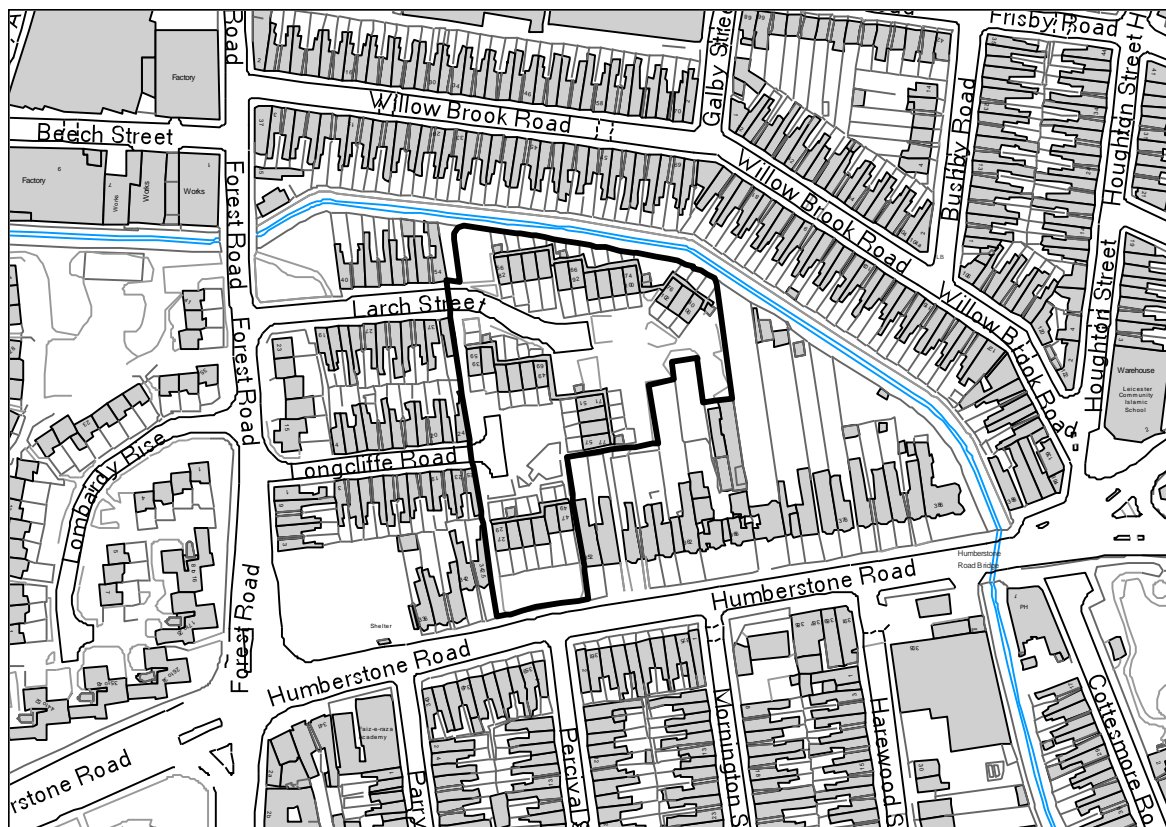


COMMITTEE REPORT

20213098	Larch Street and Longcliffe Road	
Proposal:	Installation of security fencing, gates, infill panels to balconies and bin enclosures to maisonettes (Class C3) (Amended Plans received 13 th June)	
Applicant:	PA Housing	
App type:	Operational development - full application	
Status:	Minor development	
Expiry Date:	15 July 2022	
CY1	TEAM: PD	WARD: North Evington



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Summary

- Reported to committee as there are 9 objections from 7 different addresses in the city and a petition with 25 signatures.
- Objectors raise issues of lack of parking and access to walkways outside of the housing estate, obtrusive design, impact on mental health, lack of publicity for residents along Longcliffe Road and incorrect land ownership.

- The main issues are design, and the amenity of occupier of existing and neighbouring properties.
- The application is recommended for approval.

The Site

The application relates to a housing estate that is managed by PA Housing (a Registered provider of social housing) at the end of Larch Street and Longcliffe Road comprising 58 maisonettes split over nine buildings of a three and four storey (Class C3). The estate is sited within a primarily residential area. Willow Brook is to the north of the site.

There are flooding constraints on the site with the site being within flood zones 2 and 3a, along with being in a critical drainage area and final hotspots.

Background

Planning application 028412 - Development of Site of 4 dwellinghouses (to be Demolished) & land at the rear of existing dwellinghouses by erection of 58 four person maisonettes (Revised Plans), Granted Conditional Approval in 1974.

Consent granted in 1976 (1976009) for amendments to previously approved plans under permission 28412 in May 1974 to provide 58 four person maisonettes with provision of two access roads and ancillary car parking.

The Proposal

The application is for the following works:

- 1) Installation of mesh fencing to existing boundary walls to bring the heights up to 1.8m, fencing around the waste storage areas and amenity areas to properties. Fencing would be colour coated in dark green.
- 2) Installation of 1.8m high mesh fencing and pedestrian gates to enclose the open path to some of the maisonettes. These would also be coated in dark green.
- 3) Installation of black metal balustrade infill panels to balustrades of existing balconies. These would also be coated in black.

Amendments have been received showing examples of materials proposed for the mesh fencing, balcony infill panels and all elevations for the different fencing heights.

A new location plan was also submitted rectifying the incorrect land ownership details on the original submission and as a result of this the application was re-publicised.

Policy Considerations

National Planning Policy Framework (NPPF)

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

Paragraph 11 (Presumption in favour of Sustainable Development)

Paragraphs 39 and 40 (Pre-applications)

Paragraphs 43 (Sufficient information for good decision making)

Paragraph 56 (Six tests for planning conditions)

Paragraphs 111 and 112 (Highways impacts)

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

Paragraphs 159 and 167 (Flooding and Drainage)

Development Plan policies

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

Supplementary Planning Documents (SPD)

Residential Amenity SPD (2008)

Consultations

Environment Agency – no response

Waste Management – no objection subject to code access being provided for the bins rather than fobs.

Police (Crime and Disorder) – no response

Representations

9 objections have been received from 7 householder addresses, along with 2 further comments with the following concerns:

- Loss of parking for residents outside of the Housing Association complex;
- Loss of access to walkways for residents outside of the Housing Association complex;
- Lack of publicity to residents off Longcliffe Road;
- Incorrect ownership line on location plan;
- Obtrusive design;
- Children may be obstructed or hurt when playing outside of the gated areas;
- Lack of explanation from LPA regarding the development;
- Fence would affect freedom and mental health of residents;
- Application has affected mental health to resident and letter of apology should be issued to objector;
- Reduction of accessibility;
- No more applications should be submitted and
- Moving in and out of properties will be more difficult.

1 petition has also been received with 25 signatures regarding loss of parking and access to the walkways.

Consideration

Principle of development

The addition of security features to a residential property within a primarily residential area is acceptable in principle subject to the considerations set out below including representations.

Design

Objections have been received regarding the obtrusive design of the scheme fencing, gates and panels. Whilst timber fencing or railings would have been desirable, the dark green mesh which has been proposed would allow visibility and reduce the sense of enclosure created by the added height whilst still giving security to the area. I consider the design to be acceptable.

Replacement infill panels are proposed to balconies which will be coloured black. I consider this part of the proposal would have a neutral impact to the character and appearance of the dwellings and the wider area.

I have attached a recommended condition to ensure the fencing, gates, and infill panels are coated in a durable finish that would comply with policy CS03 of the Core Strategy (2014) and would not conflict with saved policy PS10 of the Local Plan (2006). The proposal is considered acceptable in design terms as it would not harm the character and appearance of the housing estate and the wider area.

Living conditions and access (*The proposal*)

An objection has been received with the concerns that the fencing would affect freedom and mental health of residents namely children who use the area. The proposed fencing is not unusual in places used by children for example in schools and play areas for safeguarding reasons.

The design of estate has large amount of permeability through the site, though most of this is a network of numerous uncontrolled pedestrian routes next to residents' entryways and habitable rooms along with the windowless sides of the existing blocks. The enclosed areas lead to little surveillance for residents when entering their properties and shared amenity spaces and as stated by the applicant has led to antisocial behaviour that has been difficult to manage.

The installation of gates and fencing would disrupt the permeability between the site and add slight inconvenience to taking out waste. However, the proposal would give extra safety to the residents on the estate by reason of securing the entrances to waste storage and many properties entrances along with adding new panels to balconies. It would also increase the user's privacy to their property entrances, waste storage, and shared amenity space.

I consider 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 living conditions for the existing and future occupiers of the housing estate.

Residential amenity and access (*neighbouring properties*)

Objections have been received regarding loss of access to the walkways for properties outside of the housing estate. The only walkways that would no longer be accessible are small areas around bins where there are entrances and windows to specific properties, and the shared amenity space behind 56 to 105 Larch Street. Whilst the site includes adopted highways, the fencing is on the housing association land only and would give the occupiers of these properties more privacy and security. I do not consider that the loss of access to these areas would disrupt the permeability for neighbouring properties to and from Larch Street, Longcliffe Road, and Humberstone Road nor would the fencing result in a detrimental impact to residents outside of the estate.

Objections have been received with concerns that children may be obstructed or hurt when playing outside of the gated areas. It is not considered that the proposed fencing is likely to directly cause harm to children above the existing situation.

I consider that the proposal would comply with policy CS03 of the Core Strategy (2014) which states that access and permeability matters need to be considered alongside the need for security and privacy matters and would not conflict with saved policy PS10 of the Local Plan (2006) and is acceptable in terms of amenity for the existing and neighbouring occupiers.

Waste storage and collection

New security measures will mean that eight of the existing bin areas will be behind security fencing and access will be through locked, metal mesh security gates.

The Waste Management Team have requested that the gates/doors should be of a sturdy construction, be wide enough for bins to be taken out and gates should be able to be secured in an open position. The gates would be of a sturdy design with sufficient width of 1.2m for bins to fit through and I consider it appropriate to attach a condition to ensure that the gates can be secured in an open position, not just for waste management collection, but also to allow ease of access for all users who may struggle to use the gates without this feature.

Waste Management would prefer access to the secured bin areas to be via key codes but would accept key fobs that must be provided to them and any replacements to be provided free of charge. I understand that the applicant intends to use key fobs. I have attached a Note to Applicant that details that the applicant must contact Waste Management Team to agree arrangements.

Highways and Parking

There are existing parking spaces on the site contrary to the information on the application form, however it is clear from the submitted drawings that these would not be affected by the proposal.

Objections have been received regarding perceived loss of parking for residents who live outside of the estate because on-site parking would be fenced up. However loss of parking has not been proposed, and in any event the on-site

parking provision is controlled for residents of the estate and not for non-residents living outside of the application site.

I conclude that the proposal would comply with policy CS14 of the Core Strategy (2014) and would not conflict with saved policy AM12 of the Local Plan (2006) and is acceptable in terms of parking provision.

Drainage and Flooding

The site is within a critical drainage area, final hotspot, flood zones 2 and 3a, along with being in close proximity to a water course. The proposal is for mesh fencing and balustrades mainly to existing walls and fences, with new fencing and gates being mesh.

I consider that a requirement for a flood risk assessment and scheme of sustainable drainage would be onerous and that the impact of the proposal in terms of increased surface water run-off and flooding 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 and flood risk mitigation.

Other matters

IN respect of the following concerns from objectors have not yet been dealt with above:

Lack of publicity for Longcliffe Road:

Five further site notices were placed on Longcliffe Road and Larch Street and were replaced when the application was re-publicised. The display of site notices to publicise application is compliant with provisions set out in planning legislation.

Incorrect ownership line on location plan:

The location plan originally showed ownership of the adopted highways, this was rectified and a notice served on the highway authority. The application was then re-publicised.

Lack of explanation from LPA and applicant regarding the development:

All plans and details submitted have been publicised online showing the proposal. Whilst it is recommended that applicants speak and/or consult with neighbouring properties and tenants before applying for permission this is not a statutory requirement.

Application has affected mental health to resident and letter of apology should be issued to objector

There is a statutory requirement for local planning authorities to assess and determine valid planning applications that are submitted to them in accordance with national and local policies.

The application has been live three times and no more applications should be submitted:

There has only been one planning application for the proposed works, however publicity was carried out on three separate occasions due to concerns raised by local residents that there had been a lack of publicity and that incorrect land ownership on the site plan had been shown.

Conclusion

The proposal would help provide additional security to the estate and would have a minimal impact on the amenity of the existing and nearby occupiers of residential properties. The design of the works including materials to be used are acceptable and would not harm the appearance and character of the estate and wider area. It would be compliant with national and local policies.

I recommend that this application is APPROVED subject to 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 metal mesh fencing and gates shall be colour coated dark green in a durable finish and the metal balcony infill panels shall be colour coated black in a durable finish. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. The gates shall be fitted so that they can be secured in an open position to allow bins to be taken in and out of the enclosed area. (In the interest of easy access and in accordance policy CS03 of the Core Strategy.)
4. Development shall be carried out in accordance with the following approved plans:
Security fencing proposal, 101-423/(P)001, received 13 June 2022
Boundary Treatment Plan, 101-423/(P)002H, received 13 June 2022
Site Location Plan, 101-423/(P)005B, received 13 June 2022
Balcony Treatment Plan, 101-423/(P)003A, received 24 December 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.

2. The applicant is advised to contact Waste Management Team to arrange security access to waste storage areas.

Policies relating to this recommendation

- | | |
|-----------|--|
| 2006_AM01 | Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations. |
| 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. |
| 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'. |