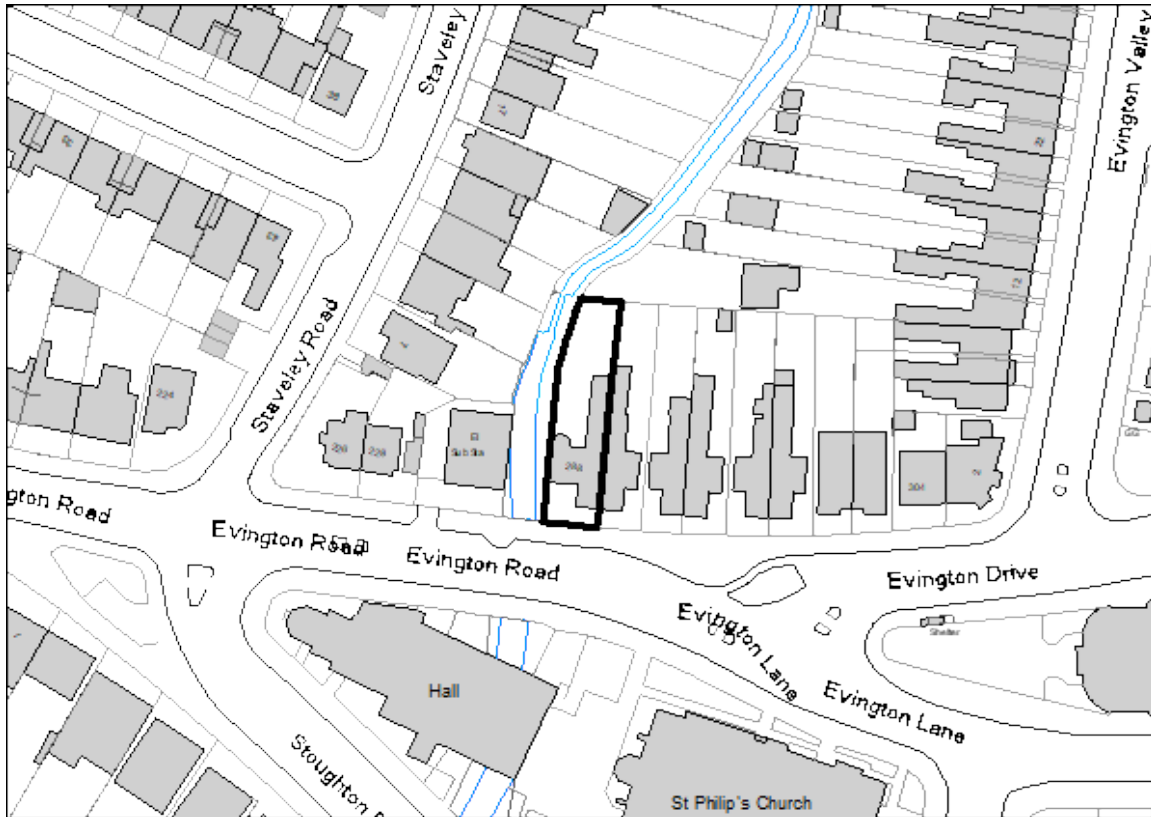


COMMITTEE REPORT

20240332		
288 Evington Road		
Proposal:	Demolition of conservatory; construction of two storey extension at side; dormer at rear of house (Class C3); alterations (Amendments received)	
Applicant:	Sir Peter Soulsby	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	22 August 2024	
CY1	TEAM: PD	WARD: Stonegate



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Summary

This application has been brought to committee as the applicant is a Member of Leicester City Council. The application is recommended for approval. The main considerations are design, impact on amenity, flooding, and trees.

The Site

The application relates to a two-storey semi-detached dwelling situated in a residential area. With regards to flooding, the site is adjacent to the Evington Brook watercourse and is within flood zones 3b, 3a, and 2, along with a critical drainage area. The site is adjacent to a biodiversity enhancement site and there are a number of mature trees on and around the site. There is a locally listed substation to the west of the site adjacent to the brook and a locally listed church opposite.

Background

[20220164](#), demolition of conservatory and construction of two storey extension at side and extension of roof including dormer at rear of house (Class C3), withdrawn.

[20090471](#), single storey extension at front, two storey extension at side and rear of house (Class C3) (amended plans), granted conditional approval in 2009 but not implemented.

The Proposal

The application is for the demolition of the existing conservatory and construction of a two-storey extension at the side of the property, along with a dormer at the rear.

Amendments were received on the 9th of April, then on the 11th of June, fixing a discrepancy on the dormer between the section and rear elevation.

Amendments were received on the 17th of July updating the ecology report.

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 114 (Assessing transport issues)

Paragraph 115 (Unacceptable highways impact)

Paragraph 116 (Highways requirements for development)

Paragraph 135 (Good design and amenity)

Paragraph 136 (Trees)

Paragraph 139 (Design decisions)

Paragraph 140 (Clear and accurate plans)
Paragraph 165 (Avoiding flood risk or making development safe)
Paragraph 173 (Flood risk considerations and SuDS)
Paragraph 180 (Natural environment considerations)
Paragraph 186 (Biodiversity in planning decisions)
Paragraph 188 (Habitats site)
Paragraph 189 (Land instability or contamination)
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 209 (Non-designated heritage assets)

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)
Appendix 01 Vehicle Parking Standards (2006)
Residential Car Parking Research for Leicester (2011)
Leicester Street Design Guide (2020)
Leicester Biodiversity Action Plan (2021)

Representations

None received.

Consultations

Trees and Woodlands – no objections subject to conditions

Environment Agency – no objections to application but note a permit will be needed to carry out works. They recommend this is added as a note to applicant should the application be approved.

Electricity supplier – none received

Local lead flooding authority (LLFA) – no objections subject to conditions

Consideration

The application is for an extension to a residential property within a residential area. the application is considered acceptable in principle.

Character, Design, and Impact on Locally Listed Buildings

The application site is adjacent to an electricity substation on Evington Road, which is a non-designated heritage asset as identified on the Local Heritage Asset Register.

The proposed extension would limit some side views of the substation, but this would not have any impact on its significance. It would also be visible in context of the Church of St Philip and the Masjid Umar, which are also identified local heritage assets, but there would also be no harm to significance in this respect.

The extension is designed to be subservient to the existing dwelling and respects its overall form and detailing. Materials are proposed to match the existing dwelling which is recommended to be conditioned should the application be approved.

I conclude that the proposal would comply with policy CS03 of the Core Strategy (2014), saved policy PS10 of the Local Plan (2006), or NPPF chapters 12 and 16 and is acceptable in terms of the character and appearance of the area including the non-designated heritage assets.

Residential Amenity (Neighbours)

The development is located to the side facing the brook and substation. I do not consider that it would not result in any overbearing, overlooking, or overshadowing that would be detrimental to any neighbouring properties.

I conclude that the proposal would comply with policy CS03 of the Core Strategy (2014), saved policy PS10 of the Local Plan (2006), and paragraph 135 of the NPPF, and is acceptable in terms of amenity to neighbouring properties.

Residential Amenity / Living Conditions (Application Site)

All principal rooms would have adequate outlook and natural lighting. The garden space would still exceed minimum requirements set out in appendix G of the Residential Amenity SPD/ is still of a usable and ample size.

I conclude that the proposal would comply with policy CS03 of the Core Strategy (2014), saved policy PS10 of the Local Plan (2006), and paragraph 135 of the NPPF, and is acceptable in terms of amenity to existing and future occupiers of this dwelling.

Highways/Parking

No changes are proposed to the existing parking situation on site. Only one space could be provided which is not ideal given the road has restricted on-street parking. Nevertheless, as this is an existing situation, and the extensions to the dwelling are modest, I do not consider that the proposal would result in a detrimental highway impact.

I conclude that the proposal would comply with policy CS14 of the Core Strategy (2014) and would not conflict with saved policy AM12 of the Local Plan (2006), and is acceptable in terms of highway impact and parking.

Drainage/Flooding/Climate Change

The western and northern sections of the site are within Flood Zone 3b, and the site is also shown to be at high risk of surface water flooding. Flood resilience measures will therefore need to be included as part of the application. The drainage strategy provided within the application proposes to manage surface water from the proposed extension via a water butt, and utilising the existing connection into the surface water sewer. The points stated below will need to be satisfied in order to ensure that the development would ensure reduced run off and flood risk mitigation on site, and these can be secured via pre-commencement conditions.

- Demonstrate that the Emergency Flood Planning procedure has been followed
- Update the Drainage Strategy to confirm the capacity of the proposed water butt
- SuDS: Product Specification and/or Design Details
- Update the SuDS Maintenance plan to include the proposed water butt
- Compliance for “Advice for minor extensions” within National Planning Policy Guidance (NPPG) “Standing Advice for vulnerable developments”

Trees/Landscaping

A tree survey, report, and tree protection plan have been submitted with this application. The tree officer has viewed these and has no objections providing section 7 of the supplied tree survey and report and the tree protection plan could be conditioned. I consider this would be a reasonable condition should the application be approved.

Conclusion

The proposal is acceptable in terms of all the considerations listed above and would provide a development in accordance with the relevant policies and guidance. 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. The external elevations shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. The development shall be carried out in accordance with the recommendation outlined in Section 7 of the supplied tree survey and report and the tree protection plan received by the city council as local planning authority on the 19th February. (In the interest of biodiversity and in accordance with Core Strategy policy CS17, saved policy UD06 of the 2006 Local Plan and paragraph 136 of the National Planning Policy Framework 2023).
4. The development shall be carried out in accordance with the recommendation outlined in appendix 01 of the approved Preliminary Bat Roost Assessment received by the Local Planning Authority on 29 July 2023. Should the development not be carried out within 24 months of the original report then a repeat survey shall be carried out and submitted to and agreed in writing with the City Council as local planning authority. (In the interest of biodiversity and in accordance with Core Strategy policy CS17 and section 15 of the National Planning Policy Framework 2023).
5. Prior to the commencement of development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved by the local planning authority. The extension shall not be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy). (To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
6. Prior to the commencement of development detailed measures of flood proofing/resilience techniques shall be submitted to and approved by the local planning authority. The details shall be incorporated in accordance with the

National Planning Policy Guidance (NPPG) "Preparing a flood risk assessment: Standing Advice" to conduct a suitable self-assessment of flood risk. The proposed extension shall not be occupied until the measures have been implemented in accordance with the approved details. It shall be retained and maintained thereafter. (To minimise the risk of damage in times of flooding, and in accordance with policy CS02 of the Core Strategy). (To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

7. No part of the development shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy).
8. The development shall be carried out in accordance with the approved plans:
Proposed Extension and Sections A-A & B-B, received 11th June 2024
Tree Protection Plan 01, received 19th February 2024
Tree Survey and Constraints Plan 01, received 19th February 2024
Proposed Plans, received 19th February 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.
2. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence

- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Policies relating to this recommendation

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.
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.
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'.
2014_CS17	The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.