

20211919	59 Stoughton Drive North	
Proposal:	Construction of two two-storey extensions to front; two first-floor extensions to side; single storey extension to rear; installation of new cladding and render; replacement of windows to religious and education centre (Class F1) (Amendments received 19 November 2021)	
Applicant:	Evington Muslim Centre	
App type:	Operational development - full application	
Status:	Minor development	
Expiry Date:	10 November 2021	
CY1	TEAM: PD	WARD: Stoneygate



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Summary

- Reported to committee as seven objections from five different city addresses have been received.
- The objectors raise concerns relating to the design, parking, highway safety, congestion and increased air and noise pollution, the use of the building, increase in capacity, noise and impact on house prices.
- The main issues are design, residential amenity, parking and drainage

- The application is recommended for approval.

The Site

The application relates to a two-storey detached education centre situated within a primarily residential area. The site is situated on a prominent corner where Stoughton Drive North meets St Philips Road.

The site is within a Critical Drainage Area. While flooding from pluvial sources is unlikely to take place here, the rapid rate of surface water runoff from this area may cause flooding in neighbouring Hotspots.

Background

20150574 - Demolition of the existing building; three storey education centre (Class D1) (amended plans received 07/11/2016). Refused in 2017 for the following reason:

1. The proposal would result in an increased demand for parking which would exacerbate existing on street parking problems, including inconsiderate parking, the detriment of highway safety and residential amenity in conflict with City of Leicester local Plan Policies AM01, AM11, and PS10 and the supplementary planning guidance Vehicle Parking Standards.

19970274 - Single storey extension to rear of religious and educational centre to provide new toilets washroom and entrance. Granted conditional approval in 1997 – implemented.

19871741 - Continuation of use of dwellinghouse as religious and educational centre (renewal of consent no 86/1846/5) (amended plans). Granted conditional approval in 1988 with the following conditions 2, 3 and 4 amongst others stating:

2. no noise arising from any activity within the centre shall be audible outside the application site, and a ventilation scheme be submitted
3. the premise cannot be used for wedding or birthday celebrations.
4. the site shall have no more than 50 persons on the ground floor, 25 persons on the first floor, and 25 persons on the second floor (roof).

19861846 - Change of use of dwellinghouse to religious and educational centre. Granted limited period approval in 1986 until the 31st December 1987.

The Proposal

The proposed development relates to the following works:

- 1- Two two-storey extensions to front to square off the existing chamfered bay windows. Measurements approximately w3.1m x d1.4m x h5.5m
- 2- One first-floor extension to the side to extend the internal staircase. This would sit directly on top of the existing front/side entrance that has a mono-pitched roof. Measurements approximately w1.6m x d3.2m x h5.5m
- 3- One first-floor extension to side to be used as a store. Measurements approximately w2.1m x d4.3m x h5.5m
- 4- Construction of a single storey extension to the rear to extend the toilet block. Measurements approximately w4.2m x d4m x h2.8m.

- 5- Installation of new render (cream monocouche) to front, side and rear and cladding (cedar grey) to the front.
- 6- Replacement of windows with anthracite grey aluminium window frames

Amendments were received omitting the large windows on the side elevation facing 61 Stoughton Drive North and labelling the three smaller side windows as obscure glazed and inward opening, along with reducing the gable protrusion to the same as existing.

It has been confirmed that there would be no change to current capacity of the centre from that conditioned in application 19871741. There was no hours of use condition applied to the original change of use application 19871741.

Policy Considerations

National Planning Policy Framework (NPPF) 2021

Paragraphs 2 and 11 (Presumption in favour of Sustainable Development)

Paragraph 93 (Provide social, recreational and cultural facilities and services the community needs)

Paragraphs 110 and 111 (Highways)

Paragraphs 126, 130, and 134 (Good design)

Paragraph 166 (Sustainable drainage)

Development plan policies

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

Representations

Neighbour notification letters were sent out on the 7th September to adjoining properties and sites opposite the application site in accordance with adopted Statement of Community Involvement. Re-consultation was undertaken with letters being sent out on the 8th October informing of the updated application proposal including the proposed extensions.

Seven objections have been received from five households. The issues raised are:

- Poor design on a prominent corner location, creating a disrupting design between the two streets; proposed material (cladding) is not in keeping with area, it would look “synthetic and cheap”, loss of characterful features such as bay windows, more obscure glazed windows, and increase in massing will make it a dominant feature on the streetscene.
- Idea that internal insulation could be used instead as internal works are being carried out.
- Reduction of external amenity space for users.
- The potential increase in capacity, or frequency of use, leading to increased offsite parking and fears of increased highway safety in an area which is already considered dangerous for pedestrians.
- Congestion and increased air pollution from potential increase in capacity.
- The use of the building as a Madrassa and potential worship facility, and the belief that it should be returned to its previous use as a C3 dwelling due to housing shortage.

- Wider consultation was not carried out in the area.
- The use of the building as a community centre in close proximity to residential uses due to noise pollution and furthermore reduction of house prices (this is not a material consideration)

It has been noted by some of the objectors that internal work has already started along with window replacement. Internal works can be carried out without planning permission.

Consideration

The application is for small extensions and alterations to the exterior of the building that has a lawful use as a place of worship and education within Use Class F1. The principle of extensions and alterations to the lawful use is acceptable subject to, the design, residential amenity, highway and parking, pollution, drainage and representations.

Residential amenity (neighbouring properties)

Policy CS03 of the Leicester Core Strategy (2014) 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 a number of amenity factors to be taken into account when determining planning applications, including the visual quality of the area, privacy and overshadowing, and the ability of the area to assimilate development.

61 Stoughton Drive North is adjacent to the application site to the south and the single storey rear extension is proposed along the common boundary. 61 has several windows on the ground and first floor of the side of the dwelling facing the Centre, two of which are not obscure glazed on the ground floor and appear to be secondary windows. The first of these windows already intersect a 45-degree line by the existing extension. The second window would intersect the 45-degree line by the proposed extension. However, the height of the extension is as such that the light to and outlook from this room would not be significantly affected and furthermore it is a secondary window so no weight can be given to protect outlook and light to this window.

In the amendments, the two larger windows to the side of the extension facing 61 Stoughton Drive North have been removed to reduce perceived overlooking. I recommend that a condition be attached should the application be approved for the remaining windows to the southern side of the extension to be obscure glazed and inward opening.

Due to building's location on a corner plot I consider the proposal would have minimal impact on the amenity of the other neighbouring properties in terms of outlook and light into principal room windows.

I conclude that with the recommended condition, 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

Policy CS03 of the Leicester Core Strategy (2014) states that high quality, well designed developments that contribute positively to the character and appearance of the local built environment are expected. It goes on to require development to respond positively to the surroundings and to be appropriate to the local setting and context and, at paragraph 1 (first bullet point), to contribute positively to an area's character and appearance in terms of *inter alia* urban form and high-quality architecture. 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.

I recognise the proposal would result in the loss of some features such as the red brick and bay windows. These features are present on the many of the dwellings throughout St Phillips Road and Stoughton Drive North, although the area is not designated as a conservation area. Whilst the removal of these features would be regrettable, the use of the site is not residential, and the proposed design gives an opportunity to develop a scheme that is distinctive and legible that would be representative of its non-residential use without significantly harming the visual character of the area.

The extensions, whilst numerous, are minimal in volume and will be mainly infill some unusable areas of the property. The cladding and render specifications have been submitted and appear to be of good quality. I consider it appropriate to recommend a condition be attached for the external materials to be line with the specifications submitted.

With the recommended condition, 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 property and the wider area.

Highway and Parking

The existing and the proposed development does not provide any off-street parking. The small increase in the footprint of the building by the rear toilet extension and storage space is unlikely to lead to additional demand for on-street parking above the existing use to conclude that proposal would cause severe harm to highway safety. I therefore consider the proposal to be acceptable on highway and parking grounds and compliant with Policy CS15 of the Core Strategy (2014) and with saved Policy AM12 of the Local Plan (2006).

Drainage

The site is within a Critical Drainage Area. I consider that a requirement for a scheme of sustainable drainage would be onerous and that the impact of the proposal in terms of increased surface water run-off is unlikely to be significant.

I conclude that the proposal would not conflict with Policy CS02 of the Core Strategy (2014) and is acceptable in terms of sustainable drainage.

Other matters

Turning to matters not otherwise considered above:

Noise pollution: Condition 2 of application 19871741 states that no noise arising from any activity within the centre shall be audible outside the application site. This condition would still need to be compiled with.

Reduction of amenity space for users: Only the rear extension would reduce the amenity space for the users. However, I consider that better toilet facilities is a positive trade-off for the loss of 17m² of rear amenity. There is no policy requirement to provide private amenity space for religious and education uses but site will still retain approximately 128m² of private amenity space for users of the centre.

Capacity increase: The agent has confirmed that the proposal will not result in the increase in capacity above what has been specified on Condition 4 of the approval on 19871741.

Wider consultation: All statutory and non-statutory publicity was carried out on this application, including letters sent to neighbours opposite the application site.

Conclusion:

The proposal would give the opportunity to upgrade a community facility with a distinctive, legible design and character that would be representative of its use as a religious and education centre. The extensions would not significantly harm the amenity of nearby occupiers nor result in severe impact on parking and highway safety. The proposal is compliant with the NPPF and policy CS03 of the Core Strategy and PS10 of Local Plan. 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. The new walls and roof shall be constructed in materials to match those on the approved plans and the Cladding and Render Specifications received on 24 August 2021. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. Before first use of the proposed extensions new windows facing 61 Stoughton Drive North shall be fitted with sealed obscure glazing (with the exception of top inward opening light) and retained as such. (In the interests of the amenity of occupiers of 61 Stoughton Drive North and in accordance with policy PS10 of the City of Leicester Local Plan).
4. Development shall be carried out in accordance with the following approved plans and details:
Site location Plan, received 2 August 2021
Existing Plans and Elevations, 100-001/ 1, received 2 August 2021

Proposed Window Locations, 100-001/ 3 A, received 19 November 2021
Window Details New and Replacement, 100-001/ 4 A, received 19 November 2021
Apex Window Detail, received 24 August 2021
Proposed Plans & Elevations, 100-001/ 2 A, received 19 November 2021
Technical Sheet 10.02.39-GBR Decorative Render Finishes, received 24th August 2021
Wood Grain Composite Cladding System, received 24 August 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 (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.

Policies relating to this recommendation

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| 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'. |
| 2006_PS10 | Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents. |