

COMMITTEE REPORT

20220424	31 Clarefield Road	
Proposal:	Construction of single storey extension at front and first floor extension to side of house (Class C3) (Amendments received 27.6.2022)	
Applicant:	Mr Gurjeet Rajania	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	19 April 2022	
CY1	TEAM: PD	WARD: Western



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Summary

- Brought to committee as the applicant is a Leicester City Council employee.
- One objection has been received from one City address regarding the loss of light and inaccurate plans.
- Main issues are design and residential amenity.
- The application is recommended for approval.

The Site

The application relates to a two-storey semi-detached property with a cat-slide roof that is situated within a primarily residential area.

The site lies within a critical drainage area.

Background

No planning history.

The Proposal

The application is for a first-floor side extension to enlarge the third bedroom and make space for a fourth bedroom/office space in the former en-suite. The extension will have a width of 3.1m and a depth of 7.3m, with a height to eaves of 5.2m and height to pitch of 8.3m.

There is also the installation of a window to the existing garage side elevation proposed, along with an addition of a mono-pitched roof on the garage at the front.

The materials are proposed to be the same type as existing.

Amendments were received on the 10 May 2022 adding an extension to the ground floor and incorporating a 0.25m setback from the front at first floor level, along with altering some discrepancies.

Further amendments were received on the 27th June, increasing the first floor setback to 0.5m, reducing the depth of the extension at ground floor and adding a mono-pitch to the front of the garage.

Policy Considerations

National Planning Policy Framework (NPPF) 2021

Paragraph 2: applications for planning permission must be determined in accordance with development plans unless material considerations indicate otherwise.

Paragraph 11: A presumption in favour of sustainable development.

Paragraph 126: the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 39 states that 'Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.'

Paragraph 56 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up

decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

Paragraph 130 sets out criteria for assessing planning applications and requires decision makers to ensure that development proposals function well and add to the overall quality of the area, are visually attractive as a result of good architecture, are sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible and which promote health and well-being.

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, taking in local design guidance and supplementary planning documents. Significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

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)

Appendix 01 Vehicle Parking Standards (2006)

Residential Car Parking Research for Leicester (2011)

Leicester Street Design Guide (2020)

Representations

Two objections have been received (one to the original proposal and the other to the first amended proposal) from one address with concerns of the following:

- Loss of light to their ground floor landing and kitchen, along with upper floor landing
- Discrepancies between the internal garage and utility space on the site and floor plan;
- Fencing does not belong to 31 Clarefield Road and they object to this being taken down (not a material planning consideration) and
- Proposed materials of the garage and whether these will match existing.

Consideration

Principle of development

Extensions to houses in primarily residential areas are acceptable in principle subject to the following considerations below.

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.

The residential amenity guide states that extensions should not dominate the existing property and setbacks should be maintained from the front and to ridgeline.

The property has a cat slide roof at the side which would be removed as a result of the development. There is a poor quality dormer on the side and the adjoining semi-detached property 33 Clarefield Road has removed their corresponding catslide roof and has a two storey side extension which was granted permission in 1980 (Application 19800747). As there are no further similar roof types in the immediate vicinity, I do not consider the roof to be an important characteristic feature of the property and the street scene and that the loss would not be unduly detrimental to the property or street scene.

There is a setback from the side boundary of the dwelling of approximately 1m. So, with amendments showing a 0.5m setback from the front and the corresponding drop in the ridge line, I consider that the extension would still be relatively subservient to the main house. The windows will align with the existing windows and a condition is recommended for the materials to match existing. With this condition, 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 design.

Living conditions (*The proposal*)

All habitable rooms would have acceptable outlook and the development would not result in a change in the rear amenity space. I consider that the proposal would comply with saved policy PS10 of the Local Plan (2006) and is acceptable in terms of amenity for the host property.

Residential amenity (*neighbouring properties*)

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, outlook and overshadowing, and the ability of the area to assimilate development.

The residential amenity guide states that *“An extension must not cause any significant loss of sunlight to principal rooms and gardens of neighbouring properties”*.

It goes on to state that a habitable room (used in the document interchangeably with principal room) is *“a room used for living purposes, excluding kitchens with floor area of less than 13 m² (140 ft²), bathrooms, toilets, corridors and halls.”*

Objections raise concerns about the loss of light to their ground floor landing and kitchen windows on the side elevation of 29 Clarefield Road. There is also a first-floor landing window on the side elevation of this dwelling. The landing area does not fall under the definition of habitable or principal room. A site visit was conducted to this property and the kitchen was measured. It was 2.5m width x 2.8m depth with a floor area of under 7m² and is therefore not classed as a habitable or principal room. Therefore, no protection can be afforded to the side windows in accordance with the Residential Amenity SPD.

A new side window is proposed on the side of the ground floor adjacent to 29 Clarefield Road. As this is close to the boundary where there is close boarded fencing on the common boundary, I recommend that it is fitted with sealed obscure glazing (with the exception of top opening light) and retained as such.

The proposal is on the south side of the dwelling and the adjoining neighbouring property at 33 Clarefield Road is located to the north of the application site. Hence the proposal will have a minimal impact on the amenity of the occupiers of this dwelling.

With the recommended condition, I do not consider that the development would result in an overbearing, overshadowing, or overlooking to any neighbouring properties habitable rooms or garden. I consider that the proposal would comply with saved policy PS10 of the Local Plan (2006) and is acceptable in terms of amenity for neighbouring occupiers.

Highways and Parking

Appendix 01 Vehicle Parking Standards (2006) states that a house of this size in this location should have two parking spaces. Leicester Street Design Guide States that the parking spaces should be no less than 5.5m x 2.4m.

A three/four bedroom house would require two off-street parking to be provided. The internal layout of the garage is as such that it could not be used as a parking space. However, the existing driveway could provide one off-street parking space. The shortfall of one space could be accommodated on the street without resulting in a severe highway impact.

I consider that the proposal would comply with saved policy AM12 of the Local Plan and would not conflict with (2006) Policy CS02 of the Core Strategy (2014) and is acceptable in highways terms.

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

In relation to the other concerns in the representation that have not yet been considered:

Fencing – the fencing is not proposed to be removed under this application. The red on the site plan was pertaining to the site boundary not demolition works. This has been amended.

Discrepancies – there were several issues in the original plans which have been amended.

- Red lines in the site plan – these were used to show demolition not the site area and have since been altered in colour
- Proposed ground floor plan and site plan showed different layouts in the for the utility and garage space,

Conclusion

In conclusion, I consider that the proposal represents good design that would have a minimal impact on residential amenity and is in accordance with national and local planning policies.

I recommend APPROVAL 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 external elevations shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. Before the occupation of the new utility space, the window facing 29 Clarefield Road shall be fitted with sealed obscure glazing to Pilkington level 4 or 5 (or equivalent) (with the exception of top opening light) and retained as such. (In the interests of the amenity of occupiers of 29 Clarefield Road 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:
Existing Plans & Elevations, 2021-29 -PL-01, received 10 May 2022

Proposed Plans & Elevations - rev 2, 2021-29-PL-02, REVISION 2, received
27 June 2022
(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

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.

