

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)

**Report Item No
A1**

**March House 28A Long Street Belton Loughborough
Leicestershire LE12 9TP**

**Application Reference
20/00242/FUL**

**Grid Reference (E) 444609
Grid Reference (N) 320572**

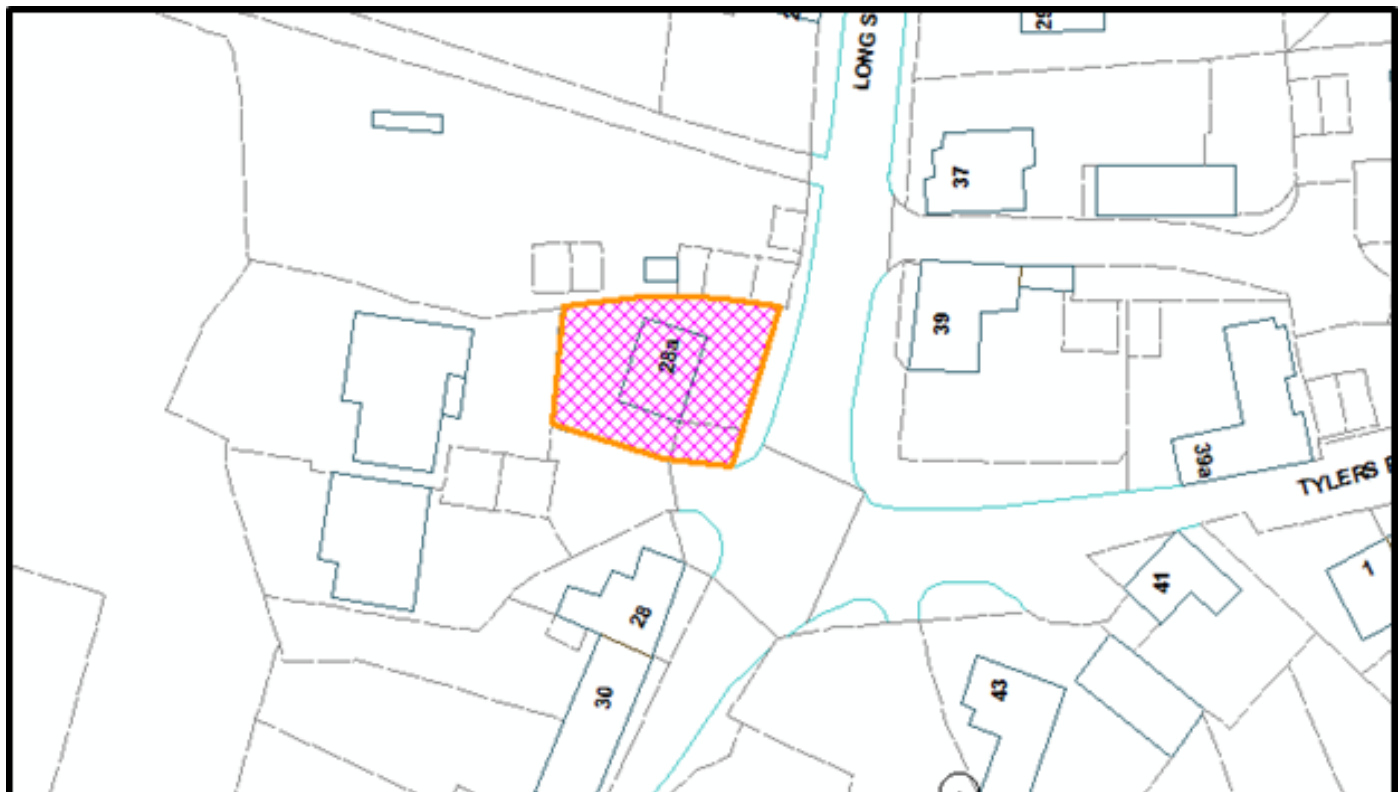
**Date Registered:
4 February 2020
Consultation Expiry:
28 May 2020
8 Week Date:
31 March 2020
Extension of Time:
None Agreed**

**Applicant:
Ms Julia Fancourt**

**Case Officer:
Chris English**

**Recommendation:
PERMIT**

Site Location - Plan for indicative purposes only



Reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office
©copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence LA 100019329)

EXECUTIVE SUMMARY OF PROPOSALS

Call In

The application is brought to the Planning Committee as the Ward Member (Councillor Rushton) has requested it to be considered by Planning Committee given the contentious nature of the application.

Proposal

The application is for the 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. The application is retrospective.

Consultations

15 letters of neighbour representation have been received raising objection to the development. 15 letters of support have also been received. Belton Parish Council have not provided comments at the time of writing this report. Leicestershire County Council Highway Authority have no objections to the application.

Planning Policy

The site lies within the Limits to Development as identified in the adopted North West Leicestershire Local Plan. The application has been assessed against the relevant policies in the NPPF and the adopted Local Plan and other relevant guidance.

Conclusion

The site lies within Limits to Development within Belton where the proposed development is considered to be acceptable in principle. The scheme does not give rise to any significant impacts regarding design, highway safety or residential amenities and would maintain the character and appearance of the streetscene of Long Street and the surrounding area. It is therefore recommended that the application be permitted.

RECOMMENDATION - PERMIT

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

Planning permission is sought for the 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 at 28A Long Street, Belton.

As a result of the re-construction of the existing roof space which includes for an increase in the roof pitch, two habitable rooms would be provided at second floor level (office and study). The proposal also includes the insertion of two rooflights on the front elevation roofslope and five rooflights on the rear elevation roofslope.

The site is located within the Limits to Development, as defined by the Policy Map to the adopted Local Plan. 28A Long Street is approximately 19m north of No. 30 Long Street which is a Grade II Listed Building.

During the course of the application, amended plans were received to reduce the scale of the two dormer windows on the front elevation and to address concerns relating to highway safety.

Precise measurements of the proposal are available to view on the submitted plans.

Planning history on the site:

18/00048/FUL - Erection of two storey and single storey side extensions - Permitted 12th March 2018.

18/00737/FUL - Erection of two storey and single storey side extensions - Permitted 13th June 2018.

19/00735/FUL - Erection of two storey side extension, single storey side extension (amended scheme to previously approved application 18/00737/FUL) - Permitted 16th September 2019.

19/01977/FUL - Raising of roof and installation of dormer windows - Withdrawn 26th November 2019.

Enforcement

A complaint was received on 4th December 2019 that the development approved under 19/00735/FUL was not being built in accordance with the approved plans, following which a site visit was conducted by myself and Dean Flower the following day. It was noted during the visit that works were almost completed to the side and single storey extensions and the works to raise the pitch of the roof to the extension and main house would be commencing soon. At the time of the visit the owner confirmed that a revised planning application had been submitted under planning reference 19/01977/FUL to address the amendments to the approved scheme, however following advice from the planning team this had been withdrawn and another revised application was to be submitted in the New Year. The owner at that time was advised that the works being undertaken were unauthorised and as such were all undertaken at their own risk and should they fail to obtain the required planning permission any works would be subject to possible enforcement action. Given that a revised application was to be submitted it was not considered expedient to take enforcement action at this time. Following various email exchanges with the owners they submitted a revised planning application on 4th February 2020.

2. Publicity

11 neighbours notified

Press Notice published Leicester Mercury 19 February 2020

3. Summary of Consultations and Representations Received

15 letters of neighbour representation has been received raising concern on the following grounds:

- Scale and design issues
- Overdevelopment
- Impacts on residential amenity
- Property is overbearing
- Highway safety concerns
- Heritage implications
- The application is retrospective
- Discrepancies on plans and application form
- The use of property
- Mix of properties in Belton
- Previous extensions not built in accordance with plans

15 letters of support have been received.

Belton Parish Council have not submitted comments at the time of writing this report.

Leicestershire County Council Highway Authority have no objections to the application subject to the imposition of conditions.

The full contents of all the letters of representation are available for members to inspect on the case file.

4. Relevant Planning Policy

National Policies

National Planning Policy Framework (2019)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.

Adopted North West Leicestershire Local Plan

The following policies of the adopted Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

S2 - Settlement Hierarchy

D1 - Design of new development

D2 - Amenity

He1 - Conservation and enhancement of North West Leicestershire's historic environment

IF4 - Transport Infrastructure and new development

IF7 - Parking provision and new development

Other Policies and Guidance

National Planning Practice Guidance.
Leicestershire Highway Design Guidance.
Good Design for North West Leicestershire SPD - April 2017
Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Assessment

Principle of Development

The site is located within Limits to Development as defined by the adopted Local Plan, where the principle of extensions to existing dwellings are acceptable, subject to all other planning matters being addressed.

Scale, Design and Heritage

Paragraph 192 of the NPPF states that planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. It further indicates (at paragraph 193) that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The proposed development must also be considered against Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

28A Long Street, Belton is approximately 19m north of No. 30 Long Street, Belton which is a Grade II Listed Building. The proposal includes the re-construction of existing roof space increasing pitch with the addition of three dormer windows creating internal space within roof area. The proposed alterations to the roof would result in a new roof structure pitched at approximately 45 degrees. Two of the proposed dormer windows would be located on the front elevation roof slope with one on the rear elevation roof slope. During the course of the application, amended plans have been received to accurately represent what has been constructed on site, relocate the two dormer windows on the front elevation lower and reduce the size of the dormer windows following concerns raised by the case officer and neighbours.

A number of objections have been received during the course of the application in relation to the proposed dormer windows, including dormer windows being out of character with the streetscene and the surrounding area and specifically the scale and design of the dormer windows proposed. Along Long Street, there are a number of examples of dormer windows on residential properties including on Nos. 8, 17, 19, 21, 23, 27, 40 and 49. As such, it is not considered that the insertion of dormer windows on the front elevation of the dwelling would result in a detrimental impact on the streetscene subject to the scale and design. It is also worth noting that the gable design of the proposed dormer windows would match the gable end design

of the existing property.

Paragraphs 13.14 and 13.15 of the Good Design for North West Leicestershire District Council SPD states that "dormers should be kept small and unobtrusive and should reflect the style and materials of the building in question" and "dormers should not exceed the height of the ridge line and should either be located centrally/symmetrically on the roof or be aligned with the windows below". What has been constructed on site and included on the original plans provided is considered not to accord with this guidance. However, following amended plans that show the front elevation dormer windows smaller in scale and relocated lower on the roofslope in line with pre-application advice given, it is considered that the proposed dormer windows on the front elevation roofslope would accord with the guidance within the Good Design for North West Leicestershire SPD and are therefore considered to be acceptable.

With regard to the proposed dormer window on the rear elevation, whilst the dormer window cannot be considered small and unobtrusive given its scale and design, it is acknowledged that the dormer window could be constructed without the requirement of planning permission under the General Permitted Development Order. It is also noted that the dormer window is located on the rear elevation and, therefore, is less prominent in the street scene. As such, it is considered unreasonable for the Local Planning Authority to refuse the application on this basis.

The proposed alterations to the roof would see an increase in height of approximately 1.5m to 8m and the pitch of the roof become approximately 45 degrees. The design and style of properties along Long Street is varied with examples of properties with low pitched roofs - Nos. 18 and 39 and examples of properties with steeper pitched roofs - Nos. 22, 28 and 30. The side elevation that is most prominent along Long Street is the exposed north elevation which includes views to No. 28 and the Grade II Listed Building No. 30. As such, it is considered that the steeper roof pitch would reflect the character of the streetscene of Long Street, the character of the surrounding area and would preserve the setting of the nearby Grade II Listed Building.

As a result of the proposed re-construction of the roof, the finishing materials would go from concrete tiles to Cambrian Slate. Considering the varied streetscene of Long Street with a mix of modern and traditional dwellings and materials, it is considered to be acceptable and would not result in a significantly detrimental impact on the streetscene of Long Street or character of the surrounding area.

The proposal includes the installation of two rooflights on the front elevation and five rooflights on the rear elevation. The principle of rooflights in this location is considered acceptable given there are a number of examples of rooflights on other properties along Long Street including Nos. 51, 53 and The Old Baptist Chapel, Long Street. It is worth noting that whilst there are five proposed on the rear elevation roofslope, they would not be visually prominent in the streetscene of Long Street and would not be dissimilar to the rooflight arrangement on The Old Baptist Chapel, Long Street.

During the course of the application, concerns have been raised that the proposal is considered not to be a subservient addition to the existing dwellinghouse. Given the nature of the proposal in raising the height of the property, it is considered that proposal represents a re-modelling of the property as opposed to an addition (like a side or rear extension) that would be expected to be subservient. In any case, on the basis of the amended plans, the scheme is considered to have an acceptable impact on the character and appearance of the surrounding area.

In view of the above this development would be compliant with Sections 66 and 72 of the

Planning (Listed Buildings and Conservation Areas) Act 1990, Policies He1 and D1 of the adopted Local Plan, the Council's Good Design SPD and the advice contained in the NPPF.

Impact upon Residential Amenity

During the course of the application, 15 letters of objections have been received by neighbouring properties raising concerns in relation to a number of matters including overbearing and overlooking impacts of the proposal. Due consideration has been given to the impacts of the proposal on the closest neighbouring properties. The neighbouring properties that are most likely to be affected by the proposal are No. 2 White House Court, Long Street and No. 39 Long Street, Belton.

The proposed dormer windows on the front elevation roofslope would serve a 'study' and an 'office'. The front elevation of No. 28A Long Street is approximately 21m west of the front elevation of No. 39 on the west side of Long Street. It is acknowledged that there would be views from the proposed dormer windows to private rear amenity spaces, however, as shown on photographs provided by neighbouring properties, the overlooking impacts would be obscured by existing buildings and an existing boundary wall and is not considered to be significant with the main road of Long Street intervening between the two.

With regard to the proposed dormer window on the rear elevation, it is considered not to result in any significantly detrimental overlooking impacts on No. 2 White House Court as the dormer window would serve a non-habitable room (landing) and any private rear amenity space that would be overlooked would be marginal given the 1.5m gap between the north elevation of the neighbouring property and its northern most boundary. Furthermore, the front of the neighbouring property is used for off-street car parking and any overlooking impacts on the front elevation of No. 2 White House Court would not be dissimilar to that of a residential property fronting a public highway.

It is also worth noting that due to the distance of the existing dwelling to the neighbouring properties, as stated above, and the increase in height of the existing dwelling of approximately 1.5m as a result of the proposal, there would be no significantly detrimental overbearing impacts.

Overall, the proposal is not considered to result in significant impacts upon surrounding residential amenity. Therefore, the proposed development is considered to be in accordance with Policy D2 of the adopted Local Plan and the Council's Good Design SPD.

Highway Considerations

Whilst the number of bedrooms at the property remains unaltered as a result of the proposal, it is proposed to extend the existing vehicular access by 1.8m and alterations be made to the front of the dwelling to provide three off-street car parking spaces. Long Street, Belton is a Classified C road.

Following the alterations to the front of the property - namely the relocation of the existing wall, it is considered that the proposed parking arrangements are in accordance with the Leicestershire Highways Design Guide which requires an access width of 7.2m. As shown on drawing number DBA04496/20, an access width of at least 7.2m is proposed to be provided and is therefore

considered to be acceptable. A condition would be imposed on any planning permission granted to secure the off-street car parking and access.

As discussed in the supporting email dated 4th May 2020 a speed survey was undertaken in November 2018 in connection with an earlier planning application at this site, 19/00735/FUL, which was later withdrawn. The survey identified 85th percentile speeds of 31mph and 29mph northbound and southbound respectively. In accordance with Table DG4, this would therefore require visibility splays of 2.4m x 54m and 2.4m x 43m respectively.

When assessing whether or not a development proposal would have a severe impact on the highway network, it is reasonable to consider the required Stopping Sight Distance (SSD) which is calculated in accordance with Manual for Streets (MfS) guidance. Based on the recorded 85th percentile speeds, using a 1.5 second reaction time and a deceleration rate of 0.45g, the required SSD is 45m and 41m northbound and southbound respectively.

Visibility assessment of proposed parking space drawing number LE5153-1PD001 demonstrates the achievable visibility splays, without crossing third-party land to be 2.4m x 25m and 2.4m x 22m to the north and south respectively, representing shortfalls of 20m and 19m.

Whilst the proposal would result in substandard visibility in both a north and south direction, given the existing access arrangements, Leicestershire County Council Highways Authority conclude the proposal would not result in severe harm to the highway network. Furthermore, a condition would be imposed on any planning permission granted to ensure the maximum vehicular visibility splays shown on drawing number LE5153-1PD001 are provided and retained in perpetuity.

It is also worth noting that 1m by 1m pedestrian visibility splays have been provided and a condition would be imposed on any planning permission granted to ensure these are retained in perpetuity.

During the course of the application, concerns have been raised in respect of the impacts of the proposal on the nearby bus stop. It is considered that as an additional off-street car parking space is being provided within the curtilage of the dwellinghouse, the access is approximately 11 metres from the bus and Leicestershire County Council Highway Authority raised no objection, there would be no detrimental impact on the nearby bus stop.

On balance, the proposal is therefore considered to be acceptable in relation to Policies IF4 and IF7 of the adopted Local Plan as well as the Leicestershire Highway Design Guide.

Other Matters

During the course of the application, neighbouring properties objected to the application on the basis that it is a retrospective application. However, the Local Planning Authority is required to assess each application on its own merits and being retrospective does not impact the assessment of an application.

Whilst concerns have been raised with regard the single storey side extension to the north of the property - namely, not in accordance with previously approved plans and the internal dimensions not in accordance with Leicestershire Highways Design Guide for a garage, the extension has been constructed under Permitted Development for which no consent is required from the Local Planning Authority.

Concerns have been raised during the course of the application with regard to the use of the site and the labelling of individual rooms on the floor plan. The Local Planning Authority must assess each application based on the information provided and it is considered that based on the information provided, the proposal would not result in a change of use.

During the course of the application, concerns have been raised with regard to previous extensions at the property not being built in accordance with the approved plans. As such, a separate investigation will be undertaken by the Council's Planning Enforcement Team.

Concerns have been raised during the application by neighbouring properties over the lack of three bedroom dwellings in the settlement of Belton and the impact of the proposal on Belton's economic growth. However, there are no policies in the adopted Local Plan that relate to this and has therefore not been assessed as part of this application.

Conclusion

The principle of the development is acceptable. The proposal is not considered to have any significant detrimental design, heritage, residential amenity or highway impacts. There are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the adopted Local Plan, the advice in the NPPF and the Council's Good Design SPD. It is therefore recommended that the application be permitted.

RECOMMENDATION - PERMIT, subject to the following conditions;

- 1 Plans
- 2 Materials
- 3 Access in accordance with
- 4 Visi splays in accordance with
- 5 Pedestrian Visi in accordance with
- 6 Parking in accordance with