

COMMITTEE REPORT

20240067			25 Gotham Street
Proposal:	Construction of dormer extension at rear; installation of two skylights at front; conversion of basement to store room and Installation of window at front and rear of basement; alterations to house (Class C3) (Amended plans received 31/05/2024)		
Applicant:	<i>Redacted for personal safety reasons</i>		
App type:	Operational development - full application		
Status:	Householder development		
Expiry Date:	14 June 2024		
LKL	TEAM: PE	WARD: Stoneygate	

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Summary

- Brought to committee as the applicant is a Leicester City Council employee;
- Main issues are design and residential amenity;
- The proposal is recommended for conditional approval

The Site

The application relates to a two storey terraced house located within an established residential area. The site is within the South Highfields Conservation Areas. The property is covered by an Article 4 Direction which limits permitted development rights for most external alterations and HMO conversion. The site is also within the Air Quality Management Area 2008, critical drainage area, and an area of monument polygon and Laapc 250m buffer.

Background

Planning permission 20141407 for replacement door and window to side and rear of flat (Class C3) was approved on 17/09/2014.

Planning permission 20060856 for replacement UPVC windows to side and rear elevation of house (Class C3) was approved on 21/07/2006.

The Proposal

The proposal relates to the following works:

- At the rear of house an 'L' shaped dormer extension would be constructed with a flat roof, measuring 4.5m in width and 2.5m in height. It will extend beyond the two storey rear elevation over the outrigger to a depth of 2m. The extension will accommodate a bedroom and an ensuite bathroom. The dormer cheeks are to be cladded in hanging tiles to match the existing roof tiles.
- The basement of the property will be converted to a storeroom. This includes the installation of windows at front and rear of the basement. As shown on the amended elevations and cross sections, a brick arch on top of the windows will be retained and timber fillet will be used to fill in the arch between top of the window and brick arch. The window to the front of basement would be timber and the rear window would be made of Upvc and glazing.
- Two Velux top hung Heritage Conservation rooflights will be installed to the front.

Policy Considerations

National Planning Policy Framework (NPPF) 2023

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)

Paragraph 116 (Highways requirements for development)

Paragraph 135 (Good design and amenity)

Paragraph 139 (Design decisions)

Paragraph 140 (Clear and accurate plans)

Paragraph 195 (Heritage as an irreplaceable resource)

Paragraph 200 (Heritage statement)

Paragraph 201 (Considering impact on heritage assets)

Paragraph 203 (Sustaining significance of heritage assets)
Paragraph 205 (Conservation of designated heritage assets)
Paragraph 206 (Clear & convincing justification for heritage impacts)
Paragraph 208 (Less than substantial harm)

Development Plan Policies

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

Other legal or policy context

Residential Amenity SPD (2008)
South Highfields conservation area character statement (2015)
Planning (Listed Building and Conservation Areas) Act (1990)
Planning (Listed Building and Conservation Areas) Regulations (1990)
Appendix 01 Vehicle Parking Standards (2006)

Consultations

Conservation comments are incorporated in the consideration section of the report.

Representations

None received.

Consideration

The development in a residential area is acceptable in principle subject to considerations regarding impact on the appearance and character of the conservation area, residential amenity and parking.

Character and design

In this instance considerations of design are intrinsically related to the proposal's historic and architectural value and so are considered below.

Heritage

The house is a traditional 19th century terraced property which retains most of its original features to the front and makes a positive contribution towards the character and appearance of the conservation area.

Dormer

The large rear dormer window would form a dominant feature on the rear roof slope and sit at odds with the general character of the property. Notwithstanding this, it would not be visible from the public highway within the conservation area and as such would have a very limited impact on its character and appearance. As such, there are no formal heritage objections to this element. Additionally given a similar dormer extension has been constructed at 21 Gotham Street under planning permission 20192449, a refusal due to the impact on visual amenity and the South Highfields Conservation Area would not be justified.

Rooflights

The front roof slope is visible from the public highway in longer views, but would not affect the overall form of the roof and there is local precedent for front

rooflights. As amended in the drawings, manufacturers details are provided ensuring an acceptable model is used. I am therefore satisfied that the rooflights element would not result in a detrimental impact on the character and appearance of the conservation area.

Basement window to front

A new window is proposed in the lightwell to the front of the property. This would involve the removal of part of the existing concrete and brick structure in the front yard. There appears to be some form of opening to the sub-basement level, potentially an old coal hole which has a brick arch above.

As amended, more detailed plans at 1:20 are provided of the sub-basement to the front, showing the existing wall and opening and where the new windows would be located. Cross sections have also been provided in addition to show how much of the concrete to the front would be removed and timber fillet would be used to fill in the gap between top of the window and the brick arch.

Given that none of the existing brick arch would be removed and that the window to the front would be timber framed rather than uPVC, I consider this element is acceptable in terms of design subject to a condition that the new window should be made from timber.

A condition is recommended to ensure all external materials are to match the existing.

Impact on residential amenity

The dormer window to the rear would face towards the rear garden of the application site and the side window facing number 27 would be obscured glazed with no opening below 1.7m from first floor level. I am satisfied that the new windows would not cause an unacceptable level of overlooking to neighbouring property and the massing of the new dormer would not cause any significant overshadowing.

Windows will be installed to the front and rear of the basement. I consider it reasonable to attach a condition to ensure the basement will not be used as a habitable room in the interests of residential amenity.

Parking

On-street parking is available to the front of property. Whilst not ideal, I consider the proposed bedroom is unlikely to result in an unacceptable impact on the highway.

Conclusion

The proposal would not result in unacceptable impact on the appearance and character of the conservation area and would help to preserve its character and appearance. It would have an acceptable relationship with the adjoining properties.

I therefore recommend that this application is APPROVED subject to 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 cheeks of the dormer(s) shall be constructed in materials to match the existing roof. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. The basement window to the front shall be made from timber. (In the interests of visual amenity and the character and appearance of the Soth Highfields Conservation Area, and in accordance with Core Strategy policy CS3 and CS18)
4. The external elevations of the proposed light wells shall be constructed in materials to match those existing. (In the interests of visual amenity and the character and appearance of the Soth Highfields Conservation Area, and in accordance with Core Strategy policy CS3 and CS18)
5. The basement shall not be used as a habitable room. (In the interests of residential amenity in accordance with Policy PS10 of the City of Leicester Local Plan.)
6. Development shall be carried out in accordance with the following approved plans:
Existing and Proposed Elevations, D201 - 31/12/2023, Rev A received 31/05/2024
Proposed Floor Plans, D102 - 31/12/2023, Rev A received 31/05/2024
Existing and Proposed Elevations, D202 - 31/12/2023, Rev A received 31/05/2024
Existing and Proposed Sections, D203 - 31/12/2023, Rev A received 31/05/2024
Existing and Proposed Sections, D203 - 31/12/2023, received Rev A 31/05/2024
(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 2023 is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

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| 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_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_CS18 | The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. |