Recommendation: Conditional approval

<table>
<thead>
<tr>
<th>20132252</th>
<th>GIPSY LANE, LAND TO THE REAR OF GRANGE HOUSE</th>
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<tr>
<td>Proposal:</td>
<td>TWO DETACHED HOUSES (2 X 4 BEDS) (CLASS C3)(AMENDED PLANS)</td>
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<tr>
<td>Applicant:</td>
<td>TREETOPS HOMES LTD</td>
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<td>App type:</td>
<td>Operational development - full application</td>
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<tr>
<td>Status:</td>
<td>Householder development</td>
</tr>
<tr>
<td>Expiry Date:</td>
<td>27 November 2014</td>
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<td>SSA WARD:</td>
<td>Humberstone &amp; Hamilton</td>
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Summary

- The application is referred to the committee as 11 objections have been received;
- The main issues are residential amenity, setting of listed building; impact on protected trees; the character and appearance of the area, access and parking;
- Objections relate to infill development, location and access; would be out of keeping with the area; impact on the setting of listed building and the conservation area; effect on boundary hedges and trees. The size and bulk of the proposed houses;
- The infill development will maintain the amenity of neighbouring properties and the character and appearance of the area, the access and parking provided is acceptable. No loss of protected trees;
Introduction
This application site relates to the land rear of Humberstone Grange Clinic, a Grade II Listed Building, which has recently been converted back to a house. To the east of the site lies The Grange Cottage, a Grade II Listed Building and the north boundary fronts onto Gipsy Lane with public open space to the West.

There are two TPO trees and the site is screened by other mature trees and vegetation along the front boundary. The site slopes from North to South, with a fall of about 1m. The site is close to the junction of Gipsy Lane and Thurmaston Lane. The site is located within the curtilage of listed buildings and within Old Humberstone Village Conservation Area.

Background
There is extensive history for alterations and extension to the Humberstone Grange house, Grade II listed building.

20130493 & 20130906 - Consents for change of use from medical centre (Class D1) to dwelling and single storey extension at the side were approved including a listed building application for internal and external alterations.

The Proposal
The proposal is for two symmetrical detached dwellinghouses (2 X 4beds) (Class C3) with semi-detached shared garages on a site that has frontage width of 34 metres and a depth of 27.5m with a site area of approx. 900 sq. m.

The houses are set back from the front boundary/pavement by between 7m to 9m and have 10.5m rear gardens depth with 150m2 and 160m2 rear amenity area. The garage block with a hipped roof is set back further from the building line to allow cars to park and manoeuvre within the site.

The revised site plan has been received to show pedestrian sight lines which are forward of the tress and provide clear views/site lines. The applicant states that none of the existing trees along the front boundary will be removed, just the undergrowth at low level to provide clear views.

Policy Considerations
Development plan policies relevant to this application are listed at the end of this report.
Supplementary Planning Document: Residential Amenity
Supplementary Planning Document: Green Space

Consultations
Local Highway Authority (LHA): No objections, subject to conditions.
Conservation Advisory Panel (CAP): No objection in principle, subject to minor amendments relating to the design and landscaping elements.

Trees and Woodland Officer: No objections, subject to conditions.
The Service Director of Environment Services (Noise/Pollution Team) – No objections.

Severn Trent Water (STW): No objections, subject to conditions.

Parks and Green Space: A contribution of £2985 is required for enhancement of open and play space works in line with the Green Space SPD.

Representations
11 objections have been received on the following grounds:
- Loss of green space and protected trees on the site to build the houses;
- Impact on protected trees;
- Impact on surface and foul drainage;
- Impact negatively on the listed buildings and historical character of surrounding area;
- Overdevelopment;
- Impact on amenity of nearby properties;
- Overlooking and loss of privacy;
- Entrance on dangerous location/bend;
- Poor visibility/sight lines, hazards to pedestrian and drivers; and
- Close to busy junction; will cause parking and highway safety issues.

Consideration
Principle of development
The site is located within a residential area and therefore the principle of further residential development is considered acceptable, subject to design, visual amenity, heritage assets/conservation, tree requirements, access, parking and highway safety.

Design
The two storey, detached houses are identical and are of an appropriate design, size, scale and height for the location, as the buildings have similar eaves and ridge heights to the adjacent buildings. The proposed houses are sufficiently away from the listed buildings to ensure that they have negligible impact on the setting of listed buildings and also complement the character and appearance of the conservation area. I attach condition requiring detailed design of the render finish, sill, lintel, window and joinery details, and sample of materials.
I consider that a residential development to the rear and the side of listed buildings with a frontage facing onto Gipsy Lane is acceptable, as the development would not result in adverse impact on street scene or the visual amenity of the conservation area.
Setting of the Listed Buildings
The plot of land to be subdivided is positioned away from both listed buildings, having negligible impact upon the principle views of both properties. The application site has historically been associated to the Grange House; however, the listed building turns its back on the plot, with only glimpses afforded of the site from the building. As such, it is not felt that the subdivision will compromise the setting and appearance of the listed building, as it still retains a substantial curtilage, which remains undeveloped.
I do not consider that the proposed houses will have a detrimental impact upon the setting of either listed building, despite the subdividing part of the curtilage of the grade II listed Grange House and sited to the west of Grange Cottage, also grade II listed building.

Old Humberstone Conservation Area
The Old Humberstone Conservation Area (2006) character appraisal highlights that the southern side of Gipsy Lane is characterised by ‘trees and hedges of townscape importance’. This is an important characteristic of the site, as the continuous green frontage to Gipsy Lane enhances the appearance of the streetscene and should be preserved as part of any development.

Initially CAP raised concerns over the prominence of the buildings and having negative impact upon the streetscene, due to the lack of a substantial boundary treatment. The proposal to set-back the dwellings is desirable, as it reduces the prominence of the buildings from the street and partially mitigating these concerns.

The revised proposal retains TPO trees and the continuous green frontage. The applicant states that none of the protected trees will be removed, just the undergrowth at low level to provide clear sight lines to mitigate pedestrian visibility issues. However, as detailed on the site plan and revised landscaping scheme, extensive new planting will be introduced within the site.

I do not consider that the revised scheme would compromise the character of the street and makes the proposed houses unduly prominent from Gipsy Lane.

Residential amenity
The two dwellings would have an identical layout and are further set back from the front and the rear boundary. The principal rooms at the ground and first floor level will face Gipsy Lane and Grange House and its curtilage at the rear and will provide a good level of outlook. Whilst the front view would partially be restricted due to the protected tree, overall I consider an acceptable outlook would be provided as there will be sufficient distance between the application site and the existing properties as per the adopted SPD.

Both properties will have sufficient private amenity space, over 100square metres and approximate 10.5m rear gardens depth.

There are no principal rooms window proposed in the side elevations. The properties to the rear at the southern boundary, to the east and west boundaries are screened from the application site by 2.0m metre high fence and trees.
The Grange House building occupies an irregular L shape with ground floor windows facing the rear and side elevations of Plot 1 and these would be at an oblique angle and there are no windows at the upper floors in the gable end. Given the relationship with Grange House and distance between the windows, I do not consider that there would any direct overlooking. I consider that there is adequate separation and screening between the application site and the adjacent properties, therefore the proposal would have minimal impact on the amenity of the existing or future occupiers in terms of loss of light, privacy, outlook and overbearing or overshadowing.

**Lifetime Homes**
I am satisfied that the scheme is in line with the key LTH key spatial criteria and compliance of all relevant standards is indicated on the completed checklist. I have attached a condition and notes ensuring that the development meets the required standards and details of all applicable Lifetime Homes design features installed as part of the development.

**Protected Trees/landscaping**
These houses have been set back from the front that there are two TPO trees among other mature trees and hedge boundary along the Gipsy Lane. The proposal has been supported by Arboricultural Survey report and Method Statement. The applicant states the report highlights that the proposed access intrudes within the RPA of protected trees therefore special constriction method technique will be required to protect the TPO trees. The tree officer has no objection to the proposal provided conditions are attached to protect the TPO trees during and after the development. Conditions are recommended in this respect.

There are number of trees within the site where the two houses are proposed will be removed. The submitted tree report confirms that the trees to be removed are of a less significance / importance and the tree officer has no objection for their removal.

I consider the landscape scheme is acceptable which incorporates retention of protected trees, proposed replacement trees to compensate any loss of trees, permeable paving and some SUDs details. However, I consider it appropriate to require detailed landscaping scheme/Suds details in order to provide details of sustainable surface area, protect TPO trees, and mitigate for the loss of the trees and vegetation from the site.

**Access and Parking**
The principle of small scale development is acceptable at this location. The footway fronting the site is narrow and currently difficult to use due to vegetation overhanging the highway. Initially concerns were raised that cut back of trees and vegetation will be required in order to provide visibility for the access and sight lines as this will be hazards to pedestrian and drivers due to its close proximity to busy traffic and junction which will cause highway safety issues.

The site plan has been received to show pedestrian sight lines which are forward of the tress and provide clear views/site lines. The access width amended to 4.25m and plans shows 2m x 2m sight lines each side of the access with the 2m measured from the back of the footway.
The Local Highway Authority (LHA) states that this small section of Gipsy Lane is residential and the number of dwellings is expected to increase with committed development adjacent to this site. Vehicle speeds on Gipsy Lane are currently above the speed limit but speeds are expected to fall with the introduction of traffic calming associated with the committed development.

The LHA raised no objection to the revised layout and recommend that the pedestrian sight lines must be kept free of any planting or similar obstruction to forward visibility splays to the carriageway. I attach conditions in this respect to mitigate any harm to the highway safety.

Parks and Open Space
The Core Strategy policy CS 13 (Green Network) sets out policy context for green space provision in Leicester. The development site falls within the Humberstone and Hamilton ward and the open space assessment and subsequent Greenspace Strategy identify that this ward shows deficiencies in local open space provision. As a result the green space requirements of the occupants of this development cannot be addressed through existing open space provision. Therefore, a contribution of £2985 for enhancement works is sought and conditioned.

Conclusion
I consider the revised proposal is in keeping with the existing adjacent houses and it will have minimum impact on setting of the listed buildings and the character and appearance of the conservation area. The impact upon neighbouring amenity will be minimal and there is unlikely to be an adverse highway impact.

I consider that the proposal is not contrary to the development plan policies and guidelines. I recommend APPROVAL subject to conditions.

CONDITIONS

1. START WITHIN THREE YEARS

2. Before the development is begun, details of the design (render finish, sill, lintel, window and joinery details) and materials to be used on all external elevations (brick sample panel) and roofs shall be submitted to and approved by the City Council as local planning authority. The works shall be implemented in accordance with the approved details. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)

3. LANDSCAPING TO BE APPROVED & CARRIED OUT: VERSION 1

4. DRAINAGE DETAILS OF SURFACE AND FOUL WATER TO BE AGREED AND CARRIED OUT

5. SUDS DETAILS TO BE AGREED AND CARRIED OUT - MINOR DEVELOPMENTS

6. ALL TREES, SHRUBS, HEDGES TO BE PROTECTED
7. Detailed information and construction method statement and drawing required for work within the CEZ (construction exclusion zone) near retained trees shall be submitted to and agreed in writing with the City Council as local planning authority prior to commencement of development and the approved scheme shall be implemented prior to occupation. (In the interests of the health and amenity value of the trees and in accordance with Policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

8. SIGHT LINES TO ACCESSES

9. STREET WORKS TO BE SATISFACTORY

10. PROVISION OF FOOTWAY CROSSING(S)

11. TURNING SPACE WITHIN SITE

12. PARKING SPACES TO BE RETAINED - EACH DWELLING

13. All housing units and associated parking and approach shall be designed, constructed and maintained to Lifetime Homes Standards (July 2010 edition) and the Lifetime Homes Design Guide (2011), in accordance with the schedule (dated 11th November 2014) submitted with the planning application. (To ensure the houses are adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS6).

14. PROVISION OF OPEN SPACE/PLAY

15. This consent shall relate solely to the amended plans received by the City Council as local planning authority on 22/07/2014, 10 and 11 November 2014, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. With respect to condition 6 above, the fencing required should be welded mesh panels securely fixed to a scaffold frame work with uprights driven well into the ground and in this case should be provided not within the root protection area in accordance with details agreed with the city council in advance. In most cases this equates to 12 times the diameter of the tree when measured at 1.5m height from ground level. The applicant is advised to visit http://shop.bsigroup.com/en/ProductDetail/?pid=000000000030213642 to find out further information in respect of BS 5837:2012.

2. The applicant's attention is drawn to the need to acquire a licence from the City Council as Highway Authority in order to implement the works fully. Please telephone (0116) 454 4972 for details.

3. The Applicant is advised that achieving Lifetime Homes Standards will require the detailed LTH specification for each relevant criterion being
incorporated into construction drawings and other documentation, over and above Building Regulation requirements. It is essential that all those (including agents and contractors) delivering the scheme are fully aware of this condition and of the detailed LTH requirements. Any application to discharge this condition will require details of all applicable Lifetime Homes design features installed as part of the development.

4. Condition 14 can be satisfied by a payment of £2985 to the Council’s Director of Planning, Transportation & Economic Development to secure the works described in the condition.

**Policies relating to this recommendation**

2006_AM01 Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.

2006_AM02 Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.

2006_AM12 Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.

2006_BE20 Developments that are likely to create flood risk onsite or elsewhere will only be permitted if adequate mitigation measures can be implemented.

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.

2010_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.

2010_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'.

2010_CS06 The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.

2010_CS08 Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.

2010_CS14 The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.

2010_CS15 To meet the key aim of reducing Leicester’s contribution to climate change, the policy sets out measures to help manage congestion on the City roads.

2010_CS18 The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.
New development must be supported by the required infrastructure at the appropriate stage. Developer contributions will be sought where needs arise as a result of the development either individually or collectively.