street parking
- plans to enhance natural habitats of species are particularly crucial

Consideration

The main issues in this case are: the principle of development; the character and appearance of the area; the amenity of neighbouring occupiers; the living conditions of future occupiers; parking and access; and ecology and landscaping

Principle of Development

Core Strategy (2014) Policy CS06 provides for small housing infill schemes to support the development of sustainable communities. Policy CS08 calls for neighbourhoods to be sustainable places where people choose to live and work, and recognises that small scale infill sites [in suburban areas] can play a key role in the provision of new housing. However, it goes on to state that these should only be developed where damage can be avoided to the qualities that make these neighbourhoods so desirable, and that development will not be permitted that does not respect the scale, location, character, form and function of the local area, nor where it would have an unacceptable impact on levels of biodiversity in the neighbourhood.

The proposal is a small infill housing scheme that would deliver one additional dwelling within this established residential area. It would make a modest but nevertheless welcome contribution to the City's housing supply and would achieve more effective use of this site consistent with national policy at paragraph 120 of the NPPF. I consider that the site is capable of development in a manner that supports the development of a sustainable community and does not damage the desirable qualities of this area. As such, and subject to the consideration of the detailed impacts below, I am satisfied that the proposal would accord with the relevant provisions of Policies CS06 and CS08 and that residential development of the site is acceptable in principle.

Character and Appearance

Core Strategy (2014) Policy CS03 sets an expectation for high quality designs that contribute positively to the character and appearance of the local built environment. It states that development must respond positively to the surroundings and be appropriate to the local setting and context, and take into account Leicester's history and heritage. The Policy goes on to call for new development to contribute positively to an areas character and appearance in terms of scale, height, density, layout, urban form, high quality architecture, massing and materials.

Although not a street of uniform house types, Sidney Road has a pleasing character with houses typically dating from the 1900-1930s period. As a continuation of the existing short terrace formed by 19-23 (odds), I consider that a pastiche rather than contemporary design response is appropriate and acceptable. The main part of the proposal would present a faithful reproduction of the existing terraced dwellings to the street frontage in terms of its overall proportion, roof form, entrance language and

other architectural details. The 'extension' part of the new house would be set back, so as not to project forward of the neighbouring dwelling at 27 Sidney Road, would be narrower, have a lower roof and be of plainer (though still sympathetic) appearance, such that overall it would be clearly secondary and subservient to the main part and consequently not disrupt the rhythm of the terrace. I am satisfied that the design of the proposal is acceptable and that it would make a positive contribution to the streetscene of Sidney Road.

At the rear, the use of subordinate gable roofs to line-up the two storey development with the outrigger of the original dwelling would also be sympathetic to the form and architecture of the terrace. The proposed single storey element would have a more contemporary appearance, but this is not uncommon for single storey additions to historic dwellings and I do not find it to be unacceptable here.

The rooflights (front and rear) would have only minor visual impact upon the proposed building overall and I consider them to be acceptable.

I acknowledge that third party representations have been received raising concern that the proposal would amount to overdevelopment and that the loss of the existing 'gap' in the street frontage would be detrimental. However, I do not consider that the proposal, to provide one additional dwellinghouse, constitutes overdevelopment of this site nor do I consider that the site – which is already occupied by an extension and garage – is of such significant amenity value to the streetscene that its redevelopment is inherently unacceptable. As I have already indicated, I consider that a thoughtful and sympathetic approach to the redevelopment of the site has been achieved in the proposed (as amended) design, and the 'extension' part of the new house would be set-back so as to appear subordinate and address the relationship with 27 Sidney Road. Furthermore, a gap of 0.8m would be maintained between the flank wall of the 'extension' part and the boundary with 27 which, I consider, would be an adequate safeguard against a terracing effect with the dwelling at 27 Sidney Road.

In terms of materials, the application form states that: the walls would be finished with brick & render*; the window frames and doors would be of timber & upvc; and that the roof would be natural slate. I consider that these are acceptable and recommend a condition to ensure the selected finish bricks, render finish and slate match as closely as possible those of the original dwelling at 23 Sidney Road.

* The parts to be rendered are denoted on the drawing.

I conclude that the proposal would comply with the relevant provisions of Policy CS03 and that the proposal would make a positive contribution to the character and appearance of the area.

Amenity of neighbouring occupiers

Core Strategy (2014) Policy CS03 notes that good quality design is central to the creation of attractive, successful and sustainable places. As noted above, it states that development must respond positively to the surroundings and be appropriate to the local setting and context. Saved Policy PS10 of the Local Plan (2006) sets out amenity considerations for new development including (a) noise, light and air pollution, (b) the

visual quality of the area, (d) privacy and overshadowing and (f) the ability of the area to assimilate development.

The Residential Amenity Supplementary Planning Document (2008) (“the SPD”) provides local design guidance on amenity matters. For the purposes of the SPD, the site is situated within the Outer Area of the city to which Section 3 of the SPD applies. This recommends separations of no less than 21 metres between facing principal room windows.

The ‘extension’ part of the proposed new dwelling would not project forward of the adjacent front wall of the neighbouring dwelling at 27 Sidney Road. The ‘main’ part of the new dwelling would project forward by approx. 3.3 metres, but at a distance of 4 metres from the common boundary. I am satisfied that the proposal would not have an unacceptable impact upon light to, and outlook from, the nearest front principal room windows at 27.

At the rear, the proposed new dwelling would project rearward of the adjacent rear wall of the neighbouring dwelling at 27 Sidney Road by 0.9 metre and this would be at a distance of 0.8 metre from the common boundary. The single storey element would project rearward by a further 2.5 metres, but this would be at a distance of 4 metres from the common boundary. I am satisfied that the proposal would not have an unacceptable impact upon light to, and outlook from, the nearest rear principal room windows at 27.

I do not consider that the shadow cast by the proposal would be likely to lead to a significant and unacceptable loss of sunlight to 27 Sidney Road.

The single storey element of the proposal would not project rearward of the single storey extension at the original dwelling, but would be higher than that extension. However, I do not consider that this would result in an unacceptable impact upon 23 Sidney Road nor the adjoining mid-terrace property, 21 Sidney Road.

I do not consider that the proposed house would have an unacceptable impact upon any other neighbouring property in terms of daylight, outlook, overshadowing and visual impact.

A distance of 13 metres would be maintained between the first floor rear elevation of the new house (which would contain windows to a bedroom and *en-suite*) and the rear garden boundary, increasing to 23.5 metres’ separation in respect of the first floor rear walls of the outriggers of the terraced dwellings in South Knighton Road to the rear. Having regard to the SPD, I am satisfied that there would be no unacceptable overlooking of the properties at the rear. Overlooking of the adjacent gardens at 21/23 and 27 Sidney Road would be at an oblique angle of view and would not lead to any unacceptable loss of privacy.

On the opposite side of Sidney Road is a vacant site. In the event that this is developed in the future, I consider that the proposed dwelling and any new dwellings opposite would have a normal street-facing relationship that would not lead to an unacceptable level of privacy for either party.

The flank wall of the 'main' part of the new dwelling would contain, at ground floor level, a secondary window to a living room and, at first floor level, a secondary window to a bedroom (in both cases the main window being situated at the front). These would face the side boundary of the forecourt of 27 Sidney Road at a distance of 4 metres. I do not consider that that the resulting overlooking at ground floor level would have an unacceptable impact on privacy. I consider that the privacy impact of overlooking down from the proposed first floor flank window onto the forecourt of 27 can be adequately remedied by a condition to secure appropriate glazing and opening controls of that window.

Further openings are proposed in the flank wall of the 'extension' part of the new dwelling: doors to the utility room and garage at ground floor level; and windows to a bathroom and dressing room at first floor level. These would face the blank, flank wall of the dwelling at 27 Sidney Road and as such give rise to no overlooking concerns.

The proposed single storey opening at the rear would include bi-folding doors in the flank elevation. These would face the common boundary with 27 Sidney Road at a distance of 4 metres. However, there is an existing fence (to a height of approx. 1.5 metres) and I do not consider that that the resulting overlooking at ground floor level would have an unacceptable impact on privacy.

I do not consider that the proposed house would have an unacceptable impact upon any other neighbouring property in terms of privacy.

I acknowledge that third party representations have been received raising concern about increased pollution from additional traffic arising from the development. However, as a single additional dwelling, I do not consider that the impact of the development upon air pollution either during the construction phase or when residentially occupied would be likely to be significant and unacceptable. Similarly, I do not consider that the proposal is likely to give rise to any significant and unacceptable impacts in terms of noise and light pollution.

I conclude that the proposal would comply with the relevant provisions of Policies CS03 and PS10, and that the development would assimilate satisfactorily into the area without giving rise to unacceptable impacts in terms of amenity and privacy.

Living conditions of future occupiers

Core Strategy (2014) Policy CS03 notes that good quality design is central to the creation of attractive, successful and sustainable place and states that new development should create buildings and spaces that are fit for purpose. Policy CS06 states that all new housing units should, where feasible, be designed to lifetime homes standards. Saved Policy PS10 of the Local Plan (2006) applies to the amenity of future as well as existing neighbouring residents.

The Nationally Described Space Standards (NDSS) are not yet adopted in Leicester. Nevertheless, the adequacy of internal space is part of the creation of a satisfactory living environment for future occupiers and as such remains a material consideration.

The proposal is for a 3 bedroom / 6 person two-storey dwelling. The NDSS calls for a minimum gross internal area of 102 square metres. The proposal would provide (over the ground and first floors – not including the attic space) 135 square metres, and therefore comfortably complies. A cross section drawing supplied with the application demonstrates that the ground and first floors would have floor to ceiling heights of 2.5 metres (the NDSS minimum is 2.3 metres).

The NDSS calls for built-in storage of at least 2.5 square metres (included within the gross internal floor area) for a dwelling of this type. The proposed new dwelling would have a utility room on the ground floor and a dressing room on the first floor which, I consider, would fulfil this purpose and which would meet and exceed the minimum requirement.

Bedroom 1 (the master bedroom) would have an area of 16 square metres and a width of 3.9 metres. Bedroom 2 would have an area of 12 square metres and a width of 2.6 metres. Bedroom 3 would have an area of 12 square metres and a main width of 3.1 metres. These would all meet and exceed the NDSS minimum requirements for double bedrooms.

By demolishing the existing extension, the proposal would result in a reduction in the size of the existing dwelling at 23 Sidney Road. The retained parts of the existing dwelling would constitute a 2 bedroom / 4 person two storey house for which the NDSS requires 79 square metres' gross internal floorspace. The retained parts of the existing house would amount to 80 square metres. As they are part of the existing accommodation at 23 Sidney Road, I have not assessed the retained bedrooms.

All of the principal rooms at the proposed dwelling (and at the retained parts of the existing dwelling) would have at least one window to provide daylight, outlook and opportunity for natural ventilation. I do not consider that either the proposed new or retained parts of the existing dwelling (and their outdoor spaces) would suffer unacceptably in terms of pollution, visual quality, privacy and overshadowing.

Appendix E of the SPD recommends 75 square metres' amenity space for 2-3 bedroom terrace dwelling (and 100 square metres for semi-detached dwellings). The proposed new dwelling would have 100 square metres amenity space and the retained garden area for the existing dwelling at 23 Sidney Road would amount to 50 square metres. The latter would therefore fall short of the SPD recommendation for a terraced dwelling; however, in this case the level of retained provision would be consistent other Edwardian terraced properties in the immediately surrounding area. I do not recommend withholding planning permission for this reason. For both the retained and proposed new houses I am satisfied that the configuration and situation of the rear gardens would be such as to provide a reasonably usable, open and sunny amenity for future occupiers.

The application drawings show provision for bin and cycle storage within the rear gardens of the retained and proposed new dwellings. There is an original side passageway between 21 and 23 Sidney Road and, as I have already noted, a gap of 0.8 metre would be maintained between the proposed new house and the boundary with 27 Sidney Road. I am therefore satisfied that both gardens are capable of access

other than through the house and therefore that the arrangements for bin and cycle storage are satisfactory.

In 2015 the Government replaced the lifetime homes standards with the (then new) optional Building Regulation standard M4(2). As a new build-dwelling, and to ensure compliance with Policy CS06, I consider that the proposal should comply with the optional standard. I recommend a condition to ensure that this is the case.

I conclude that the proposal would comply with the relevant provisions of Policies CS03, CS06 and PS10, and that the development would provide and maintain acceptable living conditions to future occupiers.

Parking and Access

Policy CS14 of the Core Strategy (2014) calls for development to be accessible by alternative means of travel to the car, promoting sustainable modes of transport. Policy CS15 states that parking for residential development should be appropriate for the type of dwelling and its location and take account of the available off-street and on-street parking and public transport. It also seeks to ensure the provision of high quality cycle parking to encourage a modal shift away from the car.

Saved Policy AM02 of the Local Plan (2006) states that planning permission for development will only be granted where the needs of cyclists have been successfully incorporated into the design, and calls for safe and secure facilities in accordance with Appendix 01 of the Plan. Saved Policy AM12 states that levels of car parking will be determined in accordance with the standards at Appendix 01 and sets out considerations for allowing reductions below the standards.

The Appendix 01 standard for car parking is 2 spaces per 2 bedroom dwelling, and for cycle parking is 1 space per two bedspaces plus one for visitors. The proposed new dwelling therefore generates a standard requirement for 2 car parking spaces and for 4 cycle parking spaces.

The proposed garage would have internal dimensions of 3 metres x 5.4 metres, and the driveway in front of the garage would have a minimum depth of 5.2 metres. The local Highway Authority has advised that the recommended internal dimensions for a garage are 3 metres x 6 metres and that the recommended separation between a garage and the back edge of the pavement is 5.5 metres. The proposed garage therefore falls short in terms of its width by 0.6 metre and in terms of its separation by 0.3 metre. The local Highway Authority has adopted a pragmatic approach to this and considers that, given the very minor shortfalls below the recommended standards, it could not be demonstrated that the proposed garage and driveway would be incapable of use for car parking purposes nor lead to a significant highway safety concern.

However, the local Highway Authority has recommended conditions requiring the provision of facilities for electric charging, the garage and driveway to be kept available for car parking, and for a roller shutter or sliding garage door to be fitted. I consider that the requirement for electric charging (which could be fitted within the garage) is justified by Policy CS14, which requires development to promote more sustainable modes of travel, and paragraph 112 of the NPPF. I consider that the requirement to

maintain space for parking and for the installation of a rollershutter or sliding door (to ensure the garage and driveway spaces are not compromised for parking) is justified by Policy CS15 which seeks to ensure that parking for residential development is of the highest design quality and Policy AM12 which gives effect to the parking standard at Appendix 01.

No alterations to the existing vehicle access are proposed. The local Highway Authority has raised no objection to the continued use of the existing vehicle access to serve the proposed new house.

The demolition of the existing garage and proposed redevelopment to provide a new house would, of course, deprive the retained parts of the existing house at 23 Sidney Road of a garage and off-street car parking. However, the local Highway Authority has advised that it considers that an unacceptable impact upon highway safety, arising from the resulting reliance on on-street car parking to serve the retained parts of the existing dwelling, could not be demonstrated. This is taking into account the relatively low speed and volume of traffic using Sidney Road. Also, it is noted that the Sidney Road occupies a relatively sustainable location being a relatively short walk from Carisbrook Road and London Road (for local bus services).

The application drawings show provision for three bicycles to be stored at the rear of the proposed new dwelling. This would be sufficient to meet the requirements of Appendix 01 in terms of provision for future occupiers, although would not cater for visitors. As a single dwellinghouse (rather than, for example, a development of new flats) with external access to the rear garden, I do not consider it necessary to make special provision for visitors' cycles – and I note that the local Highway Authority has not objected to this aspect of the proposal. The local Highway Authority has recommended that details of secure and weather-protected cycle parking be secured as a condition of planning permission, and I am satisfied that this is justified by Policies CS15 and AM02 which require the provision of high-quality cycle parking in new development.

I acknowledge that third party representations have been received raising concern about parking pressure (including a representor's own one-time survey), potential impacts during construction and poor quality of public transport services. Having regard to the advice of the local Highway Authority and paragraph 111 of the NPPF, and subject to the recommended conditions, I do not consider that there would be an unacceptable impact upon local parking conditions. As a proposal for a single dwelling, I would not expect the impacts during construction to be such as to justify a requirement for a construction method statement. I note a representor's opinion about the quality of public transport services but clearly this goes beyond the scope of the consideration of a planning application and does not, in my opinion, negate my general observation about the relative sustainability of the location.

I conclude that the proposal would comply with the relevant provisions of Policies CS14, CS15, AM02 and AM12, and that the proposal would not have an unacceptable impact upon parking, highway safety and access.

Ecology and Landscaping

Policy CS03 of the Core Strategy (2014) calls for development to create high quality public spaces with full consideration given to the relationship between buildings and spaces between the, and to make the best use of landscaping. Policy CS17 states that the Council will expect development to maintain, enhance and/or strengthen connections for wildlife, and that ecological surveys and assessments will be required. Saved Policy UD06 of the Local Plan (2006) states that new development must include planting proposals unless it can be demonstrated that the nature of the development or the character of the area do not require them.

A Design & Access Statement has been submitted with the application and this includes a section on landscape and biodiversity. This refers to the potential to utilise nesting boxes for birds and bats, indigenous planting within the rear garden and 'hedgehog doors' within existing boundary treatment (if adjoining owners are amenable). However, no further details have been provided. To ensure that the finished development makes an appropriate contribution to the landscape quality and biodiversity value of this suburban area, and in accordance with Policies CS03, CS17 and UD06, I recommend that a full landscape and ecological management plan be secured as a condition of planning permission.

I acknowledge that third party representations have been received raising concern about the potential environmental and biodiversity impact of the proposal and the importance of enhancing natural habitats. However, I consider that these matters could be reasonably addressed through control of the detailed landscape finish as per the recommended condition.

I conclude that the proposal would comply with the relevant provisions of Policies CS03, CS17 and UD06, and that the proposal would be acceptable in terms of landscaping and ecology.

Other Matters

Turning to matters raised in representations and not otherwise addressed in the main report above:

- precedent for other houses with existing garages: *each application will be considered on its own merits.*
- additional stress on infrastructure (traffic/healthcare/education): *as a proposal for one additional dwelling, I do not consider that significant increased impacts upon infrastructure could be demonstrated.*
- will create oppressive and enclosed environment: *I consider that the proposal is appropriate within the context of a street of predominantly terraced and semi-detached houses.*
- important to consider drainage: *the site is not the subject of mapped surface water flood risk nor is it within a Critical Drainage Area, and consequently I do not consider that the proposal for one additional house raises drainage matters that should be considered at planning application stage.*

The Planning Balance

As noted above, paragraph 11 of the NPPF establishes a presumption in favour of sustainable development and sets out an explanation of what that means for decision taking. Footnote 8 to the paragraph further explains that out-of-date policies includes situations where the local planning authority cannot demonstrate a five years' supply of deliverable housing sites (with the appropriate buffer).

The City Council cannot currently demonstrate a five years' supply of deliverable housing sites and as this planning application involves the provision of dwellings the so-called 'tilted balance' under paragraph 11 of the NPPF would be engaged if the application is considered for refusal.

In this case, however, the proposal is recommended for approval and would make a modest but nevertheless welcome contribution to the city's housing supply. In view of this, there is no need to consider the planning balance further.

Conclusions

I find that as a small scale, infill development within an established residential area, and having found that the local impacts of the development would be acceptable, the proposal would accord with the relevant provisions of Policies CS06 and CS08 of the Core Strategy (2014) and is acceptable in principle. It would make a modest but nevertheless welcome contribution to the supply of housing at a time when the city cannot demonstrate a five years' supply of deliverable housing sites. I consider that the proposal has been sensitively and sympathetically designed and that it would make a positive contribution to the character and appearance of Sidney Road. I have found that there would be no unacceptable impact upon the amenity and privacy of neighbouring properties and that the proposal would provide satisfactory living conditions for the future occupiers of the new house and retained part of the existing house. I acknowledge that parking is a significant issue for representors, however the proposal includes adequate car parking provision and the loss of provision to the retained part of the existing house would not be unacceptable. The application does not include detail on ecological enhancement and the landscaping of the finished development, but this can be secured as a condition of planning permission.

Having regard to the SPD and the advice of the local Highway Authority (where relevant), I conclude that the proposed development would comply with the relevant provisions of Policies CS03, CS06, CS08, CS14, CS15 and CS17 of the Leicester Core Strategy (2014) and saved Policies AM02, AM12, PS10 and UD06 of the City of Leicester Local Plan (2006).

I recommend that this application for planning permission be APPROVED subject to the following conditions:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)

2. The development shall be finished in materials as denoted on the approved elevations drawing. Where brick is to be used, the bricks shall match as closely as possible those of the original dwelling at 23 Sidney Road and the brick bond and string course details shall match that of the front elevation of the original dwelling at 23 Sidney Road. Where render is to be used, the finished texture of the render shall match as closely as possible that of the front of the original dwelling at 23 Sidney Road. The roof shall be finished in slate to match as closely as possible that of the existing dwelling at 23 Sidney Road. These materials and finishes shall be retained as such. (To ensure that the development is finished to a high quality and is appropriately assimilated to the existing terrace at 19-23 (odds) Sidney Road, in accordance with Policy CS03 of the Leicester Core Strategy (2014) and saved Policy PS10 of the City of Leicester Local Plan (2006) and paragraphs 130 (b) & (c) of the National Planning Policy Framework (2021)).

3. The first floor flank window to bedroom 3 shall be fitted with obscure glass (to Pilkington Level 4 or equivalent) and shall be fixed closed below a height of 1.7 metres above internal finished floor level, and shall thereafter be retained as such. (To ensure that the development responds positively to its surroundings and does not unacceptably affect the privacy of the occupiers of 27 Sidney Road, in accordance with Policy CS03 of the Leicester Core Strategy (2014) and saved Policy PS10 of the City of Leicester Local Plan (2006) and paragraph 130 (f) of the National Planning Policy Framework (2021)).

4. The dwelling and its associated parking and approach shall be constructed in accordance with 'Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement. On completion of the scheme and prior to the occupation of the dwelling a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the City Council as local planning authority certifying compliance with the above standard. (To ensure the dwelling is adaptable enough to match lifetime's changing needs in accordance with Policy CS06 of the Leicester Core Strategy (2014)).

5. The development hereby approved shall not be occupied until at least one parking space on the site has been fitted with useable electric vehicle charging facilities. The charging facilities so fitted shall thereafter be retained and kept available for the charging of electric vehicles. (To promote more sustainable modes of transport in accordance with Policy CS14 of the Leicester Core Strategy (2014) and paragraph 112 (e) of the National Planning Policy Framework (2021)).

6. The development hereby approved shall not be occupied until the garage and driveway space in front of the garage have been provided and are available for vehicle parking. The garage and driveway space in front of the garage shall thereafter be retained and kept available for vehicle parking. (To ensure that an appropriate level of useable parking space is available on the site to serve the development, in accordance with saved Policy AM12 of the City of Leicester Local Plan (2006)).

7. The development hereby approved shall not be occupied until the front of the garage has been fitted with a rollershutter or sliding type of garage door(s) in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority, and the garage door(s) shall thereafter be retained

as such. (To ensure that the development is provided with car parking of the highest design quality and that an appropriate level of useable parking space is available on the site to serve the development, in accordance with Policy CS15 of the Leicester Core Strategy (2014) and saved Policy AM12 of the City of Leicester Local Plan (2006)).

8. The development hereby approved shall not be occupied until secure and weather-protected cycle parking has been provided on the site in accordance with details that shall first have been submitted to, and approved in writing by, the local planning authority. The cycle parking so provided shall thereafter be retained. (To ensure that the development is provided with high quality cycle parking, in accordance with Policy CS15 of the Leicester Core Strategy (2014) and saved Policy AM02 of the City of Leicester Local Plan (2006)).

9. The development hereby approved shall not commence until a detailed landscape and ecological management plan, showing the treatment and maintenance of all parts of the site which will remain unbuilt upon, has been submitted to and approved in writing by the local planning authority. This plan shall include details of: (i) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means of planting, staking, and tying of trees, including tree guards; (iv) other surface treatments; (v) fencing and boundary treatments; (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots), (viii) a detailed plan of the biodiversity enhancements on the site including a management scheme to protect habitat during site preparation and post-construction; (ix) details of planting design; (x) details of the make and type of [2]x bird boxes/tiles/bricks and [2] x bat boxes/tiles/bricks to be erected on buildings and [1] hedgehog boxes. The plan shall also contain details on the after-care and maintenance of all soft landscaped areas. The details so approved shall be carried out within one year of completion of the development. For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved details. (To ensure a high quality development in terms of landscaping and in the interests of biodiversity enhancement, in accordance with Policies CS03 & CS17 of the Leicester Core Strategy (2014) and saved Policy UD06 of the City of Leicester Local Plan (2006) and paragraph 174 (d) of the National Planning Policy Framework (2021)).

10. Development shall be carried out in accordance with the following approved plans: A00176 001C (Location and Block Plans) - rec'd 07/11/2022; A00176 012J (Proposed Ground Floor) and A00176 013F (Proposed First Floor and Roof Space) - both rec'd 26/01/2023; and A00176 020E (Proposed Section) and A00176 014J (Proposed Elevations) - both rec'd 30/01/2023. (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/or 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.

2. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at:

<https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>

Policies relating to this recommendation

2006_AM02	Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.
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.
2006_UD06	New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
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_CS06	The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
2014_CS08	Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
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_CS15	To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.
2014_CS17	The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.