

Recommendation: Conditional approval	
20171148	30-32 SHAFTESBURY AVENUE, 88 NEWINGTON STREET
Proposal:	CONSTRUCTION OF TWO STOREY EXTENSION AND FIRST FLOOR EXTENSION AT SIDE; SINGLE STOREY EXTENSION AND DORMER EXTENSION AT REAR; ROOF LIGHTS AT FRONT AND REAR OF RESIDENTIAL CARE HOME (CLASS C2); ALTERATIONS (AMENDED PLANS RECEIVED ON 31/10/2017 AND 08/12/2017)
Applicant:	HEARTWELL RESIDENTIAL CARE HOME
View application and responses	http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20171148
Expiry Date:	6 September 2017
AVB	WARD: Belgrave



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Summary

- The application is being reported to committee as more than 5 objections have been received;
- The objections are on the grounds of impact on amenity, impact on light and outlook, parking and character of the conservation area;

- The main issues are design, appearance, impact on neighbouring properties and parking;
- The application is recommended for approval.

Introduction

The application site consists of three properties – two on Shaftesbury Avenue (30 and 32) and one on Newington Street (88) operated as care home.

The application site is located within the area characterised as residential.

The properties on Shaftesbury Avenue are located within the Loughborough Road Conservation Area and are covered by an Article 4 Direction that removes permitted development rights from dwellinghouses.

Background

Most relevant history:

20030129 – 2m high wall at front of house was approved at 32 Shaftesbury Avenue.

20031501 - Change of use of 32 Shaftesbury Avenue and 88 Newington Street to residential care home (Class C2 - residential institutions) was approved in 2003 and implemented.

20100384 - Change of use from house at no. 30 (Class C3) to residential care home (Class C2); dormer window at rear was approved in 2010.

The Proposal

The proposal as amended is for construction of two storey and first floor extension at side, single storey extension at rear, dormer extension at rear and roof lights at front and rear of residential care home (Class C2) and alterations. The proposal would provide 4 additional bedrooms (16 bedrooms in total) and facilities for the care home:

Two storey and first floor extension would be at side of 32 Shaftesbury Avenue. The proposed extension would be in line with the existing front elevation of the care home on Shaftesbury Avenue. The proposed first extension would infill the existing gap between two properties i.e. 30 and 32 Shaftesbury Avenue. The proposed extension would have pitched roof which would measure 7.76m high.

Single storey extension at rear of 30 Shaftesbury Avenue would be 5.3m deep x 3.3m wide to form a bedroom with ensuite. The proposed mono-pitched roof would measure 3.85m high.

Dormer extension would be sited at rear of 30 Shaftesbury Avenue. The proposed dormer would have a flat roof measuring 2.42m high with a roof light.

Two rooflights are proposed at front of 30 Shaftesbury and 3 rooflights to the rear of 32 Shaftesbury Avenue.

The original proposal included a single storey front extension and a single storey extension at rear of 32 Shaftesbury.

Policy Considerations

National Planning Policy Framework

The National Planning Policy Framework has as one of its core planning principles the need to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Part 7 of the NPPF focuses on requiring good design. Paragraph 56 describes good design as a key aspect of sustainable development and paragraph 58 states that planning policies and decisions should use streetscapes and buildings to create attractive places and respond to local character and history reflecting the identity of local surroundings and materials. Planning Practice Guidance states that Local planning authorities should secure design quality through the policies adopted in their local plans.

Paragraph 17 of the NPPF describes how one of the core principles of planning is to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Paragraph 32 of the NPPF states that planning decisions should take into account whether opportunities for sustainable transport modes have been taken up, whether safe and suitable access can be achieved and whether improvements can be undertaken that limit the significant impacts of the development. Paragraph 32 adds that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 58 of the NPPF describes how in seeking to secure good design planning decisions should focus on, amongst other considerations, the importance of streetscapes in creating attractive places and on the long term impacts of development on the overall design quality of the area.

Para 131 – desirability to sustain & enhance significance of Heritage Assets

Para 134 – proposals of less than substantial harm to the significance of a designated Heritage Asset should be assessed against the wider public benefits of the proposal

Para 137 – LPA's should look for new development to preserve or enhance significance of Heritage Assets

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

SPD – Residential Amenity

SPG- Vehicle Parking Standards

Consultations

The Service Director of Environment Services (Pollution Team) – No objections
Local Highway Authority (LHA) – No objections subject to condition relating to no doors or gates shall open outwardly. However the applicant has amended the proposal and they have removed the front extension.

Representations

I have received 2 letters of objection and 1 petition with 9 signatures and the concerns are as follows:

- The proposal will have impact on light and outlook of 28 Shaftesbury Avenue;
- The proposed two storey extension and single storey front extension will have impact on the character and appearance of conservation area;
- Proposal would lead to increased problems of on street parking in the surrounding area.

Consideration

Principle

The application site is located within the area characterised as residential. The proposal for extension of existing care home is acceptable in principle, subject to design and conservation, residential amenity, living environment and parking.

Design and conservation

The Loughborough Road Conservation Area Character Appraisal states:

“The houses in Shaftesbury Avenue were constructed in the 1880s in the Domestic (or Vernacular) Revival style with big gables and prominent and simply decorated chimneys, tile-hanging, double height bay windows and decorative timberwork. Red brick is combined with roughcast render on upper storeys, and clay tiles for roofs. The houses are also linked together by a continuous red clay tiled canopy between the ground and first floors. In most cases, the original sliding sash windows and front doors remain intact. The side elevation of number 2 Shaftesbury Avenue is given further importance in keeping with its prominent site by the addition of more detailing in a mix of styles typical of the late Victorian era. In this case it takes the form of projecting brick string courses, a projecting chimney with a fine corbelled base and a ‘Romanesque’ style arch over the front door with ‘Early English’ style lancet windows on either side. House names are also important in this group and are provided as either carved lettering in stone lintels or in carving in the brick arch spandrels over the front doors.

Shaftesbury Avenue has its own particular identity, being a quiet enclave sheltered from the noise and busyness of Loughborough Road. It is also of particular townscape merit, being an attractive architectural set piece with matching terraces on either side of the road. Bay windows and their fenestration create regular vertical rhythms while a strong horizontal is formed by the canopy which connects all the houses in a continuous line. The first floor gables and chimneys add interest to the skyline and the mouldings on window frames, doors and canopy brackets provide visual interest at the smaller scale. The decorative pierced wrought iron screens above the passageway gates reinforce the patterns made by the fish-scale tiling and the mock half-timbering on the upper floors and gables.”

The two storey extension to the side would to infill the existing gap between properties 30 and 32 Shaftesbury Avenue. The proposed extension would be in line

with the existing two storey side extension at No. 32 Shaftesbury Avenue and 88 Newington Street. The height of the two storey extension would be lower than the existing 30 and 32 Shaftesbury Avenue. In addition the proposed timber windows would be similar in size and materials to the existing extension. Shaftesbury Avenue has architectural merits with bay windows and the first floor gables on either side, which adds to the character of the area.

The proposed extension would have external rendering to match in colour, texture and appearance to match No. 32 Shaftesbury Avenue. I consider that the proposed two storey extension due to its size, design and materials would be in keeping with the application properties, the overall street scene and the character and appearance of the conservation area.

The proposed roof lights due to its size and design will not have a significant adverse impact on the character and appearance of the conservation area.

The proposed single storey and dormer extension at rear due to its size and location will not be visible from the public realm and will not have impact on the character of the area.

I therefore consider that the amended proposal due to its size, design and location will not have a significant impact on the visual amenity and would preserve the character and appearance of the conservation area.

Residential Amenity of neighbours

To the north of the application site lies 90 Newington Street. This is a terraced property with a very large single storey extension to the rear covering majority of the garden area. This has windows to the side elevation facing the application site. However those windows are obscured glazed and seems to be serving non principal rooms.

The amended proposal has removed the single storey extension to the rear which would have been very close to the common boundary with No. 90. In addition the proposed two storey side extension as amended has deleted a bedroom window to the rear elevation facing No. 90.

The proposed bedroom 14 would have an existing window to the rear elevation facing No. 90 with three rooflights. Although the window will now serve a bedroom instead of bathroom, I consider that the given the position of window being in that location and given the nature of the application site as residential care home, I consider that it will not have significant detrimental impact on the residential amenity of the neighbouring property No. 90.

The proposed two storey extension would be set back by approximately 2.8 m from the common boundary with No. 90. I consider that the proposed two storey extension due to its size and location will not have a significant detrimental impact on the residential amenity of the neighbouring residential properties in terms of loss of light or outlook.

To the west of the application site lies 28 Shaftesbury Avenue. 28 Shaftesbury Avenue has an existing single storey attached outbuilding to the rear. The proposed single storey extension to rear of 30 Shaftesbury Avenue would be set back by approximately by 1.9m from the common boundary with No. 28. There is an existing high boundary fence between 28 and 30. The proposed single storey extension will not intersect 45° line taken from the nearest principal room window to the rear of No, 28. I therefore consider that the proposed single storey rear extension will not have significant detrimental impact on the residential amenity of No. 28 in terms of loss of light and outlook. There are no principal room windows in the side elevation of the extension and therefore there will be no overlooking and loss of privacy to the detriment of amenity of occupiers of No 28.

The proposed dormer would not be visible from public realm. To the rear forming the boundary is a large factory wall, therefore there would be no loss of privacy. The dormer window would be positioned on the main rear slope of the existing roof and would have outlook to the rear of the property. I consider that the proposed dormer would be in keeping with the property and will have minimum impact on the residential amenity of the surrounding area.

I conclude that the proposal would comply with Policy CS03 and would not conflict with Policy PS10, in terms of the privacy and amenity of the neighbouring occupiers.

Living environment

The proposal would form 4 additional bedrooms one at ground floor level, two at first floor level and one in the roof space. Three bedrooms will have windows either to the front or rear elevation and the one in the roof space would be served by a roof light. I am satisfied it would have sufficient light and outlook to those principal rooms.

Parking

As with many other older areas of the city, with terraced housing, parking in the surrounding area is difficult as very few properties have off-street parking, and on street parking is used to capacity much of the time.

The site has no off-street car parking provision and is unable to provide any, and so all car parking associated by the existing use, takes place on the surrounding streets. The existing property has 12 bedrooms and the proposal would increase it to 16 bedrooms. However given the nature of the use it is unlikely that the addition 4 bedrooms would generate a significant increase in demand for parking. Whilst visitor numbers would increase, visits can occur at different times of the day and not necessarily all at the same time.

In addition the site is in the close proximity to public transport on Melton Road and Loughborough Road. I consider that the proposed development would not constitute a severe impact which is the critical test as defined by Paragraph 32 of the NPPF.

I consider it is unlikely that the proposal would have a significant impact upon the on street parking or give rise to traffic problems upon the surrounding highway network to warrant a refusal.

Conclusion

The proposal would have an acceptable relationship with the neighbouring dwellings and would have an acceptable impact upon the character and appearance of the conservation area. The proposal will not have an unacceptable impact on the parking and highway safety.

I 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. Before the development is begun, the materials to be used on all external elevations and roofs shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
3. This consent shall relate solely to the amended plans nos. 1701-P-02C, -P-006B, -P-007B, -P-0017B, -P-011C, -P-021, -P-022C received by the City Council as local planning authority on 31/10/2017 and plan nos. 1701-P-008D, -P-009D, -P-010D, -P-0015C, -P-016D, and 1701-P-0019B received on 08/12/2017, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

Policies relating to this recommendation

- 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_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.
- 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.
- 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_AM11 Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01.