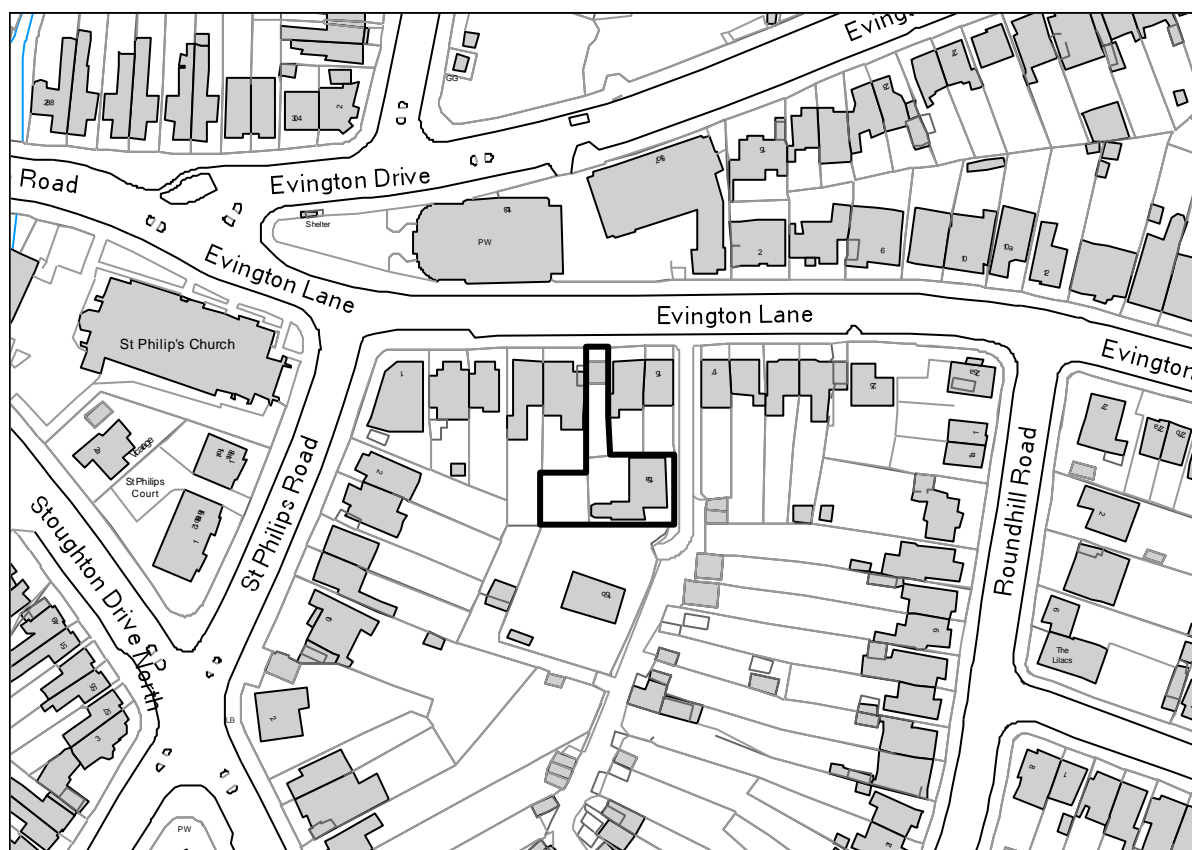


COMMITTEE REPORT

20211037	15A Evington Lane	
Proposal:	Raised ridge height; construction of dormer extensions at front; single storey and dormer extensions at side; single storey and dormer extensions at rear; alterations to dwelling (Class C3) (amended plans received 28/06/2021)	
Applicant:	Mr. Nathani	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	15 July 2021	
RB	TEAM: PD	WARD: Stoneygate



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Summary

- Reported to committee as there are more than 6 objections.
- 9 objections raise concerns on design, residential amenity and drainage.
- Issues are design, residential amenity, parking and drainage.
- Recommended for approval.

The Site

The application site relates to a detached bungalow located to the south of Evington Lane. The dwelling has no frontage along the street scene and is accessed from a unadopted road between 15 and 17 Evington Lane. The site has a detached garage which fronts Evington Lane between 9 and 13.

The site is located within a critical drainage area. The land level of the site is slightly higher than those dwellings fronting Evington Lane.

Background

15a Evington Lane was approved under planning references 19980349 and 20001154, of which the latter has been implemented. The description of development reads as 'Bungalow with garage'.

20181282 – prior notification for a proposed single storey extension at the rear of the dwellinghouse of dimensions: 4.6 metres beyond the rear wall of the original dwellinghouse; maximum height 4 metres; height of the eaves 2.5 metres was confirmed not to require prior approval on 28/06/2018.

20181248 – construction of a single storey side extension; alterations to the roof; front dormer; construction of single storey building at the rear of the house; alterations was approved on 03/08/2018 - not been implemented.

20182171 – construction of single storey side extension; alterations to the roof; front dormer; construction of a single storey building at the rear of the house; alterations was approved on 30/11/2018 - not been implemented.

20192095 – construction of a single storey extension at the rear of the garage; construction of a basement to provide car parking; alterations to garage to provide an annex was refused on 17/01/2020 for the following reason:

1. The proposed development by means of its size and location would be tantamount to a new dwelling. The annex would fail to be subservient in its size and function to the main dwellinghouse on site and would offer a poor living environment for future occupiers. Therefore would be contrary to the National Planning Policy Framework (NPPF), and Core Strategy policy CS03 and saved policy H07 of the City of Leicester Local Plan.

The refusal relates to the garage fronting Evington Lane and not the main dwelling.

20200107 – Construction of a basement to a garage and a single storey extension at the rear of a garage of the house was withdrawn on 16/03/2020.

20202062 – Prior notification for the construction of an additional one storey extension to the roof of the dwellinghouse was withdrawn on 12/11/2020

The Proposal

The proposal will replace the existing hipped roof by a mansard roof with a front, rear and side dormers and roof lights. The ridge of the height of the original property will be increased by 0.3m.

The proposal is for a single storey side extension measuring 2.6m in width 5.3m in depth, 2.3m to the eaves and 5.1m in total height to square the footprint of the dwelling, to provide a kitchen. This would also result in the loss of one car parking space.

There is an existing single storey extension and conservatory at the rear of the property adjacent to 15b Evington Lane. The existing conservatory would be demolished and replaced with a flat roofed single storey extension and a roof lantern. The extension would measure 4.3m in width and 4.5m in depth with a height of 2.3m. There would be a single storey canopy to the side of the proposed extension measuring 1.9m in width and 4.5m in depth.

A single storey extension is proposed at the rear of the house and next to the existing single storey rear extension. The proposed extension would measure 4.6m in depth and 4m in width, 2.3m in height to the eaves and 5m in height.

The first floor would provide space for a bedroom with an ensuite bathroom.

The proposed front and side dormers would measure 2.5m in height, 2.6m in width and 2m in depth.

The proposed rear dormer would measure 1.6m in depth, 4m in width and 2.4m in height and would have a Juliet balcony.

Amended plans have been submitted to reduce the bulk and prominence of the front facing gable of the property and would now appear as a second front facing dormer extension.

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 from the day it is published.

Part 12 of the NPPF focuses on requiring good design. Paragraph 124 describes good design as a key aspect of sustainable development.

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.

Paragraph 130 states that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

In making an assessment Paragraph 108 of the NPPF (2019) 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.

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

Development Plan policies

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

Supplementary Planning Documents (SPD)

Residential Amenity

City of Leicester Local Plan (2006) Saved policies - Appendix 1: Parking Standards

Representations

10 objections have been received from separate addresses within the City. One objector has withdrawn their objection to the application.

- The description of the application does not match the planning drawings.
- The resultant development would appear cramped, as was originally constructed as backland development.
- The proposal would have an overbearing impact, overlooking, overshadowing loss of light and loss of privacy of the neighbouring properties and their gardens, particularly along Evington Lane due to the land level differences.
- The proposed front dormers would overlook the approved three bed house to the rear of 17 Evington Lane.
- The bungalow would appear as a two storey house as a result of the proposal and, due to its excessive size, siting, mass, elevation, structure and the contextually unresponsive design, would appear overly dominant on and out of keeping with the original bungalow and surrounding area.
- The proposal would unbalance the pair of bungalow dwellings built on the off-road of Evington Lane and disrupt the uniformity of built form which would be harmful to the character and appearance of the surrounding area.
- The altered roof form would significantly alter the current design.
- The proposal would result in the loss of a bedroom.
- The site is within a Critical Drainage Area and no drainage plan has been submitted.

Consideration

The application is for residential extensions to a dwelling in a predominantly residential area. As such the main issues are design, living environment, residential amenity, parking and drainage.

Design

Policy CS3 of the Core Strategy deals with designing quality places. It requires developments to be designed well and to contribute positively to the character and appearance of the local natural and built environment. Development should also respond positively to the surroundings and be appropriate to the local setting and context. Saved Policy PS10 of the Local Plan (2006) sets out a number of amenity factors to be taken into account when determining planning applications including the visual quality of the area and the ability of the area to assimilate development.

The proposed side extension would be designed to square off the footprint of the dwelling. Subject to this being constructed of matching external finishes it is considered that this element would not result in significant detriment to the character and appearance of the dwelling as per the previous planning permission.

The existing and proposed single storey rear extensions would have a mansard roof constructed above and would be integrated as part of the main building. A single storey flat roofed extension and a covered area would be created to the rear. This is considered to be acceptable.

Amendments have been made to the proposal to remove the proposed two storey front facing gable and replace it with a front facing dormer. The prominence of the extension has now been reduced and I consider that front dormers now appear subservient to the dwelling.

The alterations would add some visual bulk to the roof of the dwelling in combination with the proposed dormers; however this would not harm or significantly detract from the residential character of the site. The proposed roof alterations with the dormers would not result in an overdevelopment of the site, which is a backland site and not particularly visible from the street scene of Evington Lane.

It is acknowledged that the site currently is viewed as a modest dwelling; however, I consider that the proposal would not add unduly significant bulk which would erode this visual appearance to an unacceptable degree. I consider it appropriate to attach a condition removing permitted development rights so that any further extensions and alterations to the dwelling would require planning permission and can be assessed on their own individual merits.

I am satisfied that the development is of an appropriate scale and would not be out of proportion to the surrounding suburban area. I conclude that the proposal would comply with Core Strategy Policies CS03 and would not conflict with saved Local Plan Policy PS10 and is acceptable in terms of the character and appearance of the area.

Living Environment

The proposal seeks to enlarge an existing dwelling house with a master bedroom located on the first floor. The master bedroom at first floor would have one dormer at the rear and all other light sources would be through roof lights. An ensuite bathroom would be located to the front of the property and would have two dormer windows to the front and one to the side. I consider it necessary to condition that the windows are obscure glazed to protect the privacy and amenity of the occupiers of the host dwelling and the amenity of the neighbouring properties.

The proposal would result in the loss of one bedroom, but this could be completed under permitted development.

The rear garden area would retain significantly more private amenity space than the recommended requirement of a minimum of 100sqm as set out in the SPD Residential Amenity.

Having regard to the SPD and the site context, I consider that the proposal would provide satisfactory living conditions for the future occupiers and would be consistent with Core Strategy Policies CS03 and CS06 and saved Local Plan Policy PS10.

Residential amenity (*neighbouring properties*)

The proposed extensions and alterations to the dwelling would not intersect a 45 degree line taken from principal room windows of nearby properties. As such I consider that the proposal would not result in minimal loss of daylight to adjoining occupants.

The site is on a higher land level to those dwellings fronting Evington Lane; as such the property is visible from the rear windows and gardens of 13 and 15 Evington Lane.

The ridge height of the roof would be raised by approximately 0.3m. The proposed mansard roof would be stepped so that the roof height would be no higher than the existing situation close to the boundaries of the neighbouring properties along Evington Lane. The raised ridge height would be set away from these properties by approximately 5m. Therefore, I consider that the increased height of the roof would not have a significantly detrimental impact on the amenity of the neighbouring properties

The proposed rooflights will all be located on the flat element of the roof and will not result in overlooking or loss of privacy of the neighbouring properties.

SPD Residential Amenity recommends a 21m separation distance between windows that directly face each other. Bifold doors are proposed to the side of the proposed extensions. The Bifold doors would have an approximately 21m separation distance between the first floor windows at 13 Evington Lane. No ground floor windows at the rear of 13 Evington Lane would be visible, due to the orientation of the properties and the boundary treatment.

The replaced single storey extension would result in a reduced amount of glazing compared to the existing conservatory extension and so would have a similar impact as the existing situation.

Therefore, I consider that the proposal would not result in any significant loss of privacy to properties fronting Evington Lane.

The proposed Juliet balcony at the rear of the first floor master bedroom would not allow access on to the flat roofed single storey extension. However, I consider it necessary to attach a condition to ensure that the roof is not used as a balcony in the interests of the amenity of neighbouring properties.

The footprint of the dwelling would increase slightly due to the single storey extension at the rear. The ridge height of the dwelling would be increased by approximately 0.3m; however, this is set away from the properties along Evington Lane. As such, I consider that the larger roof form would not have significantly detrimental impact in respect of privacy to the neighbouring properties to the north of site.

The proposed side extension and side dormer would be about 1m from the common boundary with 15b Evington Lane. The common boundary between the dwellings comprises a brick wall 1m in height with a mature hedge above. The adjacent property is also on a higher land level. The separation distance between the two properties and the lack of side windows along the southern elevation of the dwelling, it is considered that there would be no harm to the amenity of 15b Evington Lane. I consider it necessary to attach a condition to ensure that the proposed side dormer window is obscure glazed, as shown on the proposed plans and retained as such, to ensure that there is no overlooking or loss of privacy between the properties.

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 privacy and amenity of the neighbouring occupiers.

Highways and Parking

The Vehicle Parking Standards supplementary planning document specifies a maximum of two car parking spaces for 3+ bedroom dwellings. The proposed side extension would result in the loss of one parking space. However, the proposed development would retain three parking spaces to the front of the site and a further two to the front of the detached garage fronting Evington Lane.

The proposed development is considered not to result in any significant detriment in respect of the number of parking spaces available on site. Furthermore, the site is accessed from a private road off Evington Lane and therefore it is considered that the proposal would not provide any additional impacts in respect of traffic and congestion in the local area.

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.

Drainage

Due to the limited amount of additional hardstanding, some of which could be carried out under permitted development, I consider it would be unreasonable to attach a condition for SuDS.

Conclusion

The proposal would have an acceptable relationship with the neighbouring dwellings and would not have an unacceptable impact upon the character and appearance of the area, the residential amenity of neighbouring occupiers, the living conditions of existing and future occupiers, highways and parking and drainage. No trees of amenity value would be affected. I therefore recommend that the application be APPROVED subject to the following conditions:

CONDITIONS

1. START WITHIN THREE YEARS
2. 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.)

3. The cheeks and roof of the dormer shall be constructed in materials to match the existing roof. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)

4. Before the occupation of the proposed extensions the windows of the front dormer extensions and the windows of the side dormer facing 15b Evington Lane shall be fitted with sealed obscure glazing (with the exception of top opening light) and retained as such. (In the interests of the amenity of occupiers of 15a and 15b Evington Lane and in accordance with policy PS10 of the City of Leicester Local Plan).

5. The flat roof of the single storey rear extension shall not be used as a balcony or an outdoor amenity space. (In the interests of the amenity and privacy of 7, 9, 13 and 15b Evington Lane in accordance with policy PS10 of the City of Leicester Local Plan).

6. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any order amending or revoking and replacing that Order with or without modification, no development that would otherwise fall with Classes AA, A, B, C and E of Part 1(of Schedule 2) of that Order shall be carried out within the curtilage of the dwellinghouse hereby approved without planning permission having first been obtained from the local planning authority. (To ensure that any further development at the site does not unacceptably affect the privacy and amenity of the neighbour occupiers and the character and appearance of the area, and to ensure that adequate amenity space for future occupiers of the development is retained on the site, in accordance with Policy CS03 of the Leicester Core Strategy (2014) and saved Policy PS10 of the Local Plan (2006)).

7. This consent shall relate solely to the submitted plans ref DSA-21019-PL-ES-01 received by the City Council as local planning authority on 27/04/2021 and the amended plans ref DSA-21019-PL-PRO-01 rev C received by the City Council as local planning authority on 28/06/2021, unless otherwise submitted to and approved by the City Council as local planning authority. (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).

2. The effect of condition 6 of this planning permission is that all future alterations and extensions to the dwelling, and the construction of outbuildings within the curtilage of the dwelling, will require planning permission from the City Council as the local planning authority. (Permitted development rights for this dwelling have been restricted).

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_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.