

<b>Recommendation: Conditional approval</b>	
<b>20121010</b>	<b>48 MOUNT ROAD</b>
Proposal:	CHANGE OF USE FROM INDUSTRIAL ( CLASS B2) TO NINE SELF CONTAINED FLATS (CLASS C3) (3 x 1BED; 5 x 2BED 1 x 3BED); THREE STOREY EXTENSION AT REAR; ALTERATIONS; DEMOLITION (AMENDED) (SECTION 106 AGREEMENT - UNILATERAL UNDERTAKING)
Applicant:	PARKAUSHALI PARISHAD LIMITED
App type:	Change of use
Status:	Smallscale Major Development
Expiry Date:	22 November 2012
AP	WARD: Charnwood



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### Summary

- Application is brought to committee due to the number of objections.
- One individual objection and a petition of 97 signatures received, main issue is parking.
- Main issues to consider are impact on neighbouring amenity and parking.

## **Introduction**

The application site is a vacant three storey factory building (Class B2) situated in the centre of a terraced street. The factory is unrestricted in terms of hours of use and is serviced from the road. The area is residential in character. At the eastern end of the road is Sacred Heart Primary School.

There is a small yard area at the rear of the factory which currently contains a large single storey outbuilding and external fire escapes. There is a high boundary wall, approximately 4m high, on the west side of the yard between the property and 46 Mount Road.

## **Background**

The factory has been vacant for a number of years and has fallen into a state of disrepair.

An application was received in 2007 (20072011) for the continuation of use of the property as a hot food takeaway. This application was withdrawn.

## **The Proposal**

The applicants propose to change the use of the factory to provide 9 self-contained flats. This is an amended scheme from that originally proposed which was for 12 flats. The existing single storey outbuilding will be demolished to provide a small area of amenity space. The existing external fire escapes at the rear will be removed.

A small three storey extension is proposed at the rear to the side of an existing three storey projection. Replacement windows are also proposed and alterations to the ground floor frontage removing the old double service entrance doors.

The lower ground floor area to the front of the building will provide storage areas for residents and the refuse and cycle storage areas. A two bedroom flats is proposed to the rear with new light wells being provided for natural light and ventilation. The upper ground floor will contain two flats and a maintenance/ management office. The first and second floors will provide a further six flats three of which with bedrooms in the roof space. Three dormers are proposed at the front of the roof.

## **Policy Considerations**

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

### Supplementary Guidance

Vehicle Parking Standards SPG

Open Space SPD

Residential Amenity SPD

Energy Efficiency and Renewable Energy SPD

### National Policy

National Planning Policy Framework (NPPF)

## **Consultations**

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Highway Authority – the maximum parking requirement for the proposed flats would be 15 spaces. None are proposed. The area is heavily parked in the evenings as few properties in the area have off-street parking.

Noise Team – no objections subject to a condition relating to hours of construction work.

Parks and Green Spaces – a contribution of £11,570 is requested for enhancement works in Charnwood Ward.

Energy Team – consider the proposed air source heat pumps and gas boilers to be acceptable subject to conditions requiring the full details of the systems to be submitted.

### **Representations**

One individual objection and a petition with 97 signatures have been received. The grounds of objection are:

- No parking is proposed as part of the development.
- Due to existing traffic calming on street parking is limited and the proposal will make the situation worse.
- The heavily parked streets put children at risk as they go to and from the school at the eastern end of the road.

### **Consideration**

#### Principle of development

The factory building is located within a residential area therefore the principle of changing its use to residential is acceptable subject to amenity, design and parking requirements.

#### Residential amenity

The removal of a Class B2 factory from this residential area will provide an improvement to the amenities of the existing residents of the nearby houses. The factory is unrestricted and could reopen working 24 hours a day 7 days a week which would cause a loss of amenity to residents in terms of noise, possibly fumes/smells and disturbance from vehicles servicing the factory.

The building has been vacant for a number of years and has fallen into a state of disrepair. Many windows are broken and the building has a poor appearance in this well-kept residential area. The proposal would bring it back into an acceptable active use.

The proposed layout of the flats will maintain privacy to the existing neighbouring properties. The relationship of the windows at the front of the property is existing except for the proposed dormers on the roof. These will look over the roofs of the properties opposite. I do not consider that they will cause a significant change to those properties in terms of overlooking.

The windows to the rear are predominantly as existing. The existing high boundary wall to 46 Mount Road is to be retained and will prevent overlooking of that properties garden. The distance between the rear windows and those of 47 Sherrard Road at the rear are sufficient to prevent overlooking and are the same as the

relationship between the existing terraced houses in the area. The location and angle of the windows will not cause a significant loss of privacy to the neighbouring residents.

I have proposed a condition requiring the rear windows to be obscure glazed to reduce the possible overlooking between some of the rooms of the new flats.

### Design

The design and proportions of the dormers are in keeping with the existing building. The new windows will be UPVC. These will match many of those already installed in the neighbouring houses. As the building is of no strong architectural merit I do not consider it necessary to try to retain or replace like for like the existing windows.

The small extension at the rear will not be seen from Mount Road; however I have proposed a condition that materials matching those existing be used for wall and roof.

I consider the design of the changes to the building to be acceptable.

### Parking

The proposal does not provide any off street parking. The maximum parking requirements for the 9 flats would be 15 spaces. Car ownership information for Charnwood Ward states that in flats car ownership equates to 0.5 per household.

The property cannot provide any off street parking without carrying out substantial physical changes to the property which would be likely to make the overall scheme not viable. The property is located in a sustainable location 5 minute's walk from Humberstone Road which is a well-served bus route, 10 minutes walk from local shops and facilities on Nedham Street/Melbourne Road and 15/20 minutes walk from the City Centre.

The applicant is proposing adequate cycle storage to allow residents to use another form of sustainable transport and I have proposed a condition requiring each flat to be provided with a travel pack containing information on local facilities and public transport in the area.

Although there are existing parking issues in the area I do not consider the lack of parking provision sufficient reason to recommend refusal.

### Contributions

A Unilateral Undertaking is required to secure the required £11,570 for open space enhancement works in Charnwood Ward.

### Conclusion

On balance I consider the proposed conversion of this old factory building to residential to be acceptable. It will remove a conflicting use from this residential area and bring a derelict building back into active use.

I recommend APPROVAL SUBJECT TO A UNILATERAL UNDERTAKING to secure the contribution for the enhancement of open space facilities in the area and the following conditions:

## CONDITIONS

1. START WITHIN THREE YEARS
2. WALLS AND ROOF TO MATCH
3. CYCLE PARKING - DETAILS REQUIRED
4. TRAVEL PACK- DETAILS REQUIRED
5. Before the occupation of the proposed flats the windows facing into the rear courtyard on all floors shall be fitted with obscure glazing and retained as such. (In the interests of the amenity of occupiers and in accordance with policy PS10 of the City of Leicester Local Plan).
6. DETAILS OF GARDEN/YARD TO BE APPROVED AND CARRIED OUT
7. ARRANGEMENTS FOR BIN STORAGE
8. No construction or demolition work, other than unforeseen emergency work, shall be undertaken outside the hours of 0730 to 1800 hours Mondays to Fridays, and 0730 to 1300 hours Saturdays, nor at any time on Sundays or officially recognised public holidays, unless the methodology has been submitted to and agreed by the City Council as local planning authority. The methodology shall be submitted and agreed at least 10 working days before such work commences. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
9. RENEWABLE ENERGY - SCHEME TO BE AGREED
10. No development shall take place until full design details of the gas heating scheme serving each flat shall be submitted to and approved in writing by the City Council as local planning authority. No part of the development shall be occupied until evidence demonstrating satisfactory operation of the approved scheme including on-site installation has been submitted to and approved in writing by the City Council. (In the interests of securing energy efficiency in accordance with Policy CS2 of the Core Strategy).
11. This consent shall relate to the submitted plans as amended by plan ref. no. GUG/2012/730/01B, 02B, 03B, 04B, 05B received by the City Council as local planning authority on 2nd April 2013, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

#### NOTES FOR APPLICANT

1. REASON FOR APPROVAL. In the view of the City Council, the proposal complies with the relevant criteria in the City of Leicester Local Plan and Core Strategy policies listed in this decision, and there are no material considerations which outweigh these policies. The City Council considers that any harm to residential amenity can be overcome by the attached conditions.
2. It is unlikely that any construction or demolition work will be agreed outside of the hours detailed above unless the City Council's Noise Team is satisfied that: a) the work will not be detrimental to occupiers of neighbouring properties or; b) the developer is able to demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.

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**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\_BE16 Planning permission will be granted for the development of renewable energy installations where local impacts are not outweighed by wider benefits. Major developments must realise their potential for incorporating renewable energy technologies.
- 2006\_H07 Criteria for the development of new flats and the conversion of existing buildings to self-contained flats.
- 2006\_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 2006\_UD06 New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
- 2010\_CS01 The overall objective of the Core Strategy is to ensure that Leicester develops as a sustainable city, with an improved quality of life for all its citizens. The policy includes guidelines for the location of housing and other development.
- 2010\_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.
- 2010\_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'.
- 2010\_CS06 The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
- 2010\_CS08 Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
- 2010\_CS14 The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.
- 2010\_CS19 New development must be supported by the required infrastructure at the appropriate stage. Developer contributions will be sought where needs arise as a result of the development either individually or collectively.