

COMMITTEE REPORT

20231161	65 Kirkwall Crescent	
Proposal:	Retrospective application for construction of dormer extension at rear of house with increased ridge height (Class C3)	
Applicant:	Ms Leanne Fowell	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	9 May 2024	
SS1	TEAM: PD	WARD: Thurncourt



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Summary

- Brought to committee due to request from Cllr Osman and at the discretion of the Head of Planning;
- The main issues are the impact of the proposal on the appearance of the area; and neighbouring amenity;
- The proposal is recommended for refusal due to the impact on the appearance of the area.

The Site

The application relates to an end of terrace two-storey 3-bedroomed residential dwelling. The house is in a primarily residential area. Part of the site is affected by a 1 in 1000 year surface water flood risk.

The Proposal

A flat roof dormer extension has been constructed to the rear roofscape and permission is now sought retrospectively for the works. The dormer is 2.9m in height by 5.6m in width by 3.9m in depth. Materials are rendered walls, and uPVC windows. The dormer would accommodate a new bedroom.

Policy Considerations

National Planning Policy Framework 2023

Paragraph 2 (Primacy of development plan)

Paragraph 11 (Sustainable development)

Paragraph 115 (Highways impacts)

Paragraph 135 (Good design and amenity)

Paragraph 139 (Design decisions)

Core Strategy 2014 and Local Plan 2006

CS policy 3 (Good design)

LP policy PS10 (Residential amenity)

LP policy AM12 (Parking)

Further Relevant Documents

Residential Amenity SPD 2008 (Appendix G Design Guide for House Extensions)

Representations

Cllr Osman has advised that he supports the application.

Consideration

The main issues relating to this householder development are: impact on the character and appearance of the area; and impact on neighbouring residential amenity.

Although the proposal is retrospective in nature, the application is to be considered in the same way and against the same considerations as if it had not yet been constructed.

Appearance

Context

Leicester City Council Core Strategy 2014 policy CS03 requires development to respond positively to the surroundings and be appropriate to the local setting and context. National Planning Policy Framework paragraph 135 requires developments to be visually attractive as a result of good architecture and layout, be sympathetic to local character and maintain a sense of place.

Leicester City Council Residential Amenity Guide (p38) advises that flat roofed extensions may be acceptable to the rear of properties with pitched roofs if they are not visible from the street and the construction of roof extensions and dormer windows must not dominate the original house. It goes on to advise (p41) that extensions higher than the existing ridge line will generally not be approved.

Assessment

Kirkwall Crescent has a consistent design of gable end roofs with houses and roofscapes all of similar scale, massing and appearance. This results in a consistent and visually suitable street scene.

The dormer is proposed as a flat roofed dormer and extends to nearly the full width of the existing dwelling, within 0.23m of the edge of the end terrace dwelling. It is only set up 0.5m from the eaves of the main roof and extends above the ridge of the main roof by 0.15m. The dormer would be visible from the street scene on Kirkwall Crescent and would appear as an incongruous feature on this end of the row of terraced houses. It would disrupt the consistent appearance of the houses in terms of massing and roofscapes as described above. As such, due to its position, shape and size the proposed dormer would appear as a disproportionately large roof extension of blunt appearance and as an overly dominating and incongruous feature in the area that would be at odds with the character and appearance of both the host dwelling and the surrounding area. This would result in harm to the character and appearance of the area. The dormer would also be highly visible from neighbouring properties 61, 63, 67 and 69 Kirkwall Crescent and from the rear gardens and windows of 26, 27 and 28 Lyncroft Leys and be an overly dominating feature when viewed from neighbouring properties.

There are no similar roof extensions in the vicinity of the appeal site and the rear roofscapes of other properties along Kirkwall Crescent are largely unaltered.

Consequently, the dormer would conflict with Core Strategy Policy CS03 and with National Planning Policy Framework paragraph 135, as referred to above.

In reaching my conclusion on this issue, I have considered the applicant's proposal to use materials that would match the existing dwelling. However, I consider that the mass and bulk of the dormer would still be unacceptable.

Neighbouring Residential Amenity

Local Plan policy PS10 and National Planning Policy Framework 2023 require developments to avoid impacts to neighbours amenity including having regard to impacts on outlooks, natural light and privacy.

The neighbours to either side are 67 Kirkwall Crescent to the west and 63 Kirkwall Crescent to the east. The proposed dormer extension would be behind the eaves of the roof and as such not be positioned to effect outlook or light to windows or gardens at these neighbours. The dormer window would overlook the applicant's own garden and not face directly towards the neighbour's gardens therefore I do not consider that there would be a significant impact on privacy to the neighbours above the existing situation.

The neighbours to the rear (north) of the application site (in Harborough district) are 26 & 27 Lyncroft Leys. The rear windows of the dormer would be situated c.14.5m away from the rear garden boundaries of these properties. They would also be situated c.21m from the rear extension at no.27 and c.23.6m from the main rear

elevations of these properties. The Residential Amenity Guide advises that windows should not overlook neighbouring gardens at less than 11m and neighbouring windows at not less than 21m. Notwithstanding the height that the dormer window is at, I consider that there would be sufficient separation to avoid unacceptable impacts on to 26 and 27 Lyncroft Leys.

As such the development would be acceptable in regards to retention of neighbouring amenity and comply with Local Plan policy PS10 and National Planning Policy Framework 2023.

Other Issues

Parking

Highways policies listed above require developments to avoid severe impacts on highways functioning. There is no off-street parking at the property, and the proposal would be adding an extra bedroom to the house, meaning it would become a 4-bed dwelling. However, it would remain as a family dwellinghouse and I consider that an additional bedroom would not be likely to result in an increase in parking demand that could be considered a material planning consideration in accordance.

Conclusion

For the reasons given above in relation to the harm to the appearance of the area, the proposal would be contrary to the development plan as a whole, and the NPPF. NPPF paragraph 139 advises that developments that are poorly designed must be refused. The proposal is not sustainable development therefore I recommend refusal for the following reason:

REASON FOR REFUSAL

1. Due to its position, shape and size the proposed dormer would appear as a disproportionately large roof extension of overly dominant and incongruous appearance, disrupting the otherwise consistent appearance of the area to the detriment of visual amenity and conflicting with Core Strategy 2014 Policy CS03 and National Planning Policy Framework 2023 paragraph 135.

NOTES FOR APPLICANT

1. The City Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application no pre-application advice was sought before the application was submitted and no negotiations have taken place during the course of the application. The City Council has determined this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. As the proposal is clearly unacceptable, it was considered that further discussions would be unnecessary and costly for all parties.