

## COMMITTEE REPORT

<b>20210800</b>	<b>7 Foxcroft Close</b>	
Proposal:	Construction of single storey extension to front of house (Class C3); alterations (amended plans 26/05/2021)	
Applicant:	MISS SANDRA VELMA ELIZABETH SAMUEL	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	25 June 2021	
TB	TEAM: PD	WARD: Braunstone Park & Rowley Fields



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### Summary

- Brought to Committee as the applicant is an authority employee.
- The main considerations are design and residential amenity.
- The application is recommended for conditional approval.

### The Site

The application relates to a detached house located within an area characterised as primarily residential. The site is within 250 metres of a landfill site known to have

accepted wastes and it is considered that there is a perceptible risk of landfill gas adversely affecting it.

## **Background**

### 7 Foxcroft (application site)

19890192 – Alterations including single storey extension to front of house and forward extension to garage. Conditional approval was granted in 1989 but not implemented.

The extension is similar to that approved by 19890192, albeit the northern side was 0.4m longer and the southern side was 1 metre shorter, as well as set down slightly below the first floor windows, as well as hipped rather than gable ended roofs.

### 5 Foxcroft Close (located to immediate north of application site)

19811997 - Alterations and erection of single storey extension to front of dwellinghouse to provide new garage and porch/w.c. Conditional approval was granted in 1981 and implemented. The smaller section of the front extension is approx. 2m from the front of the house.

### 9 Foxcroft Close (location to immediate south of application site)

19830500 – Erection of single storey extension to front of dwelling house. Conditional approval was granted and implemented. The smaller section of the extension was approx. 2m front of the house. An unauthorised further addition to the extension has since been added, under construction in approx. 2016.

## **The Proposal**

The L-shaped extension will have a projection of 3.2m from the front of the principal elevation and will have the same width of the house at 6.6m wide.

The plans have been amended to reduce the height from 3.6m to 3.4m for the wider section of the extension and 3.3m for the narrower, so that the ridge of the roof will be noticeably below the first floor windows. The wider section of the extension has been reduced in projection from the principal elevation of the house from 3.2m to 2m, so that it will be in-keeping with the projection of similar extensions on neighbouring properties and within the street scene.

## **Policy Considerations**

### National Planning Policy Framework (NPPF) 2019

Paragraph 2 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 stated that decisions should apply a presumption in favour of sustainable development.

In making an assessment Paragraph 108 of the NPPF states that development proposals should take up appropriate opportunities to promote sustainable transport modes; ensure safe and suitable access can be achieved for all users and; any significant impact (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 127 sets out criteria for assessing planning applications which includes issues such as the long term functionality of development proposals; visual impacts; the ability of development to relate to local character; creation of a sense of place using various design tools such as building types and materials; optimising the potential of development sites; and, designing safe, secure and inclusive developments with a high standard of amenity for existing and future users.

#### 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

Appendix 01 – City of Leicester Local Plan

### **Consultations**

Pollution (Land Contamination) – requests the landfill gas condition.

### **Consideration**

#### Residential Amenity

5 Foxcroft is at a higher land level than the application site. It has two ground floor side facing windows, one serving a non-principal room where to the side of the neighbour's porch extension and the other the secondary window to a principal room that it also served by the main rear facing window. The proposal would not intersect a 45-degree angle taken from the centre of the ground floor window to the front of the neighbour's porch.

9 Foxcroft Close is at a lower land level than the application site. It has a ground floor side facing door with window.

The proposal would comply with policy CS03 of the Core Strategy (2014) and would not conflict with saved policy PS10 of the Local Plan (2006) and is acceptable in terms of the privacy and amenity of the neighbouring occupiers.

#### Character & Design

Whilst such large front extensions are normally discouraged by the Residential Amenity SPD (2008), the neighbouring properties and several other properties within

the street have similar extensions and therefore I do not consider that the proposal would have a significant impact on the visual amenity of the surrounding area.

I conclude that the proposal would comply with policy CS03 of the Core Strategy (2014) and would not conflict with saved policy PS10 of the Local Plan (2006) and is acceptable in terms of the character and appearance of the area.

### Highways and Parking

The existing garage is sub-standard in dimensions and therefore I do not consider the loss of the garage to be the loss of an off-street vehicle parking space. There is sufficient space to the front of the garage for one off-street vehicle parking space, which would be retained. The proposed site plan indicate that the front garden will be hard surfaced to allow for an addition off-street vehicle parking space to the front of the house, which can be installed by permitted development.

Having regard to Appendix 01 maximum vehicle parking standards, I consider that this level of parking provision is acceptable. I conclude that the proposal would comply with Policy CS15 of the Core Strategy (2014) and with saved Policy AM12 of the Local Plan (2006) and is acceptable in terms of parking.

### Other Matters

As the site is within 250 metres of a landfill site known to have accepted wastes and it is considered that there is a perceptible risk of landfill gas adversely affecting it, I recommend a landfill gas condition.

I therefore recommend that the application 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. Prior to the commencement of development, adequate provision shall be made by the developer for a full site survey to ascertain the ground conditions and potential danger from landfill gas and appropriate measures to protect the development from hazards associated with landfill gas shall be submitted to and approved in writing by the City Council as Local Planning Authority, and the works carried out in the accordance with the approved details. (The site is within 250 metres of a landfill site known to have accepted wastes and it is considered that there is a perceptible risk of landfill gas adversely affecting it. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
3. The new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)

4. This consent shall relate to the amended plan ref no. 002/786 Rev A, 003/786 Rev A, 004/786 Rev A, 005/786 Rev A, 006/786 Rev A and 007/786 Rev received by the City Council as local planning authority on 26/05/2021. (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. 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 2019 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.
2006_PS11	Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.
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_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.