UPDATE SHEET

PLANNING COMMITTEE – 02 June 2020

To be read in conjunction with the Head of Planning and Regeneration's Report (and Agenda) This list sets out: -

(a) Additional information received after the preparation of the main reports;

(b) Amendments to Conditions;

(c) Changes to Recommendations

MAIN REPORT

A1 20/00242/FUL **Re-construction of existing roof space increasing pitch with the addition of 3 dormer windows creating internal space within roof area and the widening of existing vehicular access (retrospective application)**
March House, 28A Long Street, Belton

Additional information received:
An objection letter received by Belton Parish Council raising concerns over the following matters:

- Overbearing and overlooking impacts from dormer windows
- Retrospective application
- Extension not subservient
- Errors on application
- Out of character with the streetscene

The Local Planning Authority has also received two further letters of objection from a neighbouring property on the following matters:

- Consultation period on amended plans
- Land ownership
- Highway safety concerns
- Impacts on heritage
- Design of dormer windows
- Inaccuracies in the Committee Report relating to permitted development rights

Officer comment:
The concerns raised by Belton Parish Council have all been addressed in the original Committee Report.

It is noted that due to a minor administrative error, a timeframe for a response was not included on a re-consultation notification to neighbouring properties relating to the latest plans showing for a reduction in the size of dormer windows on the front elevation. However, the letter which was sent had the contact details of the case officer included and the complainant was subsequently emailed to advise of the timescales for a response (and has now responded). In addition, it is noted that all residents have also received a communication advising them that the application will be considered at the Planning Committee on 2nd June. The Council is satisfied that residents have been adequately informed of the application, having been notified separately on four occasions, and that all neighbours have been given ample opportunity to make comments on the application.

Concerns have been raised with regard to land ownership. Upon consideration of the issues raised it appears that parts of the development fall within the land ownership of third parties. Although ownership matters would normally be a separate legal issue between the two parties, the Council's Legal Team consider that an amended ownership certificate will need to be provided to the Council and all interested parties served with requisite notice of the planning application prior to any planning decision being issued. This does not impact on the ability of Planning Committee to reach a resolution on the application.

Further objections have been received relating the highway safety concerns, in particular visibility and the height of a wall on third party land. Leicestershire County Council Highways Authority concluded that the proposed widening of the existing vehicular access and third off-street car parking space would not result in a severe level of harm to the highway network. No objections are raised by the County Highway Authority, subject to conditions, as set out in the Committee Report.

In terms of clarification on the Committee Report in respect of permitted development rights, a similar dormer window that is set 0.2m from the eaves could be constructed under permitted development right and result in similar (and potentially additional) impacts.

Whilst concerns have been raised over the design of the amended dormer windows and the impact on the nearby Listed Building, the Committee Report already sets out the acceptability of the dormer windows in relation to Local Plan Policy and the Council's Good design guide.

A note to applicant is recommended in relation to the timing of the remedial works to the dormer windows

RECOMMENDATION: No changes to recommendation but include an additional note to applicant requiring the remedial works to the dormer windows on the front elevation to take place as soon as is practicably possible to avoid enforcement action from the Council.