

COMMITTEE REPORT

20260007	38 South Kingsmead Road	
Proposal:	Demolition of garage at rear; construction of single storey extension at side and rear; construction of canopy at rear; proposed decking at rear of house (Class C3); alterations	
Applicant:	Caroline Welsh + Andy Leitch	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	16 March 2026	
AVB	TEAM: PD	WARD: Knighton



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Summary

- The application is brought to committee as the applicant is an employee of Leicester City Council
- The main considerations are design, neighbouring residential amenity, amenity of occupiers, trees, flooding and parking.
- No representations were received from neighbours.
- The recommendation is to grant conditional approval.

The Site

The application site is a semi-detached house located within the residential area. The site is located within Surface Flood 1 in 1000 area and rear part of the garden is within Flood Zone 2.

Background

19792386 - Provision of dormer window and use of roof space to form additional room at semi-detached dwellinghouse was approved and implemented.

023355 - Erection of a single storey extension at rear of dwelling house to provide dining area and extension to kitchen was approved and implemented.

The Proposal

The application seeks permission for the partial demolition of the existing garage and the construction of a single storey extension to the side and rear of the property, together with the installation of rear canopy and enlarged decking area.

The proposed single storey side extension would be supported by posts and feature a flat roof with a height of approximately 2.7m.

The proposed single storey rear extension would enlarge the existing kitchen/diner area. It would measure approximately 2m x 5.9m and would have flat roof 3.1m high and would incorporate a rood lantern.

The proposed garage would be partly demolished to create an open area with a 2.4m high canopy. The proposal also includes the enlargement of the existing rear decking area.

The applicant has submitted Flood Risk Statement to support the proposal.

Policy Considerations

National Planning Policy Framework (NPPF) 2024

Paragraphs 2 (Application determined in accordance with development plan and material considerations)

Paragraph 11 (Presumption in favour of Sustainable Development)

Paragraphs 40 and 41 (Pre-applications)

Paragraphs 44 (Sufficient information for good decision making)

Paragraph 57 (Six tests for planning conditions)

Paragraph 117 (Highways requirements for development)

Paragraph 135 (Good design and amenity)

Paragraph 139 (Design decisions)

Paragraph 140 (Clear and accurate plans)

Paragraph 181 (Flood risk considerations and SuDS)

Paragraph 186 (Biodiversity in planning decisions)

Development Plan Policies

Development plan policies relevant to this application are listed at the end of this report.

Other legal or policy context

The Town and Country Planning (Development Management Procedure) (England) Order 2015

Representations

None.

Consultations

Trees and Woodlands Officer - No objection

Consideration

Principle of development

This application is a proposed extension to a dwellinghouse. House extensions are acceptable in principle subject to the considerations detailed below.

Character and Appearance of the area:

NPPF paragraph 135 and Core Strategy policy CS03 require well-designed developments that do not detract from the appearance of the area. Leicester City Core Strategy (2014) policy CS03 states that the council require high-quality, well-designed places that contribute positively to the character and appearance of the area. The Council's Residential Amenity SPD Appendix G provides a design guide for household extensions to ensure they appear proportionate and consistent with existing dwellings.

The proposed side extension, comprising a shed with a timber enclosure and a flat roof, has been designed to sit behind the principal building line. By virtue of its set-back and modest height, the addition appears subservient to the main dwellinghouse. The use of timber cladding would not have unacceptable impact on the visual amenity of the surrounding area.

The single-storey rear extension, canopy, and associated alterations are located to the rear amenity area and are not visible from the public realm. Due to their appropriate scale and location, these elements are considered to be in keeping with the character and appearance of the surrounding residential area.

It is therefore considered the proposal to be acceptable and compliant with policy CS03.

Residential Amenity:

Saved City of Leicester Local Plan Policy PS10 aims to protect the residential amenity of neighbouring properties.

40 South Kingsmead Road has an existing single storey covered area to the side, single storey extension and detached single storey garage at rear abutting the

boundary with the site. The proposed side extension is considered subservient and, given the presence of No. 40's existing side structures and garage, will not result in an overbearing impact. The rear extension and canopy are appropriately sited to avoid detrimental impacts on light or outlook. To preserve privacy, the proposed corner kitchen window shall be obscurely glazed by condition, ensuring compliance with Saved Policy PS10.

36 South Kingsmead Road has an existing single storey rear extension with patio doors to the rear. The proposed rear extension would be 2m deep with flat roof is considered a proportionate addition. Due to its limited projection along with the existing high boundary fence, the structure will not have unacceptable impact on the residential amenity of the occupiers of No. 36.

While the proposal includes an expanded rear decking area, the scale of the enlargement is not considered to result in an unacceptable increase in overlooking or loss of privacy to warrant a refusal.

I conclude that the proposal would not conflict with NPPF paragraph 135f, and saved Local Plan Policies PS10, and that the proposal would be acceptable in terms of impact upon amenity.

Highways and Parking:

The proposal would result in loss of one parking space(garage). The site can accommodate at least 1 car parking to the front driveway without any harm to highway safety. I therefore consider that the loss of 1 parking would be acceptable at this location and would not compromise or result's in highway safety issues.

Flooding:

The site is situated within an area identified as having a 1 in 1000-year risk of surface water flooding, with the rear garden falling within Flood Zone 2. The applicant has provided a Flood Risk Statement and I consider that the modest scale and footprint of the proposed extensions, the development will not result in a significant increase in flood risk to the site or the surrounding area.

Trees

There is an existing tree (conifer) to the rear of the site. Due to the proposed siting of the rear extension, a tree will have to be removed to accommodate the development. However, the tree is not protected and could be removed at any time without consideration by Planning. The Council Trees and Woodlands officer had no objections to the proposed removal of the tree.

Conclusion

I recommend the application for 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 new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Before the occupation of the proposed extension new window facing 40 South Kingsmead Road shall be fitted with sealed obscure glazing to Pilkington level 4 or 5 (or equivalent) (with the exception of any top opening light) and retained as such. (In the interests of the amenity of occupiers of 40 South Kingsmead Road and in accordance with policy PS10 of the City of Leicester Local Plan).
4. Development shall be carried out in accordance with the following approved plans:
 Location and Block Plan - 136(02)04 Rev P2 received 19/01/2026
 Proposed Ground Floor - 136(08)01 Rev P2 received 19/01/2026
 Proposed South and Patio Elevation - 136(08)03 Rev P2 received 19/01/2026
 Proposed East and North Elevation - 136(02)02 Rev P1 received 05/01/2026
 (For the avoidance of doubt).

NOTES FOR APPLICANT

1. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption/transitional arrangement is considered to apply:

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A “householder application” means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

2. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material planning considerations, including planning policies and representations that may have been received and subsequently determining 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 2024.

Policies relating to this recommendation

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| 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'.