

COMMITTEE REPORT

20232393	10 Heddington Way	
Proposal:	Construction of single storey extension at front, two storey extension at side, single & two storey extension at rear; installation of render to external elevations of house (Class C3) (amended plans 16/2/2024)	
Applicant:	Sunny Singh	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	11 March 2024	
SS1	TEAM: PD	WARD: Knighton



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Summary

- Brought to committee due to objections being received from 6 neighbours and 2 councillors;
- The main concerns raised in objections are regarding design, neighbouring residential amenity, use as a HMO, impacts on neighbouring houses/sewerage, and parking;
- The main issues for consideration are design and neighbouring residential amenity;

- The application is recommended for approval.

The Site

The application relates to a two-storey semi-detached dwellinghouse on a residential street.

There is hardstanding to the front/side of the house.

There is a lean-to at the side of the house, extending to the rear and then a garage at the rear on the east side boundary of the garden.

The house has an existing single storey extension to the rear.

There is a hedge on the west side boundary of the garden.

There are no planning constraints at this address shown on Council mapping.

Background

There is one prior planning record at the address, application 20230947 for extensions and alterations to the house which was withdrawn by the agent during the consideration process.

The Proposal

The proposal includes construction of a front porch 2.3m in width by 1.3m in depth. It would have a pitched roof 3.3m in height to the ridge.

The proposal also includes a two storey side extension. It would be 2.6m in width. It would be flush with the main front elevation at ground level and set back 1m at first floor. It would have eaves at the same height as the existing eaves and a ridge height of 7.2m.

The extension would wrap around the rear of the house. At first floor, it would extend back 3m from the rear elevation and extend across 5.3m. The first floor would provide an extra bedroom with en-suite and additional space with en-suite for an existing bedroom. There would be a rear gable roof at first floor.

The ground floor would extend a further 1m beyond the first floor at the right hand side of the rear of the house but be stepped back at the left hand side of the house to only extend 3m in depth. These elements would have a flat roof 2.7m in height. The ground floor extension would accommodate a new office at the side and enlarged kitchen/dining/living room at side/rear.

White external render would be applied to all existing and proposed elevations of the house. There would be grey roof tiles and uPVC windows and doors all to match existing.

The above description relates to amended plans received on 16/02/2024 to reduce the massing of the porch and rear extensions and include the application of render to existing elevations. Additionally (and not at my request) the agent extended the first floor rear element by 0.2m.

Policy Considerations

National Planning Policy Framework 2023 (NPPF)

Paragraph 2 (Primacy of development plan)

Paragraph 11 (Sustainable development)
Paragraph 115 (Highways impact)
Paragraph 135 (Good design and amenity)
Paragraph 139 (Design decisions)

Local Policies

Core Strategy policy CS03 (Well-designed developments)
Local Plan policy PS10 (Residential amenity)
Local Plan policy AM12 (Residential parking)

Further Relevant Documents

Residential Amenity Supplementary planning document (SPD) 2008
Local Plan Appendix 001 – Vehicle Parking Standards

Consultations

Oadby & Wigston Borough

No response received.

Representations

Objections have been received from 6 addresses raising the following issues:

- Concerns regarding impacts on light to and outlook from neighbouring windows and gardens;
- Concerns that the extensions are proposed on the shared boundaries with the neighbouring properties and whether it could affect the integrity of neighbouring houses;
- The development appears to allow the house to become a HMO which could be a commercial business, would be out of character for the area, cause anti-social behaviour/litter/noise/parking problems and cause anxiety to neighbours. It appears already to be a HMO. It would increase the likelihood of further HMOs and residents would sell their homes. The property generally could be open to mis-use;
- The development would cause disruption to the quiet residential area including during the building works and the building works could attract vermin;
- Concerns regarding whether the sewage system will be able to cope given the enlargement and extra bathrooms and building over a manhole on the rear patio;
- Extensions would double the size of the house making it too dominant and making the house stand out;
- The render would be out of keeping with the rest of the houses which all have facing brickwork;
- Concerns regarding looking out from the skylight.

Also, Cllr Whittle advised that he would support objectors if approval were to be recommended by officers and advised an article 4 direction be declared for this street to prevent HMO's.

Finally, Cllr March also objected to the proposal, on the grounds of:

- Changes would be out of character with the area;
- Overdevelopment of the side;
- Would set a dangerous precedent;
- Negatively impact on overlooking to nearby properties, harming their privacy, light and private life; and
- There is insufficient parking for 6 occupiers.

Consideration

Principle of Development

This application is a householder application to extend the dwellinghouse.

House extensions are acceptable in principle subject to the considerations detailed below.

In regard to matters raised in representations, the potential for the site to be used as a HMO is not within the scope of this application. However, the site is not within one of the areas in the City covered by an extensive updated Article 4 Direction to control such uses brought into place last year, as the evidence of concentration at that time did not justify these additional controls in the area. The use of the property as a house in multiple occupation for up to six residents could therefore take place without requiring planning permission.

Should problems raised in representations including noise, anti-social behaviour, or litter occur at this or any other property, other legislation and bodies such as the noise pollution team or the police could deal with this, but in planning terms it is considered there would be no inherent increase in disturbance caused by this house extension.

Appearance

NPPF paragraph 135 and Core Strategy policy CS03 require well-designed developments that do not detract from the appearance of the area.

The Council's Residential Amenity SPD Appendix G provides a design guide for house extensions to ensure they appear proportionate and consistent with existing dwellings.

The proposed porch would be acceptable in terms of massing and appearance. At 3sqm and with a pitched roof it would not be overly bulky on the front elevation and its ridge height would leave some space below the first floor windowsills.

The two storey side extension would also be acceptable in terms of massing and appearance. It would follow the SPD guideline in terms of providing a 1m set back at first floor to avoid appearing overbearing or risk causing a 'terracing effect'. Its roof pitch would appear similar to the pitch on the roof of the main house and its ridge would be set down from the main ridge to demonstrate the subservience of the extension again in accordance with the Council's SPD. The extension would appear to be a similar massing and appearance to the extension on the other side of the semi-detached couplet which planning records indicate was approved in 2013 under application 20130728 and which has a similar 1m first floor set back.

The application of white render to the property would mean the property has a different materiality to the other houses on this part of the south side of Heddington Way. However other houses on the north side of the street in close proximity also have

applied render. The applicant has advised that the proposed materiality would be more durable and add an insulated layer especially to existing areas. Whilst there would be a loss of brickwork I recommend a condition ensuring all the walls are to be finished in the same white render and as such the house would retain a consistent appearance. On balance the application of render to the property would not cause unacceptable impacts to the visual amenity of the area.

For the above reasons, the proposal would be acceptable in terms of visual amenity and accord with NPPF paragraph 135 and Core Strategy policy CS03.

Neighbouring Amenity

NPPF paragraph 135 and Local Plan policy PS10 require consideration to be given to impacts on neighbours' amenity. The Council's Residential Amenity SPD Appendix G also provides guidance on ensuring that house extensions do not significantly impact on neighbouring amenity.

12 Heddington Way

12 Heddington Way is the neighbour to the west of the application site. There is a single storey rear extension at no.12 close to the shared boundary with the application site which is c.2.1m in depth. The existing rear extension on the application site is c.2.9m in depth and the proposed extension would be 3m in depth. I saw on the site visit that the existing extension does not impact the rear outlook from the neighbour's extension. I do not consider that the proposed extension will have a significant impact either. It would not come close to intersecting a 45 degree line taken from the centre of the rear glazing on the neighbour's rear extension. The two storey element of the extension would be 2.7m from the boundary with no.12 and not extend any further back. Accordingly, it would not impact on outlook from the neighbour's rear extension window either. It is also depicted on the proposed first floor plan that the first floor element of the extension would not intersect a 45 degree line taken from the edge of the nearest first floor window. As such it would accord with the Council's SPD and not substantively impact on outlook from the neighbour's first floor window.

There would be no first floor windows facing towards no.12 meaning that there would be no significant overlooking or harm to privacy for the neighbour.

As such, the proposal would not impact on light, outlook or privacy to no.12

8 Heddington Way

No.8 is the neighbour to the east of the application site. There is a rear single storey garage at no.8 on the shared boundary with the application site. The garage is sited such that there would be no views of the ground floor element of the proposal from neighbouring rear windows at no.8. Even if the garage were to be removed, the ground floor element would not intersect a 45 degree line from the nearest edge of the closest ground floor window. Also, the proposed extension, at first floor, would not intersect a 45 degree line taken from the nearest of the neighbour's nearest first floor rear window. As such the proposed extension would not impact on views from the neighbour's windows and not significantly impact on light to the neighbour's windows or garden.

There would be no first floor windows facing towards no.8 meaning that there would be no overlooking or harm to privacy for the neighbour.

As such, the proposal would not impact on light, outlook or privacy to no.8.

9 & 11 Lynmouth Drive

The proposed rear first floor windows would be sited over the minimum distance of 11m away from the rear shared boundary with 9 and 11 Lynmouth Drive which are the properties to the south. This is in accordance with the Council's guidance and as such there would be sufficient distance from these to avoid unacceptable impact on their privacy.

Other Matters

It was suggested in a representation that privacy would be impacted from looking up from the skylight. However, a skylight would not give a vantage point from which the occupier could meaningfully look towards neighbours.

Conclusion

The extension would accord with all Council guidelines on house extensions with regard to neighbouring amenity impacts. It would not impact on neighbours in regard to light, outlook or privacy. It would accord with Local Plan policy PS10 and NPPF paragraph 135.

Other Issues

The proposal is not in an area of known issues with flood risk or drainage and would not be of a scale to significantly affect this. A representation raised issues of sewerage. However, this is not within the remit of householder planning applications, and it would be a civil matter between the applicants and water company to ensure suitable sewerage is in place. This may also be looked at during the Building Regulations approval stage.

An issue raised in representations was concerns over any impacts to neighbouring properties/land from the extension being sited on the shared boundaries with the neighbours to the east and west. However, this is not within the remit of householder planning applications. The Party Wall etc. Act 1996 provides a framework for preventing or resolving disputes in relation to party walls, party structures, boundary walls and excavations near neighbouring buildings therefore any issues caused in this regard would be a civil matter.

A comment raised in a representation raised issues regarding parking spaces. The increase from a 3-bed house to a 4-bed house on a suburban residential street would not cause significant extra parking demand that could have a meaningful impact on parking congestion or highway safety. The parking requirement is the same for a four bedroom property as a three bedroom and therefore there is no additional parking requirement. There is space for two vehicles to park off street on the front, however, practically it may only be one vehicle. Any unauthorised or indiscriminate parking would be a matter for consideration by the highway authority. Disruption during construction is temporary and again any unacceptable parking is a civil matter. As such the proposal would accord with NPPF paragraph 115.

Conclusion

This is a householder planning application for a house extension which would not cause an unacceptable impact on the appearance of the area and not cause significant impact on neighbouring residential amenity. I therefore 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. Every external facing wall of the property shall be finished in the same white render and shall be retained as such. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Development shall be carried out in full accordance with the following approved plans:
Proposed Roof Plan, Proposed Front Elevation, Proposed Side Elevation, Proposed Side Elevation, Proposed Rear Elevation, Proposed Ground Floor Plan, Proposed First Floor Plan, Block Plan 1:500, ref 10/PI/TS/2, Rev 2, received 16/2/2024.
(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 planning considerations, including planning policies and representations that may have been received and subsequently determining 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.
2. The local planning authority expects that the installation of external wall insulation as approved shall be moist resistant, damp proof and shall protect the integrity of the brickwork. The local planning authority also expects the finish to be of good quality and durable.

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_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'. |