



Leicester  
City Council

**SECOND DESPATCH**

**MEETING OF THE PLANNING AND DEVELOPMENT CONTROL  
COMMITTEE**

**WEDNESDAY, 8 MARCH 2023**

Further to the agenda for the above meeting which has already been circulated, please find attached the following:-

[item no.]    **[item heading]**  
                  **[Appendix ???]**

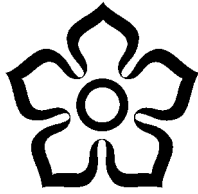
**PLANNING APPLICATIONS AND CONTRAVENTIONS**

The Committee is asked to consider the recommendations of the Director, Planning, Development and Transportation contained in the attached reports, within the categories identified in the index appended with the reports.

***Officer contacts***

*Tel: 0116 454 5591 / 0116 454 5843 e-mail: [aqil.sarang@leicester.gov.uk](mailto:aqil.sarang@leicester.gov.uk) /  
[jacob.mann@leicester.gov.uk](mailto:jacob.mann@leicester.gov.uk)*





Leicester  
City Council

**Wards:**  
**See individual reports.**

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**Planning & Development Control Committee**

**Date: 8 March 2023**

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**REPORTS ON APPLICATIONS, CONTRAVENTIONS AND APPEALS**

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**Report of the Director, Planning and Transportation**

**1 Introduction**

- 1.1 This is a regulatory committee with a specific responsibility to make decisions on planning applications that have not been delegated to officers and decide whether enforcement action should be taken against breaches of planning control. The reports include the relevant information needed for committee members to reach a decision.
- 1.2 There are a number of standard considerations that must be covered in reports requiring a decision. To assist committee members and to avoid duplication these are listed below, together with some general advice on planning considerations that can relate to recommendations in this report. Where specific considerations are material planning considerations they are included in the individual agenda items.

**2 Planning policy and guidance**

- 2.1 Planning applications must be decided in accordance with National Planning Policy, the Development Plan, principally the Core Strategy, saved policies of the City of Leicester Local Plan and any future Development Plan Documents, unless these are outweighed by other material considerations. Individual reports refer to the policies relevant to that application.

**3 Sustainability and environmental impact**

- 3.1 The policies of the Local Plan and the LDF Core Strategy were the subject of a Sustainability Appraisal that contained the requirements of the Strategic Environmental Assessment (SEA) Directive 2001. Other Local Development Documents will be screened for their environmental impact at the start of preparation to determine whether an SEA is required. The sustainability implications material to each recommendation, including any Environmental Statement submitted with a planning application are examined in each report.
- 3.2 All applications for development falling within the remit of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 are screened to determine whether an environmental impact assessment is required.

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- 3.3 The sustainability and environmental implications material to each recommendation, including any Environmental Statement submitted with a planning application are examined and detailed within each report.
- 3.4 Core Strategy Policy 2, addressing climate change and flood risk, sets out the planning approach to dealing with climate change. Saved Local Plan policies and adopted supplementary planning documents address specific aspects of climate change. These are included in individual reports where relevant.
- 3.5 Chapter 14 of the National Planning Policy Framework – Meeting the challenge of climate change, flooding and coastal change – sets out how the planning system should support the transition to a low carbon future, taking full account of flood risk and coastal change. Paragraph 149 states “Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.”
- 3.6 Paragraphs 155 - 165 of the National Planning Policy sets out the national policy approach to planning and flood risk.

#### **4 Equalities and personal circumstances**

- 4.1 Whilst there is a degree of information gathered and monitored regarding the ethnicity of applicants it is established policy not to identify individual applicants by ethnic origin, as this would be a breach of data protection and also it is not a planning consideration. Section 149 of the Equality Act 2010 provides that local authorities must, in exercising their functions, have regard to the need to:
- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 4.2 The identity or characteristics, or economic circumstances of an applicant or intended users of a development are not normally material considerations. Where there are relevant issues, such as the provision of specialist accommodation or employment opportunities these are addressed in the individual report.

#### **5 Crime and disorder**

- 5.1 Issues of crime prevention and personal safety are material considerations in determining planning applications. Where relevant these are dealt with in individual reports.

#### **6 Finance**

- 6.1 The cost of operating the development management service, including processing applications and pursuing enforcement action, is met from the Planning service budget which includes the income expected to be generated by planning application fees.



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- 6.2 Development management decisions can result in appeals to the Secretary of State or in some circumstances legal challenges that can have cost implications for the City Council. These implications can be minimised by ensuring decisions taken are always based on material and supportable planning considerations. Where there are special costs directly relevant to a recommendation these are discussed in the individual reports.
- 6.3 Under the Localism Act 2011 local finance considerations may be a material planning consideration. When this is relevant it will be discussed in the individual report.

## **7 Planning Obligations**

- 7.1 Where impacts arise from proposed development the City Council can require developers to meet the cost of mitigating those impacts, such as increased demand for school places and demands on public open space, through planning obligations. These must arise from the council's adopted planning policies, fairly and reasonably relate to the development and its impact and cannot be used to remedy existing inadequacies in services or facilities. The council must be able to produce evidence to justify the need for the contribution and its plans to invest them in the relevant infrastructure or service, and must have regard to the Community Infrastructure Levy (Amendment)(England) Regulations 2019.
- 7.2 Planning obligations cannot make an otherwise unacceptable planning application acceptable.
- 7.3 Recommendations to secure planning obligations are included in relevant individual reports, however it should be noted however that the viability of a development can lead to obligations being waived. This will be reported upon within the report where relevant.

## **8 Legal**

- 8.1 The recommendations in this report are made under powers contained in the Planning Acts. Specific legal implications, including the service of statutory notices, initiating prosecution proceedings and preparation of legal agreements are identified in individual reports. As appropriate, the City Barrister and Head of Standards has been consulted and his comments are incorporated in individual reports.
- 8.2 Provisions in the Human Rights Act 1998 relevant to considering planning applications are Article 8 (the right to respect for private and family life), Article 1 of the First Protocol (protection of property) and, where relevant, Article 14 (prohibition of discrimination).
- 8.3 The issue of Human Rights is a material consideration in the determination of planning applications and enforcement issues. Article 8 requires respect for private and family life and the home. Article 1 of the first protocol provides an entitlement to peaceful enjoyment of possessions. Article 14 deals with the prohibition of discrimination. It is necessary to consider whether refusing planning permission and/or taking enforcement action would interfere with the human rights of the applicant/developer/recipient. These rights are 'qualified', so committee must decide whether any interference is in accordance with planning law, has a legitimate aim and is proportionate.

- 8.4 The impact on the human rights of an applicant or other interested person must be balanced against the public interest in terms of protecting the environment and the rights of other people living in the area.
- 8.5 Case law has confirmed that the processes for determination of planning appeals by the Secretary of State are lawful and do not breach Article 6 (right to a fair trial).

**9 Background Papers**

Individual planning applications are available for inspection on line at [www.leicester.gov.uk/planning](http://www.leicester.gov.uk/planning). Other reasonable arrangements for inspecting application documents can be made on request by e-mailing [planning@leicester.gov.uk](mailto:planning@leicester.gov.uk). Comments and representations on individual applications are kept on application files, which can be inspected on line in the relevant application record.

**10 Consultations**

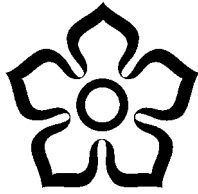
Consultations with other services and external organisations are referred to in individual reports.

**11 Report Author**

Grant Butterworth grant.butterworth@leicester.gov.uk (0116) 454 5044 (internal 37 5044).

**INDEX  
APPLICATION ORDER**

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**Leicester**  
City Council

**Wards: see individual reports**

**Planning & Development Control Committee**

**Date 8<sup>th</sup> March 2023**

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**SUPPLEMENTARY REPORT ON APPLICATIONS AND CONTRAVENTIONS:**

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**APPLICATION ORDER**

<b>Page Main</b>	<b>Page Supp</b>	<b>Application Number</b>	<b>Address</b>	<b>Ward</b>
29	2	<b>20220031</b>	<b>118 Evington Valley Road</b>	KN
5	3	<b>20222199</b>	<b>413 London Road, Sefton House</b>	SH

Applications and Contraventions: Supplementary Report

<b>Recommendation:</b>	
<b>20220031</b>	<b>118 Evington Valley Road</b>
Proposal:	Construction of single storey extension at rear (Class E(g))
Applicant:	Mrs B Uppal
App type:	Operational development - full application
Status:	
Expiry Date:	10 March 2023
TEI	WARD: Spinney Hills

**Page Number on Main Agenda: 29**

**Further Considerations**

Additional details have been submitted in relation to sustainable urban drainage including diagrams of the current sewer locations and water surface drainage, an exceedance flow management statement and a maintenance plan for the proposed sustainable drainage measures. Though the details show the inclusion of an overflow from the rainwater tank the details are otherwise insufficient.

As such I recommend that Conditions 7 and 8 remain.

<b>Recommendation: Conditional approval</b>	
<b>20222199</b>	<b>413 London Road, Sefton House</b>
Proposal:	Construction of loft conversion; alterations to sides and rear of house (Class C3)
Applicant:	Rehana Latif
App type:	Operational development - full application
Status:	
Expiry Date:	10 March 2023
TEI	WARD: Knighton

**Page Number on Main Agenda: 5**

### **Further Considerations**

The separate application at the site (ref. 20222079) for the construction of a hard surface and vehicular access to classified road at front of the property has been granted conditional approval.



# Planning & Development Control Committee 8<sup>th</sup> March 2023

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# Planning Applications Index

Planning & Development Control Committee 8<sup>th</sup> March 2023

**20222368**

**38 Middlesex Road**

**20222152**

**23 Sidney Road, Land adjacent to**

**20222199**

**413 London Road, Sefton House**

**20220031**

**118 Evington Valley Road**

01



Leicester  
City Council



**38 Middlesex Road**

**20222368**

P&DCC Wednesday 8th March 2023

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Aerial Photos  
B&W Base  
Colour Base



12

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**CLICK - 3D VIEW**

**2022368**  
**38 Middlesex Road**



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Streetscene view

20222368  
38 Middlesex Road

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Existing steps up to front entrance

20222368  
38 Middlesex Road

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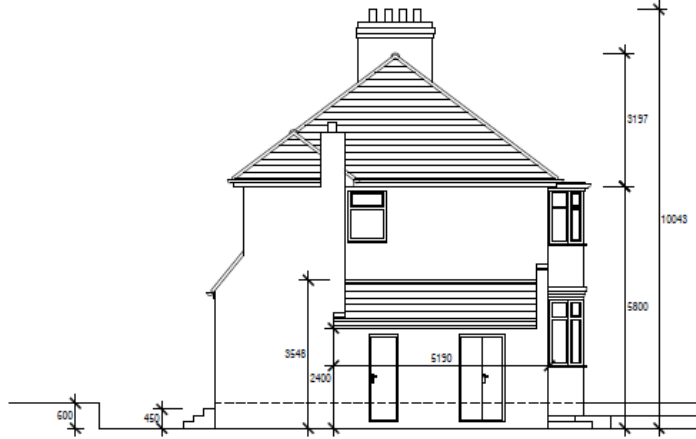


Side view from street

20222368  
38 Middlesex Road



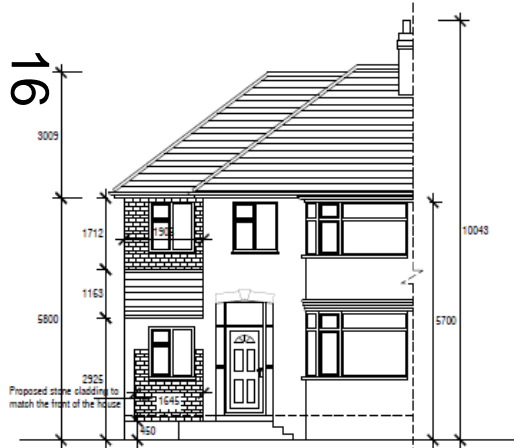
EXISTING FRONT ELEVATION  
SCALE 1:100



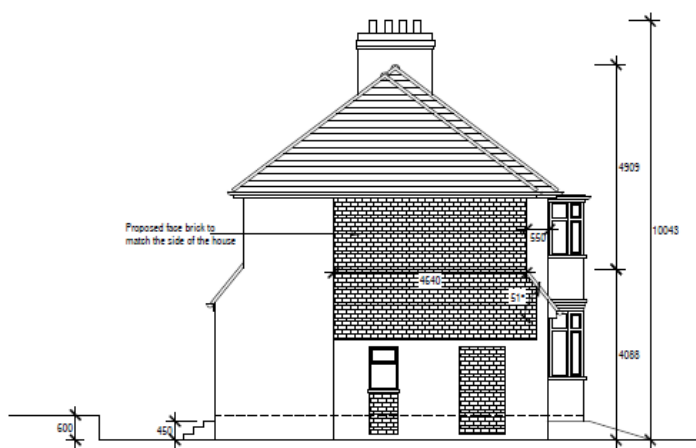
EXISTING SIDE ELEVATION  
SCALE 1:100



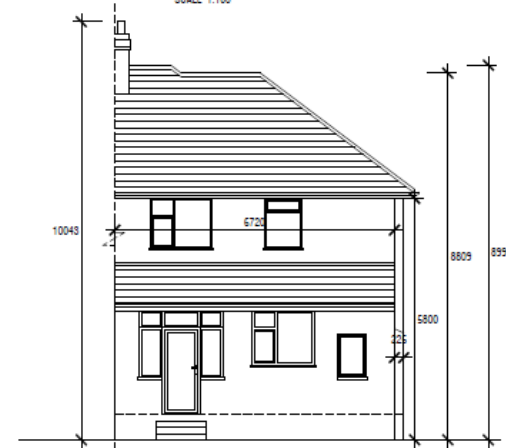
EXISTING REAR ELEVATION  
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PROPOSED FRONT ELEVATION  
SCALE 1:100



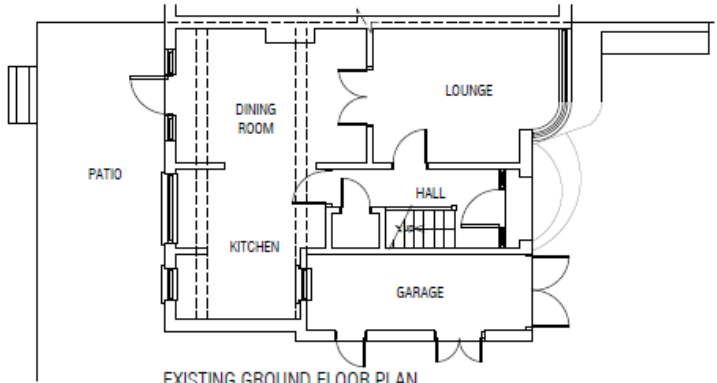
PROPOSED SIDE ELEVATION  
SCALE 1:100



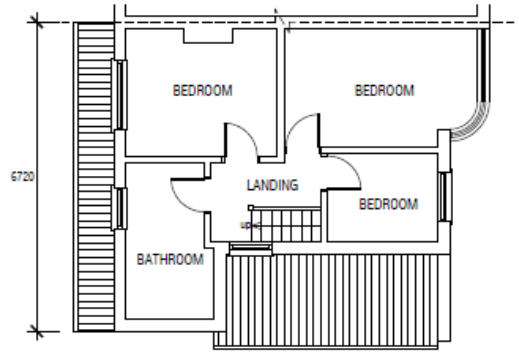
PROPOSED REAR ELEVATION  
SCALE 1:100

Existing and proposed elevations

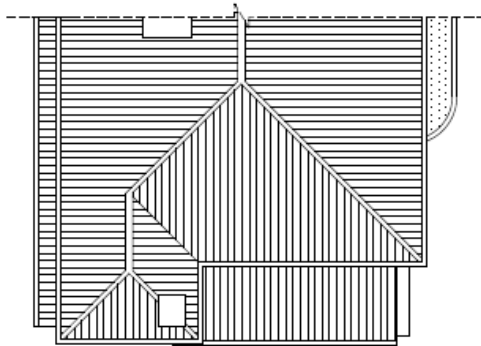
20222368  
38 Middlesex Road



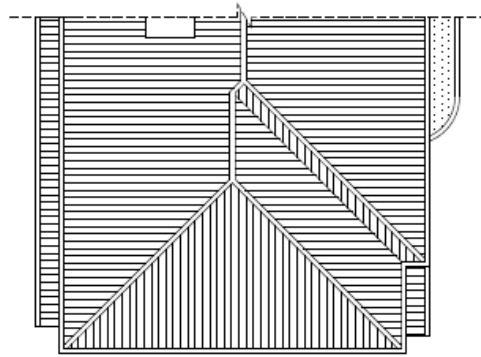
EXISTING GROUND FLOOR PLAN  
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EXISTING FIRST FLOOR PLAN  
SCALE 1:100

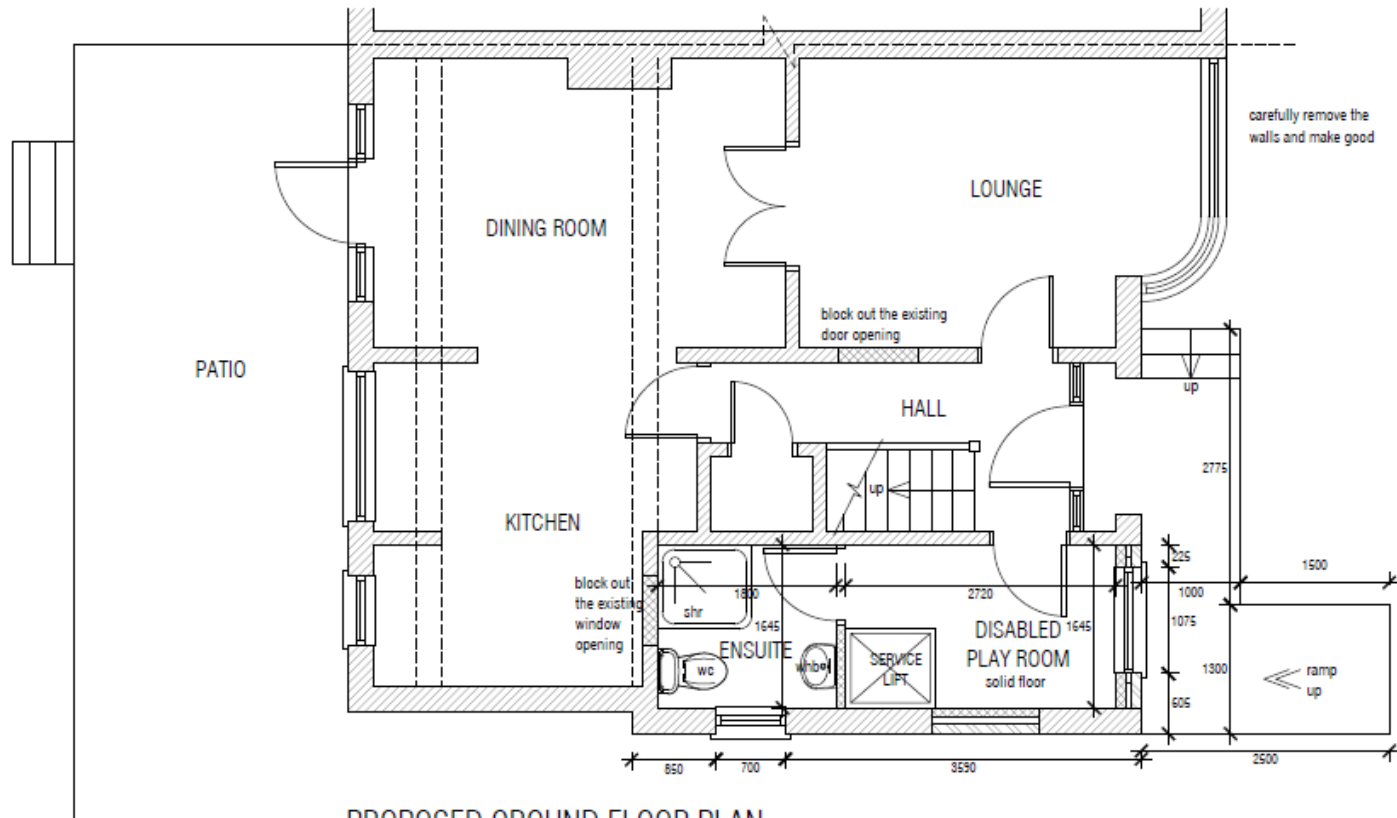


EXISTING ROOF PLAN  
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PROPOSED ROOF PLAN  
SCALE 1:100

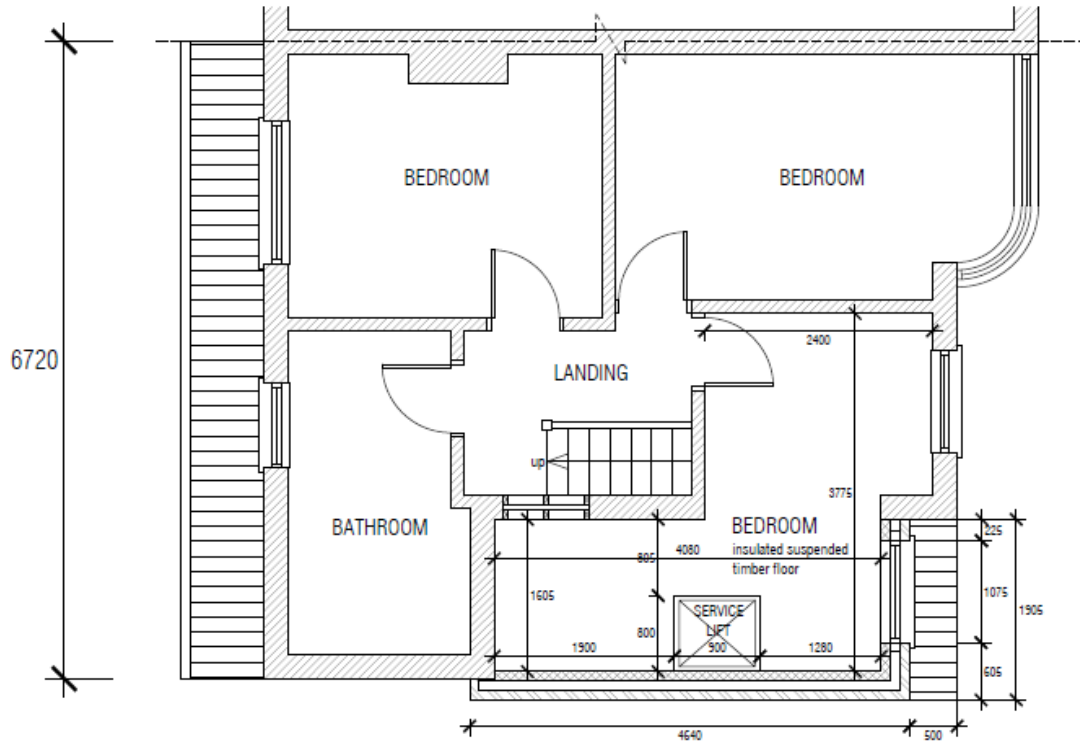




PROPOSED GROUND FLOOR PLAN

SCALE 1:50

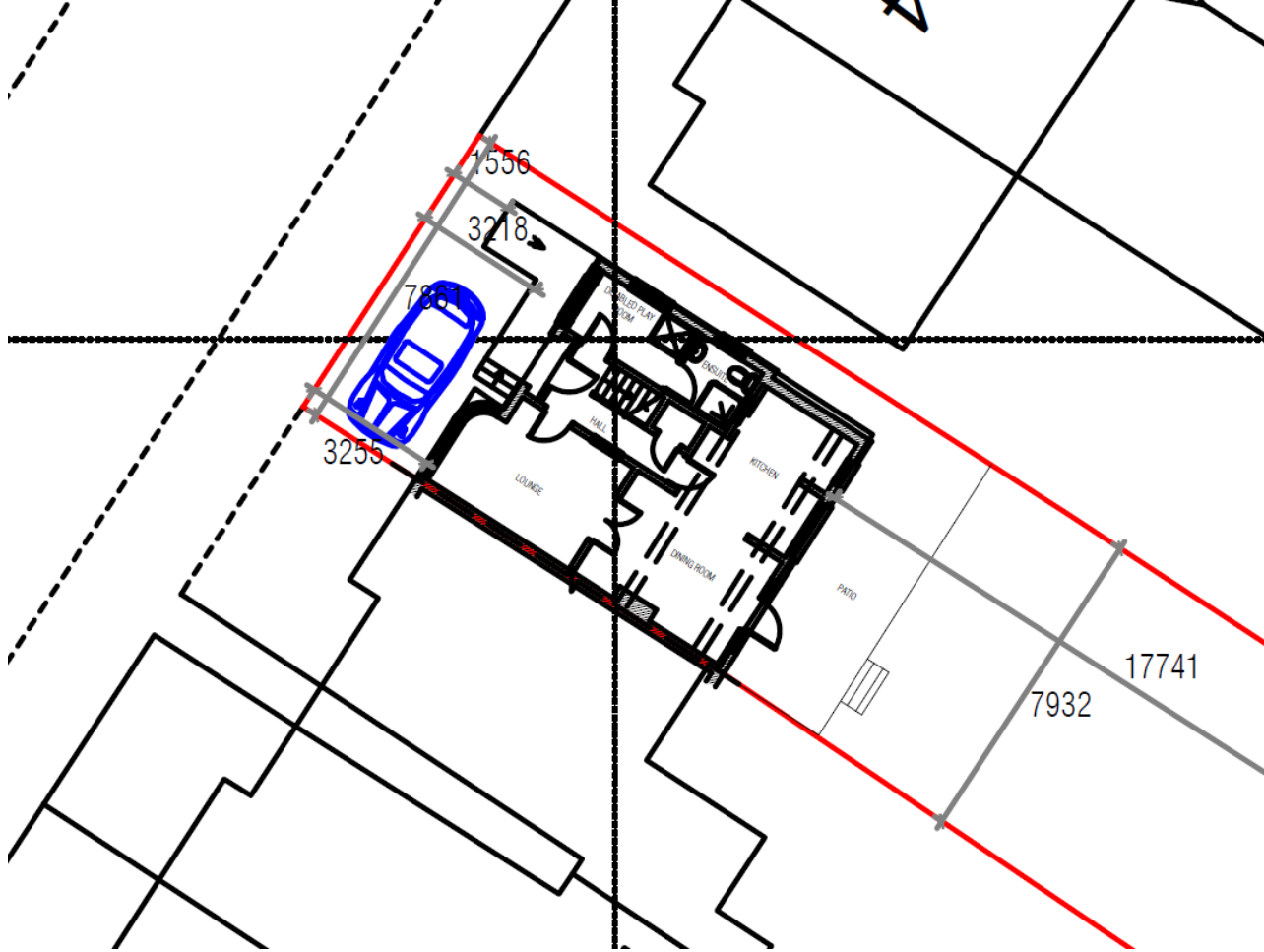




PROPOSED FIRST FLOOR PLAN

SCALE 1:50

20





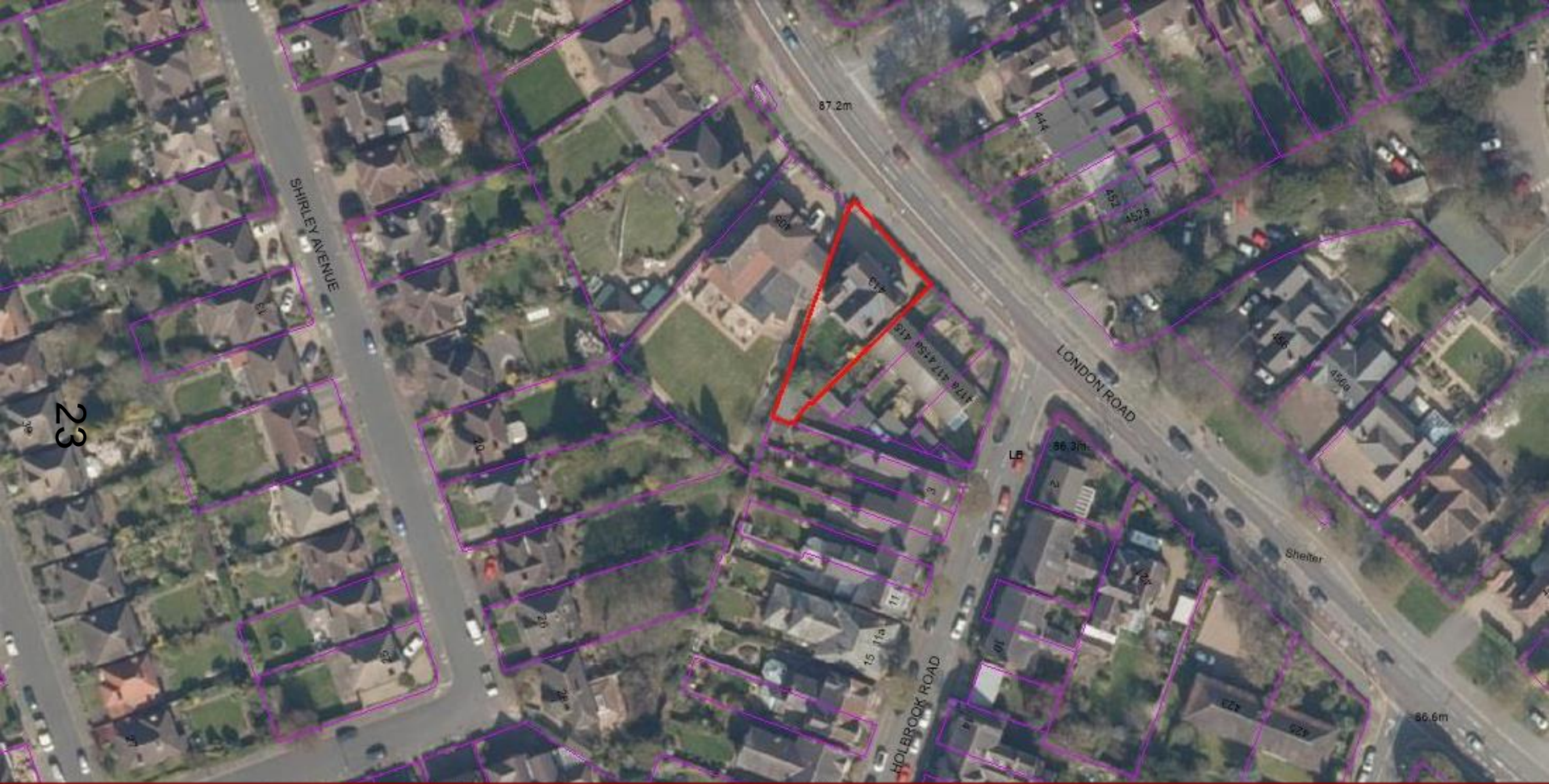
# 413 London Road, Sefton House

**20222199**

P&DCC Wednesday 8th March 2023

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[CLICK - 3D VIEW](#)

**2022199**  
**413 London Road**



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View of north elevation

20222199  
413 London Road

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View of rear elevation

20222199  
413 London Road



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View towards 405 London Road

2022199  
413 London Road



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View towards 415, 415a, 417 and 417a London Road

20222199  
413 London Road

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View from first floor as existing

20222199  
413 London Road



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View of garages at rear

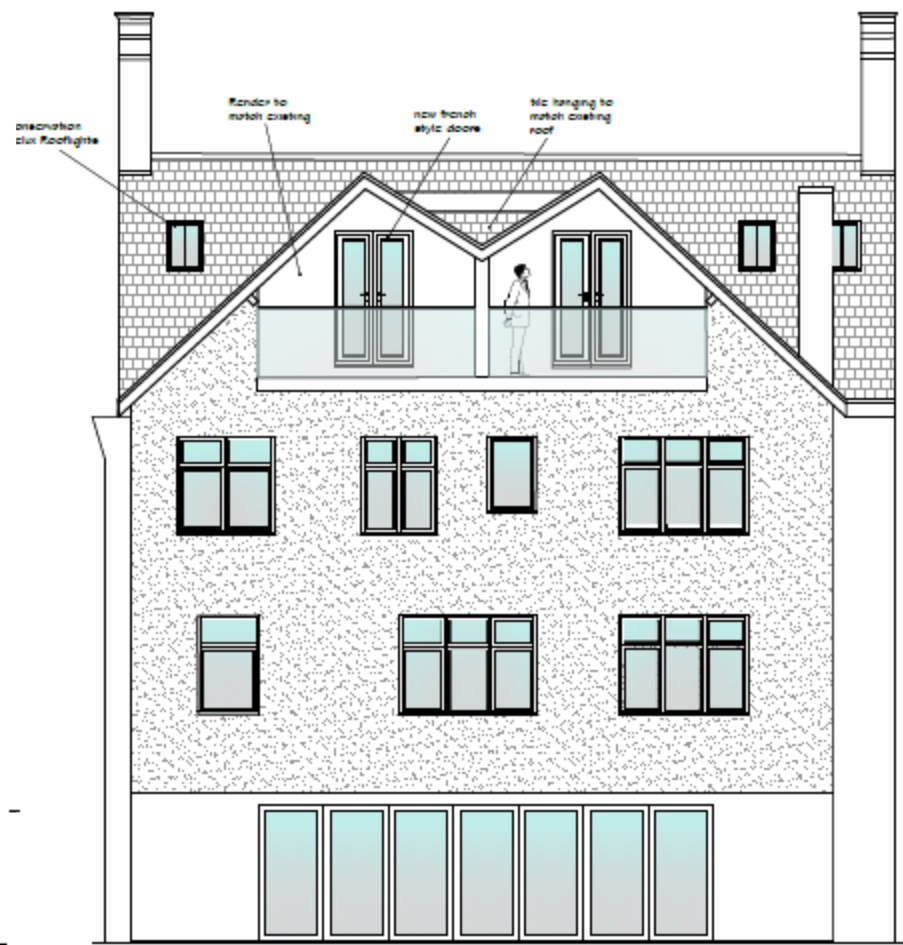
20222199  
413 London Road

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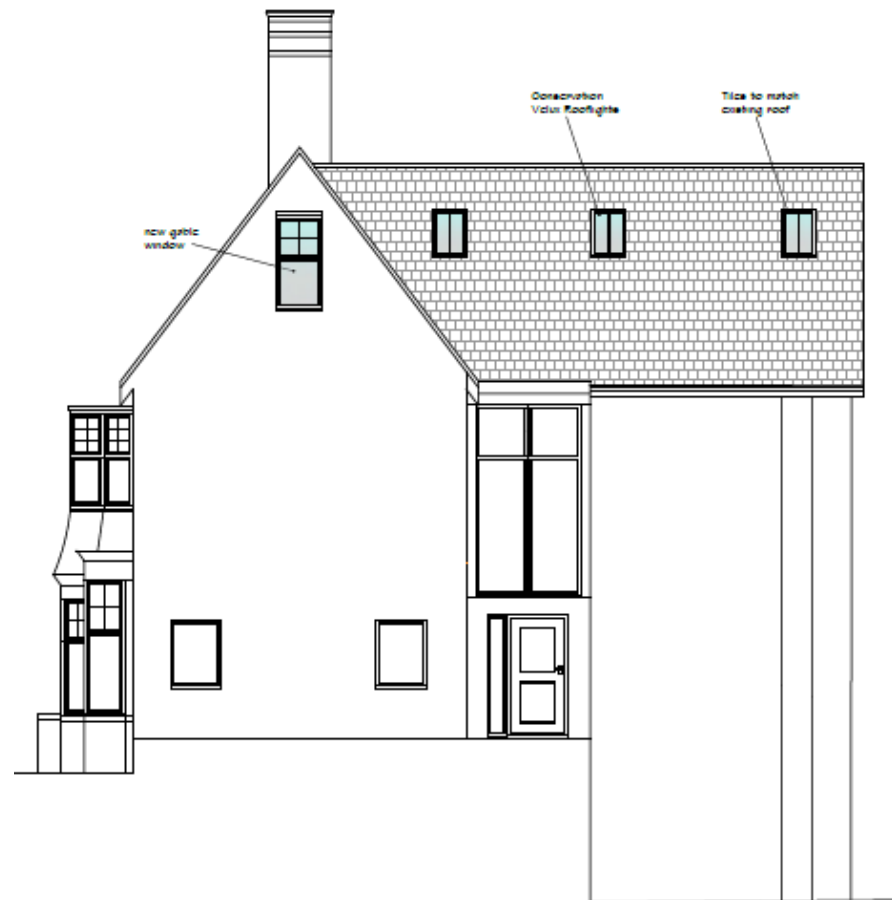
Front elevation (unchanged)

20222199  
413 London Road



Rear elevation (existing and proposed)

20222199  
413 London Road



North elevation (existing and proposed)

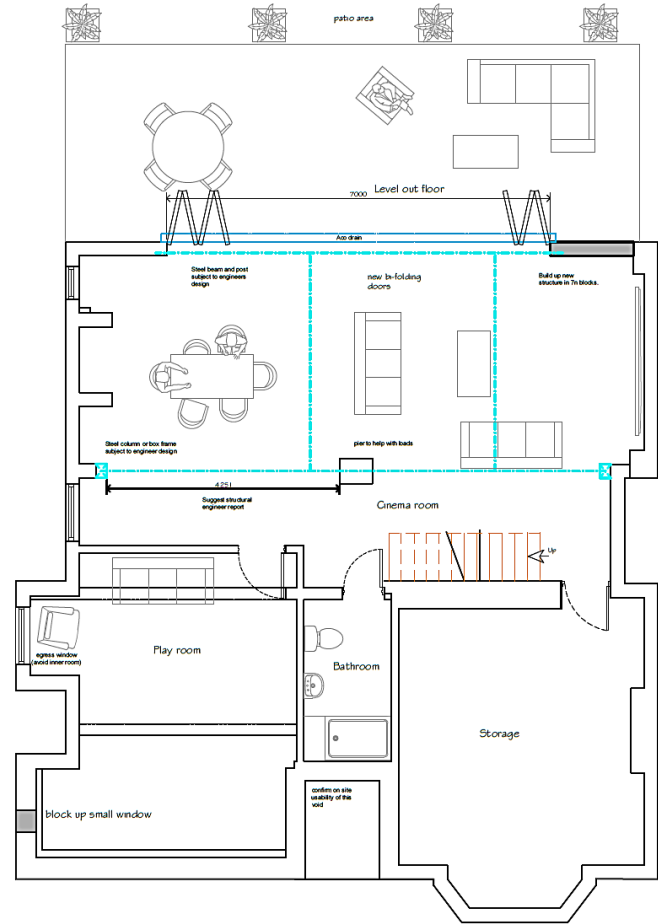
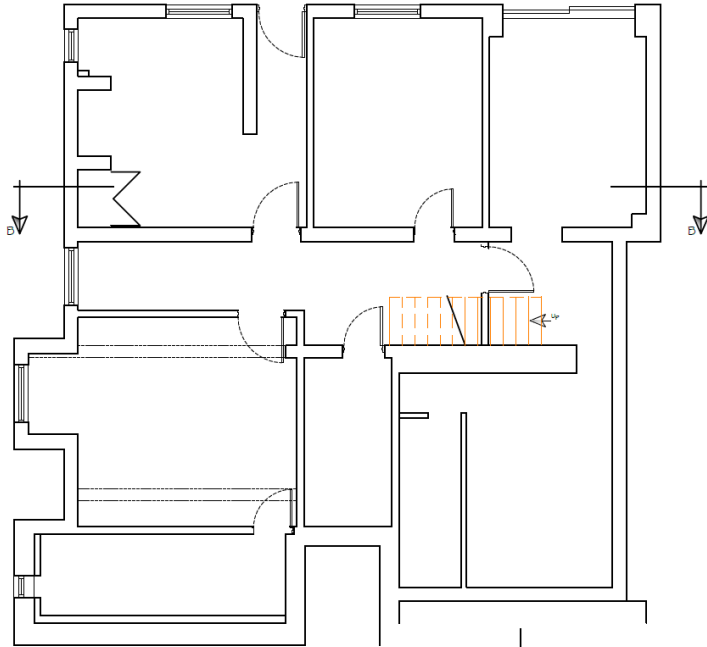
20222199  
413 London Road



South elevation (existing and proposed)

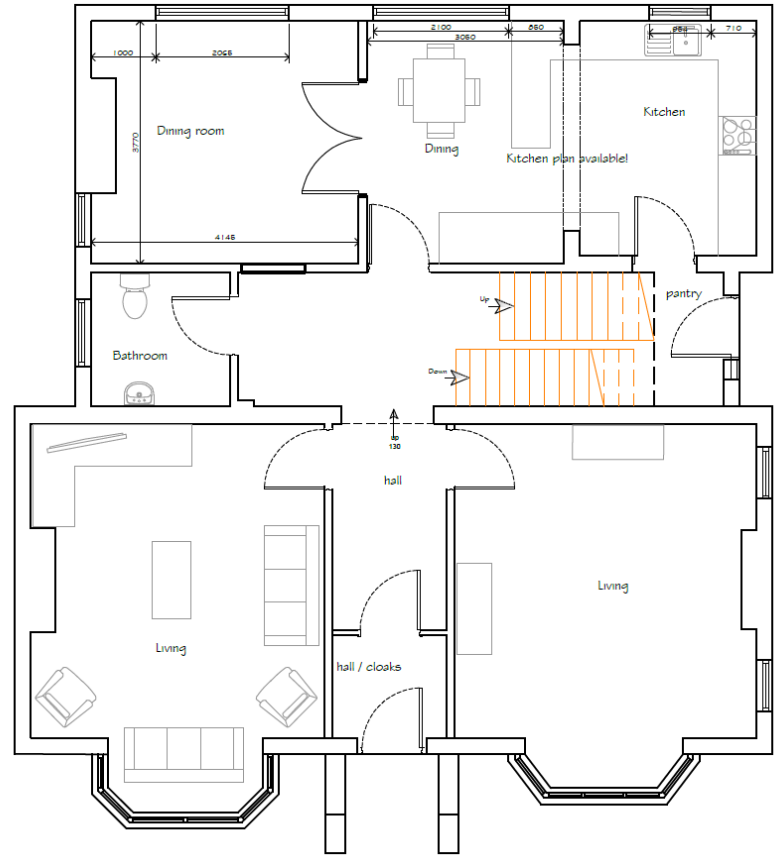
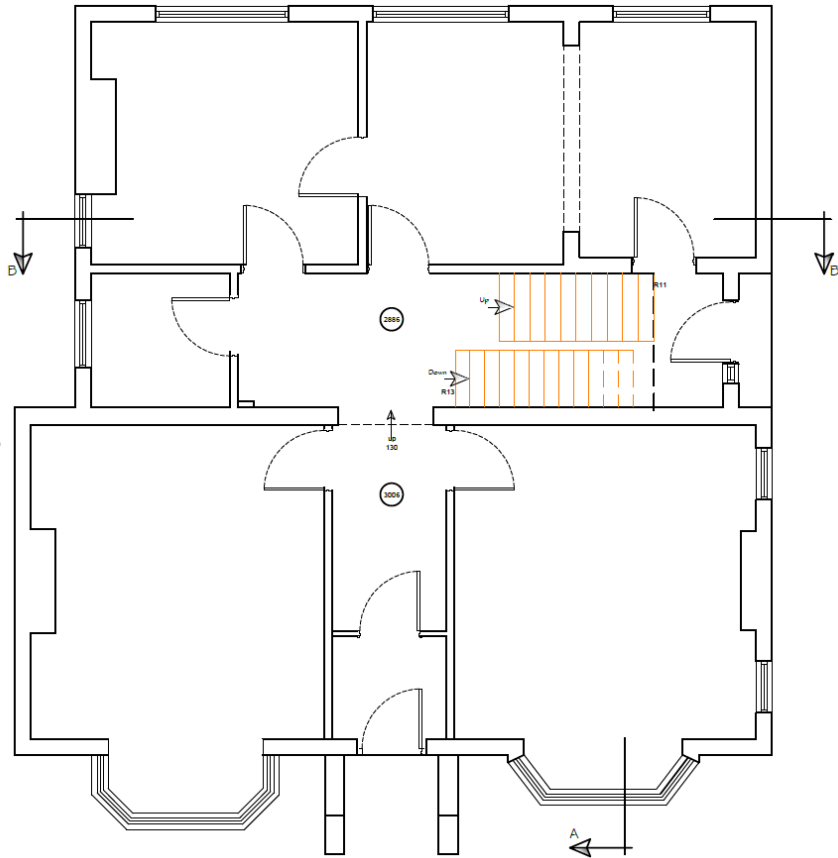
20222199  
413 London Road

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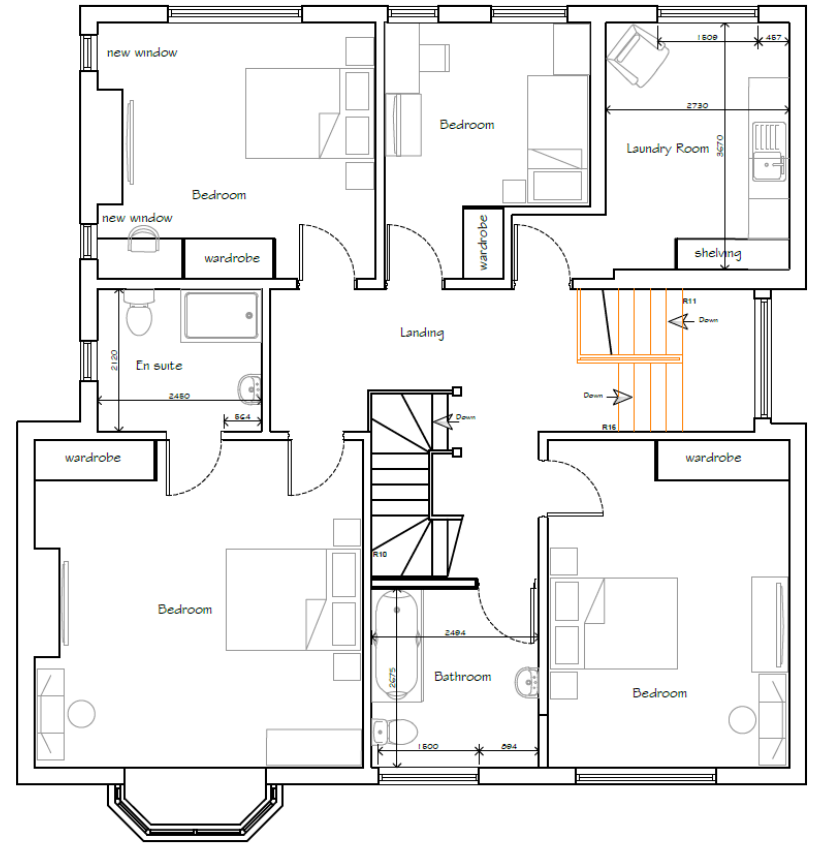
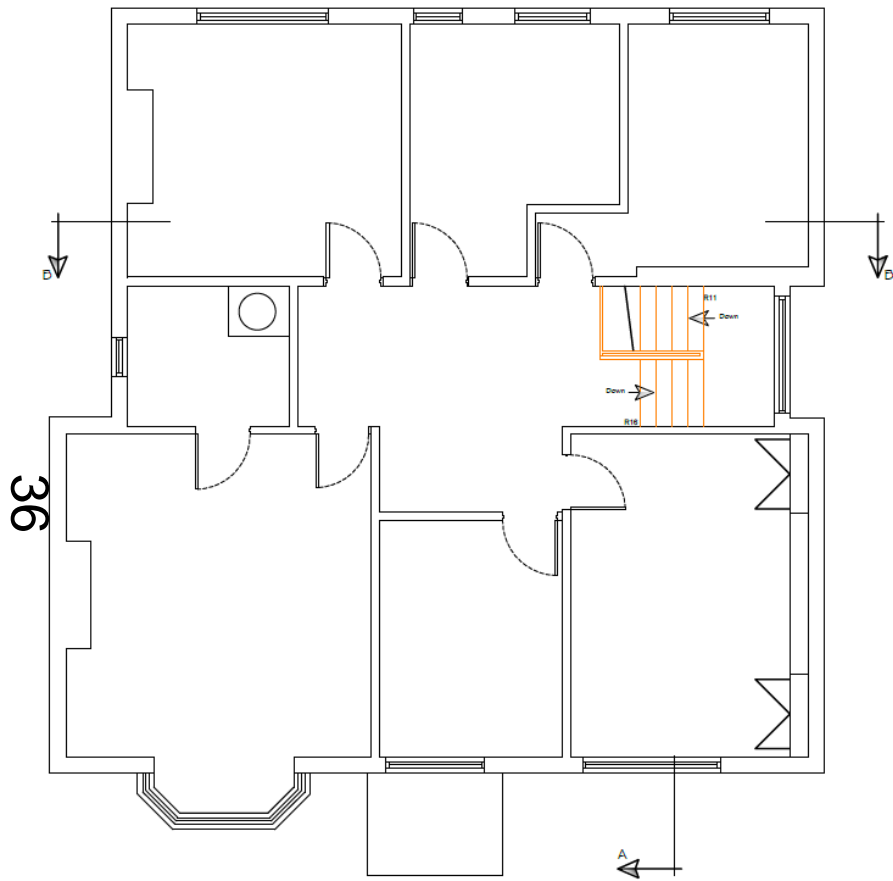


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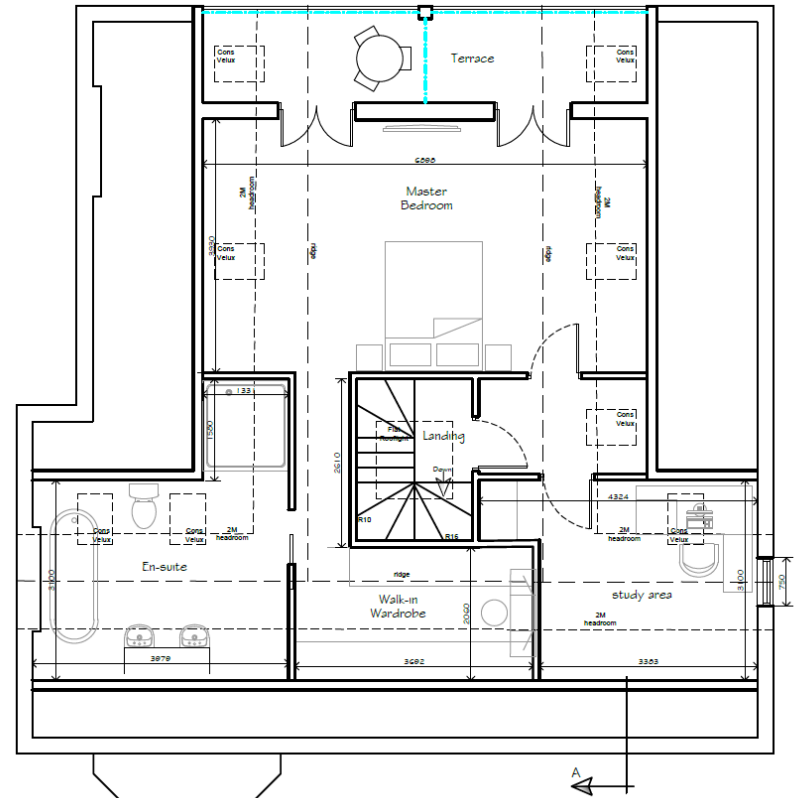
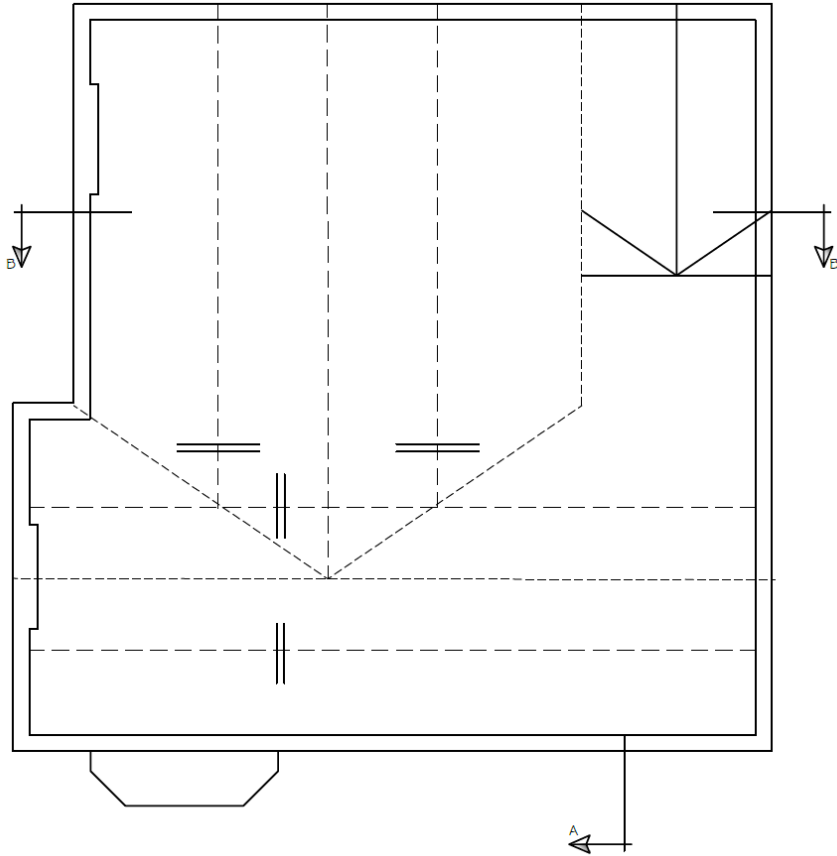


Ground floor (existing and proposed)

2022199  
413 London Road

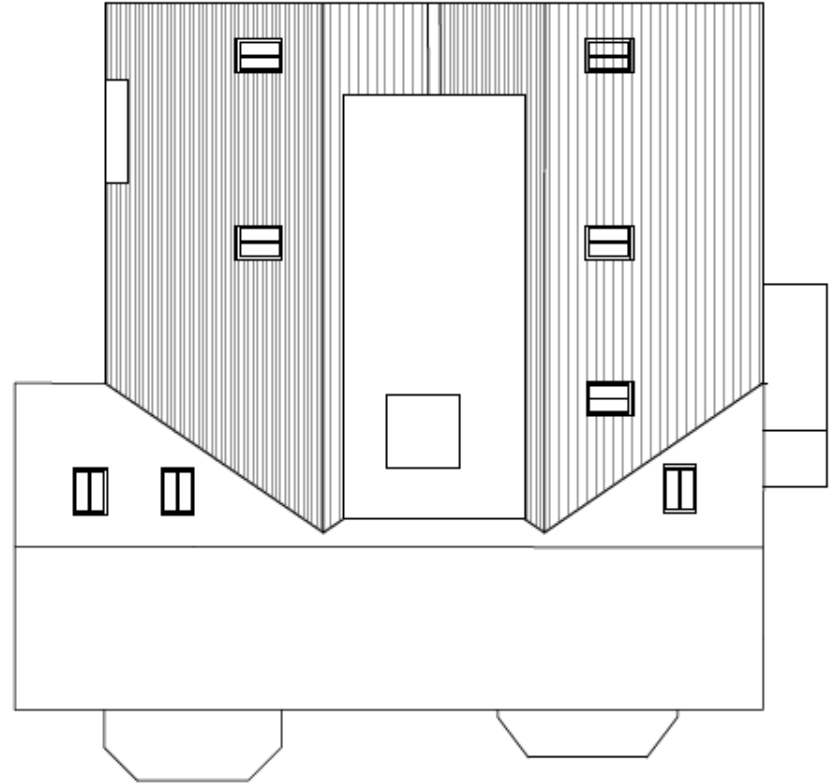
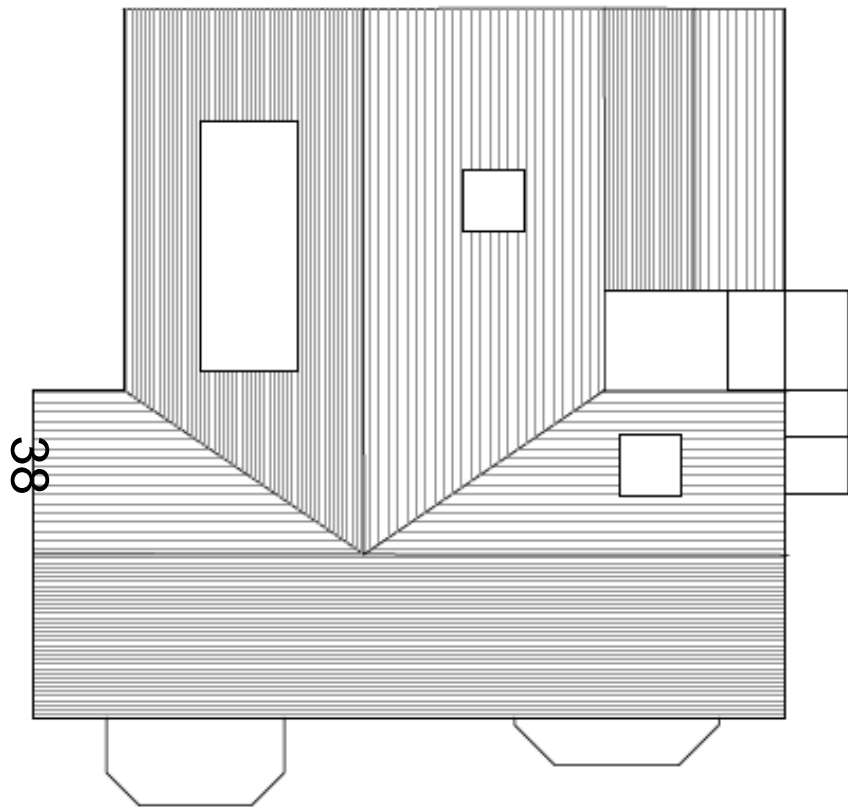


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Loft plan (existing and proposed)

2022199  
413 London Road



# Objectors slides

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From the garden at 3 Holbrook Road

20222199  
413 London Road

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From 415 London Road (next door to Sefton House)

20222199  
413 London Road





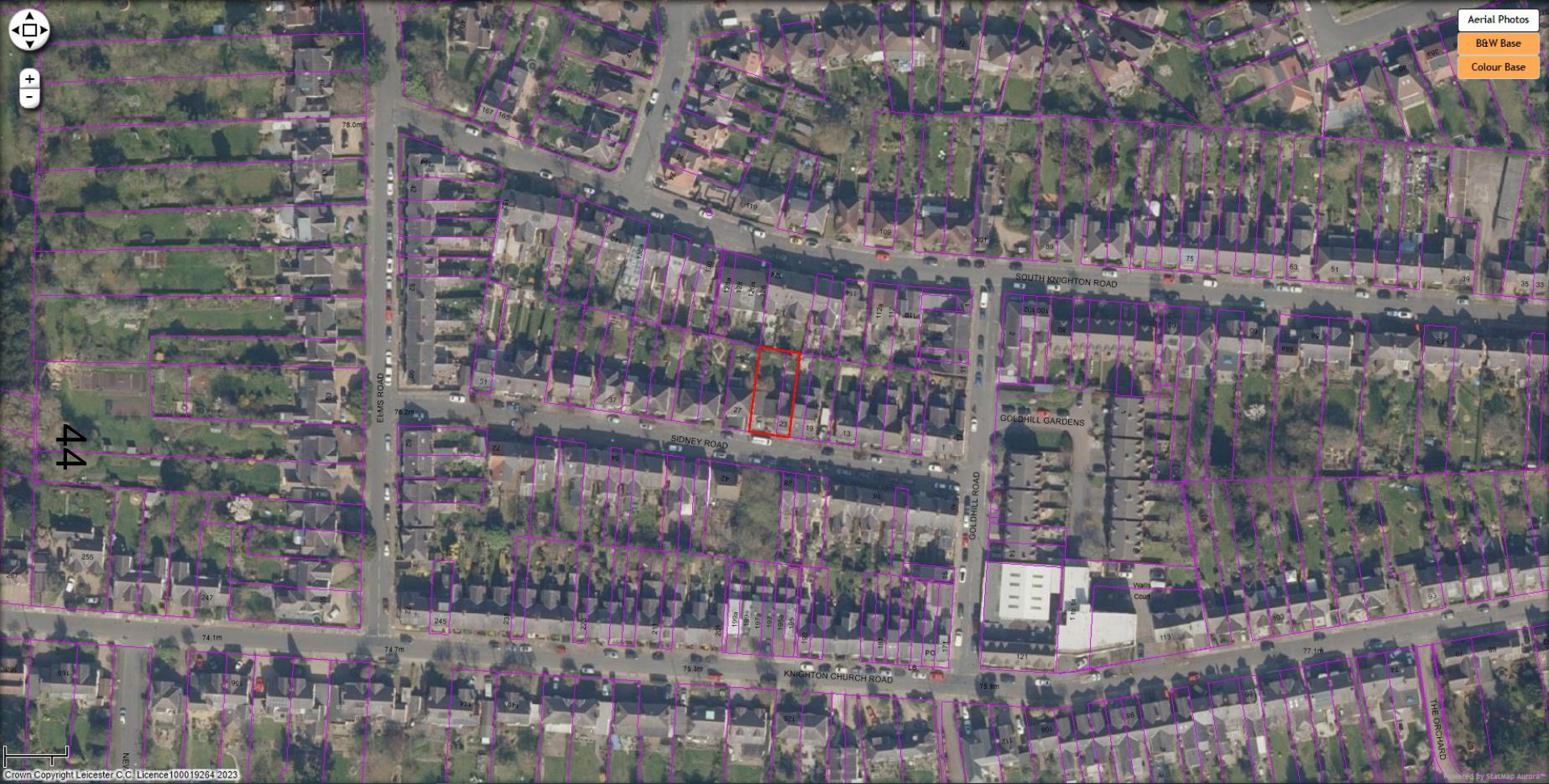
# 23 Sidney Road, Land adjacent to

**20222152**

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[CLICK - 3D VIEW](#)

**2022152**  
**23 Sidney Road, Land adjacent to**



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Front elevation

20222152  
23 Sidney Road, Land adjacent to

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Looking west from o/s 23 Sidney Road

20222152  
23 Sidney Road, Land adjacent to

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Looking east from o/s 23 Sidney Road

20222152  
23 Sidney Road, Land adjacent to



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Rear of 23 Sidney Road

20222152  
23 Sidney Road, Land adjacent to



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Looking towards rear of 27

20222152  
23 Sidney Road, Land adjacent to

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Looking towards rear of 21

20222152  
23 Sidney Road, Land adjacent to



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Rear of 21 & 23 Sidney Road

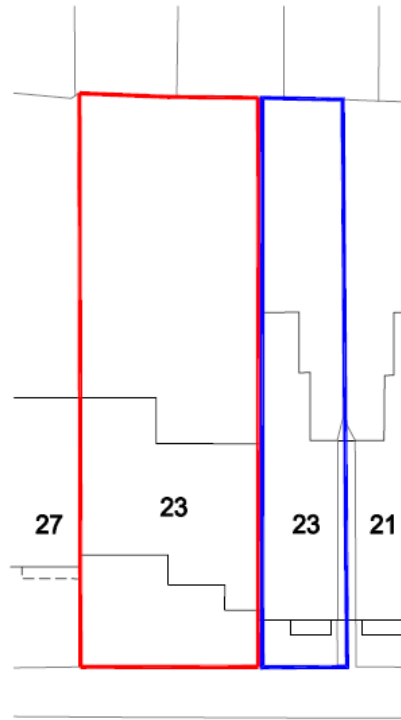
20222152  
23 Sidney Road, Land adjacent to

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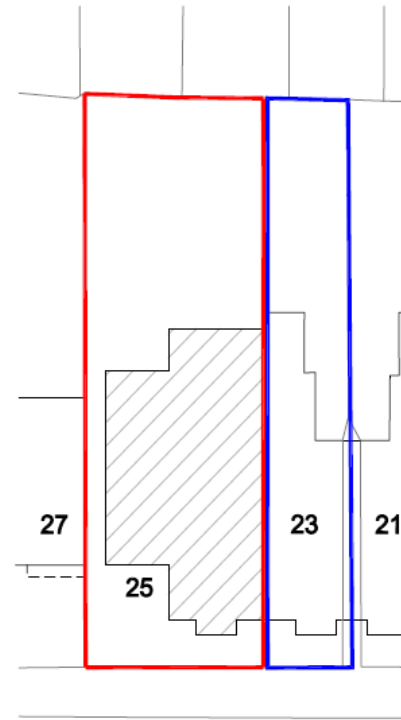
Looking towards 126-116 (evens) South Knighton Road

20222152  
23 Sidney Road, Land adjacent to



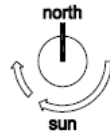
Sidney Road

existing block



Sidney Road

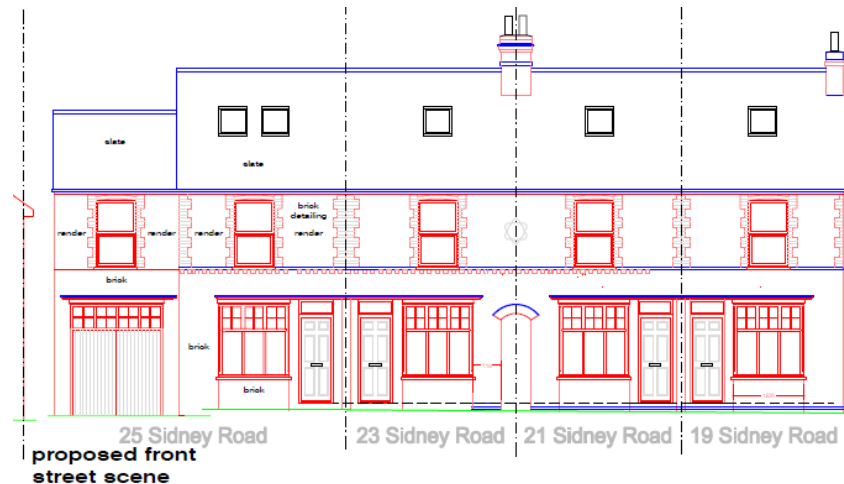
proposed block





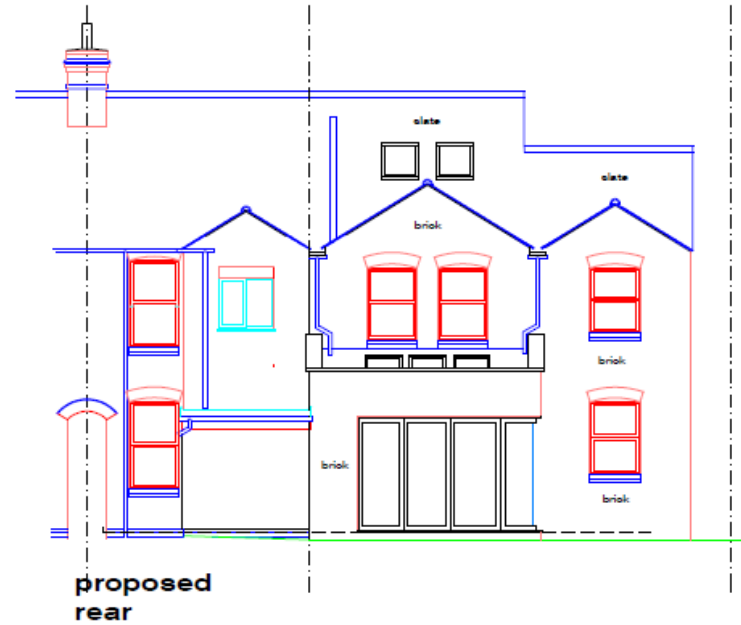
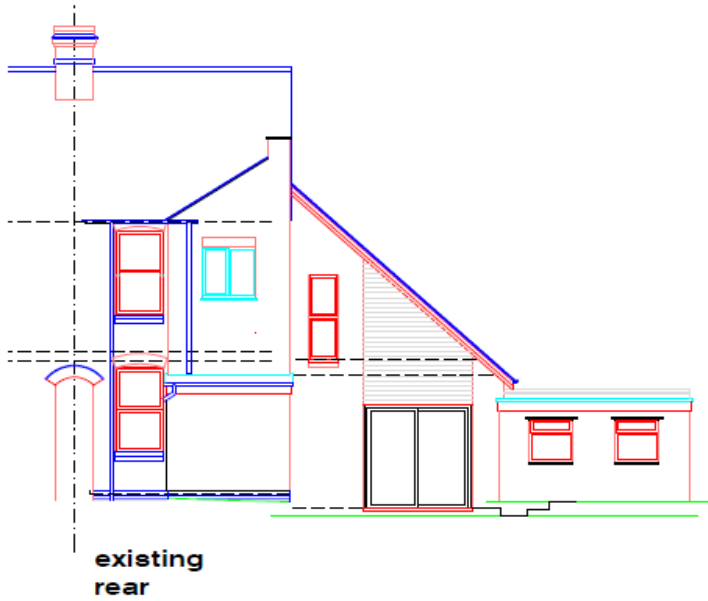


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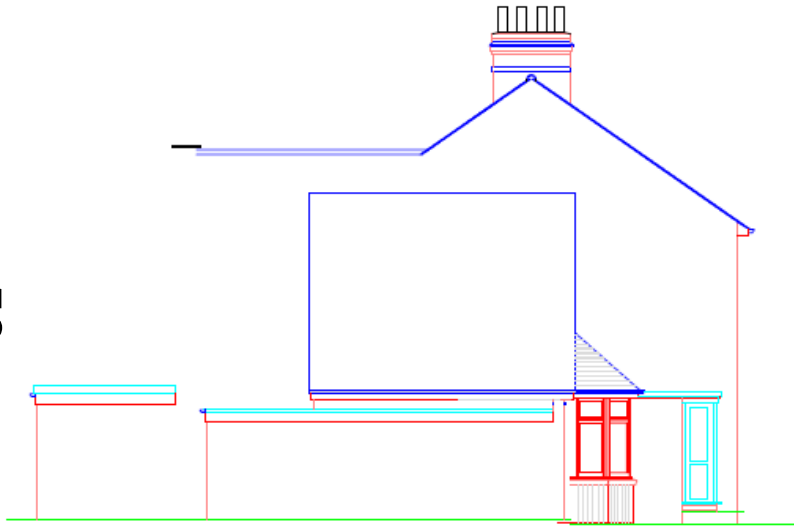




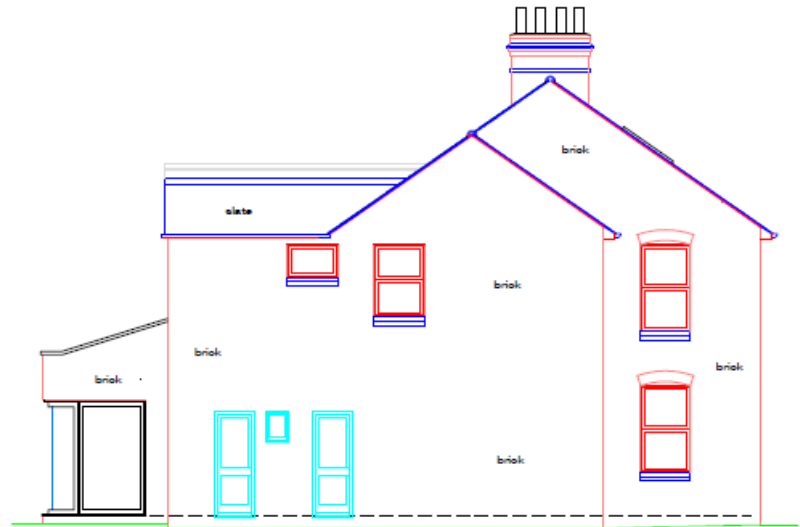
55



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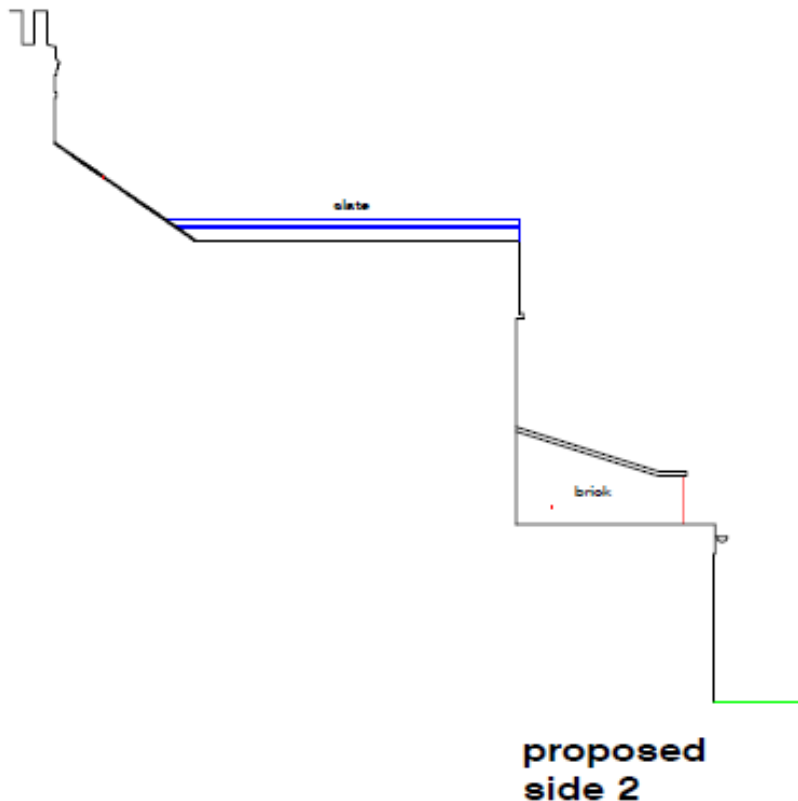


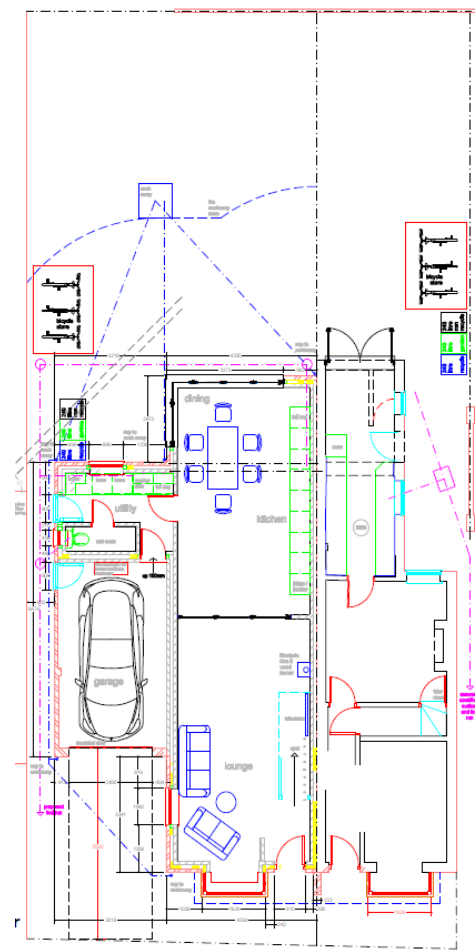
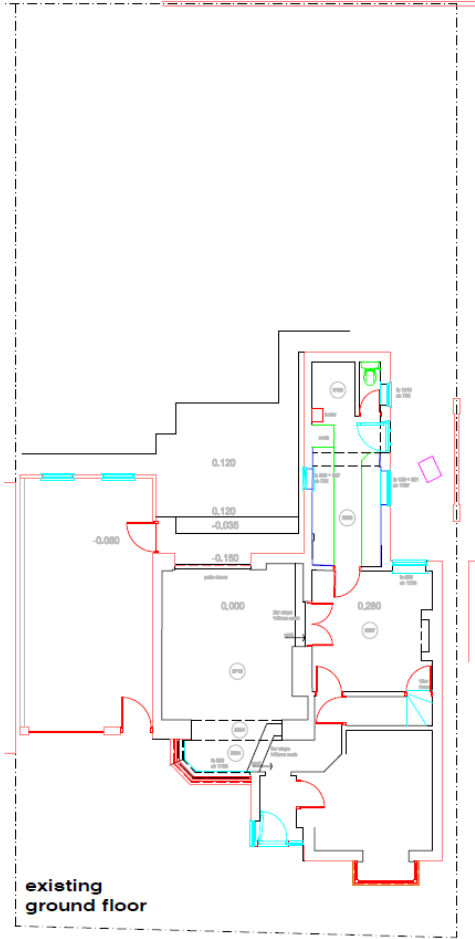
existing side



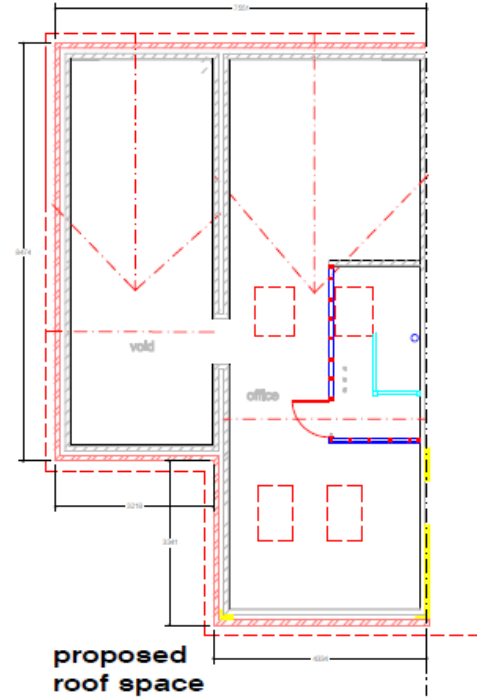
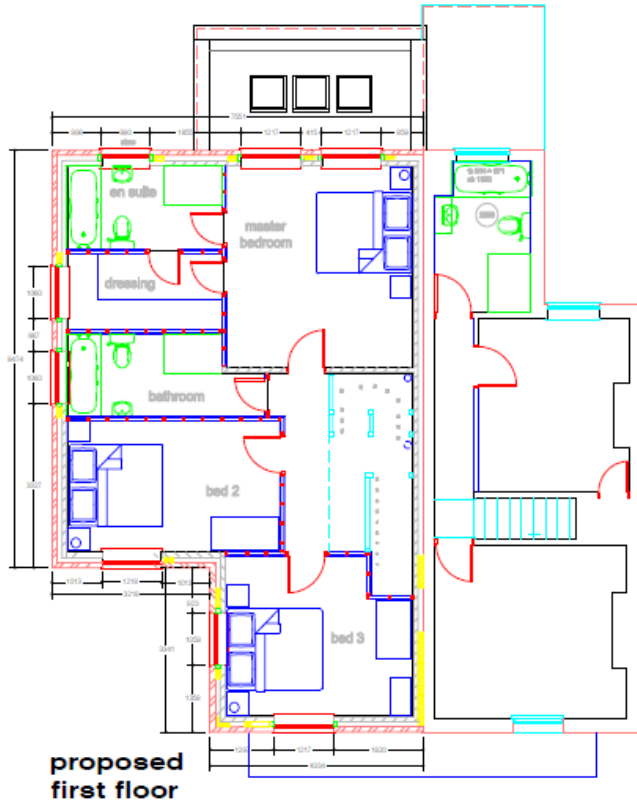
proposed side 1

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# 118 Evington Valley Road

**20220031**

P&DCC Wednesday 8th March 2023

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Allotment Gardens

65.8m

Dunlop Business Centre

MARINA ROAD

EVINGTON VALLEY ROAD

Works

Works

Works

Factory

Factory

Works

Factory

El Sub Sta

66.1m

EC86

Gas Gov

62

[CLICK - 3D VIEW](#)

**20220031**  
**118 Evington Valley Road**

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View of development site

20220031  
118 Evington Valley Road





View of development site beyond gates



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View of rear of Marina Road properties

20220031  
118 Evington Valley Road

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View of rear service yard (facing west)

20220031  
118 Evington Valley Road



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View of adjacent units (facing south)

20220031  
118 Evington Valley Road

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View of vehicular access (facing north)

20220031  
118 Evington Valley Road

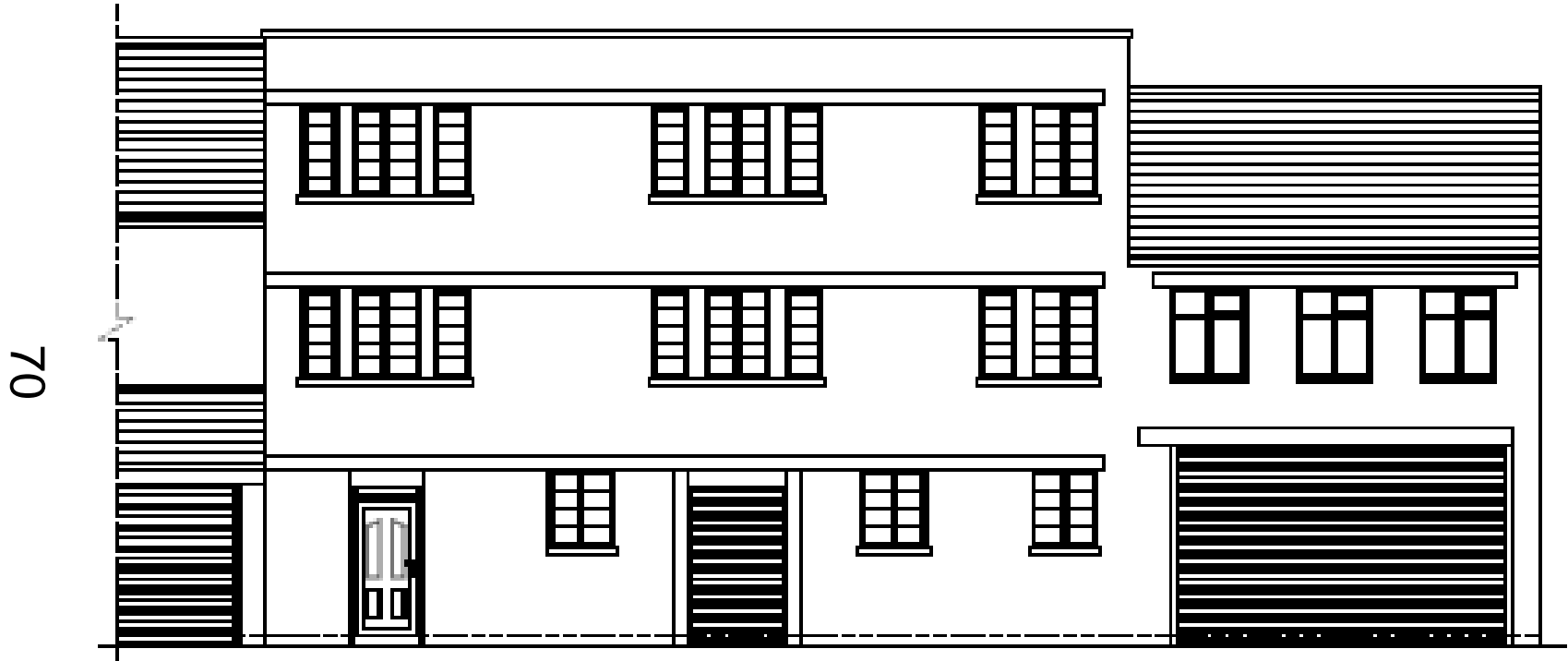


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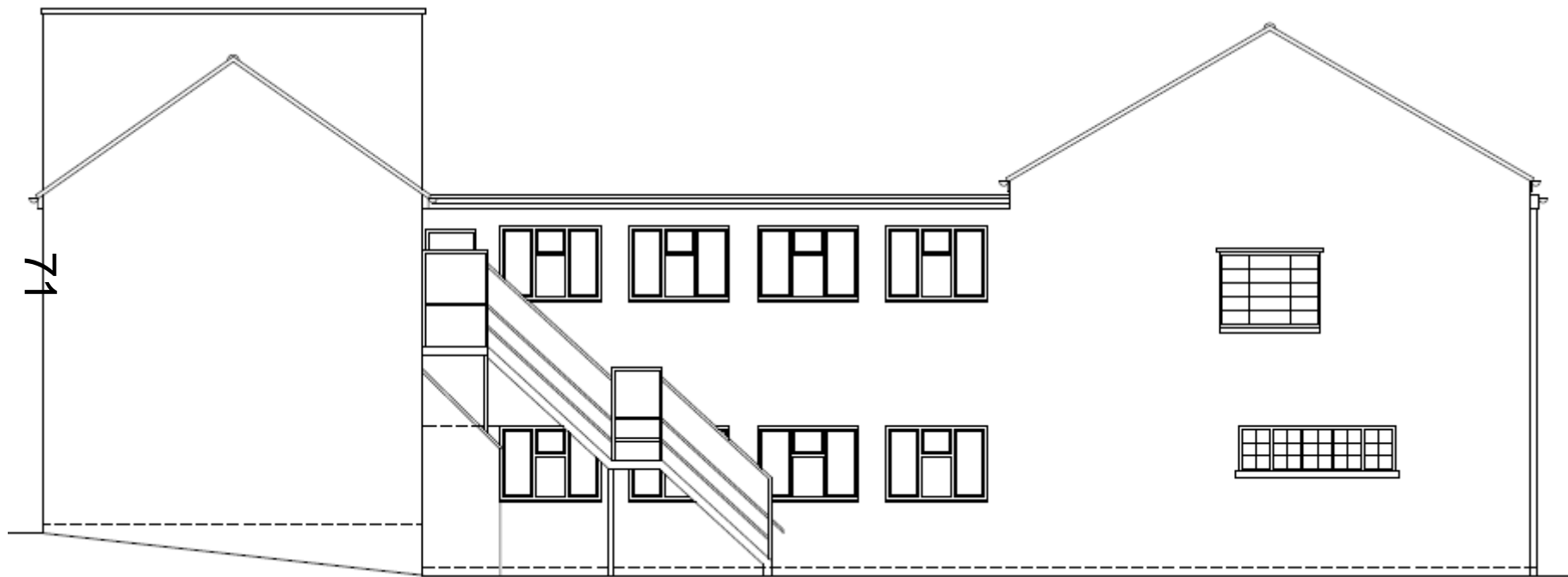
View of access from Hargeisa Road

20220031  
118 Evington Valley Road



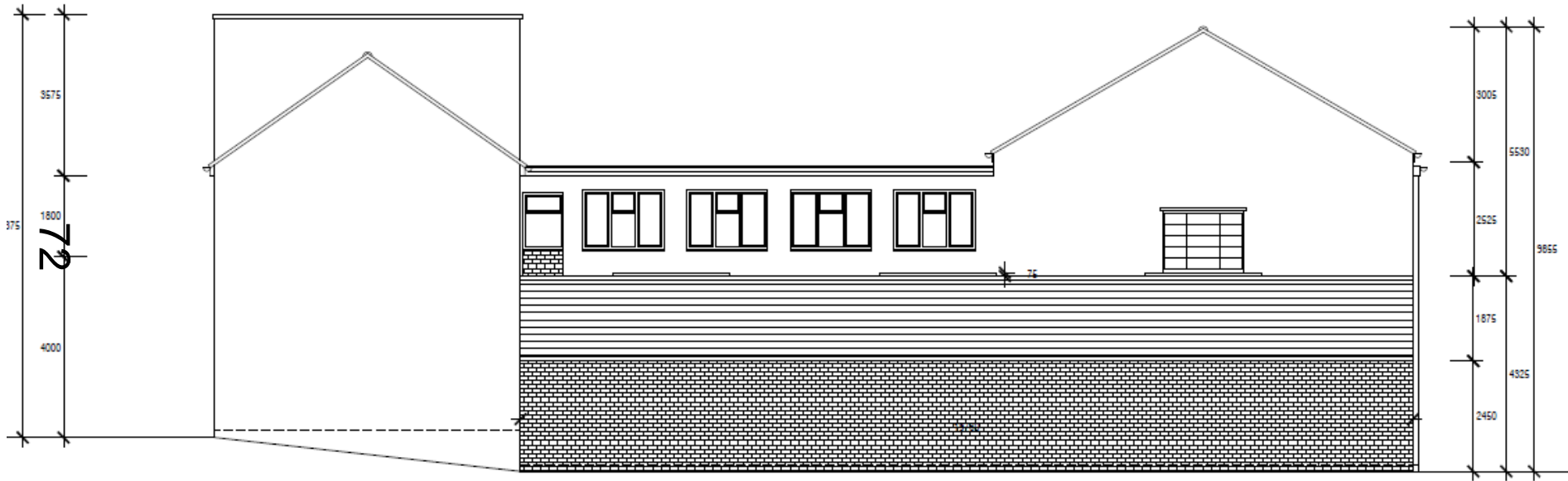
Front elevation (unchanged)

20220031  
118 Evington Valley Road



Side elevation (existing)

20220031  
118 Evington Valley Road



Side elevation (proposed)

**20220031**  
**118 Evington Valley Road**



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Rear elevation (existing)

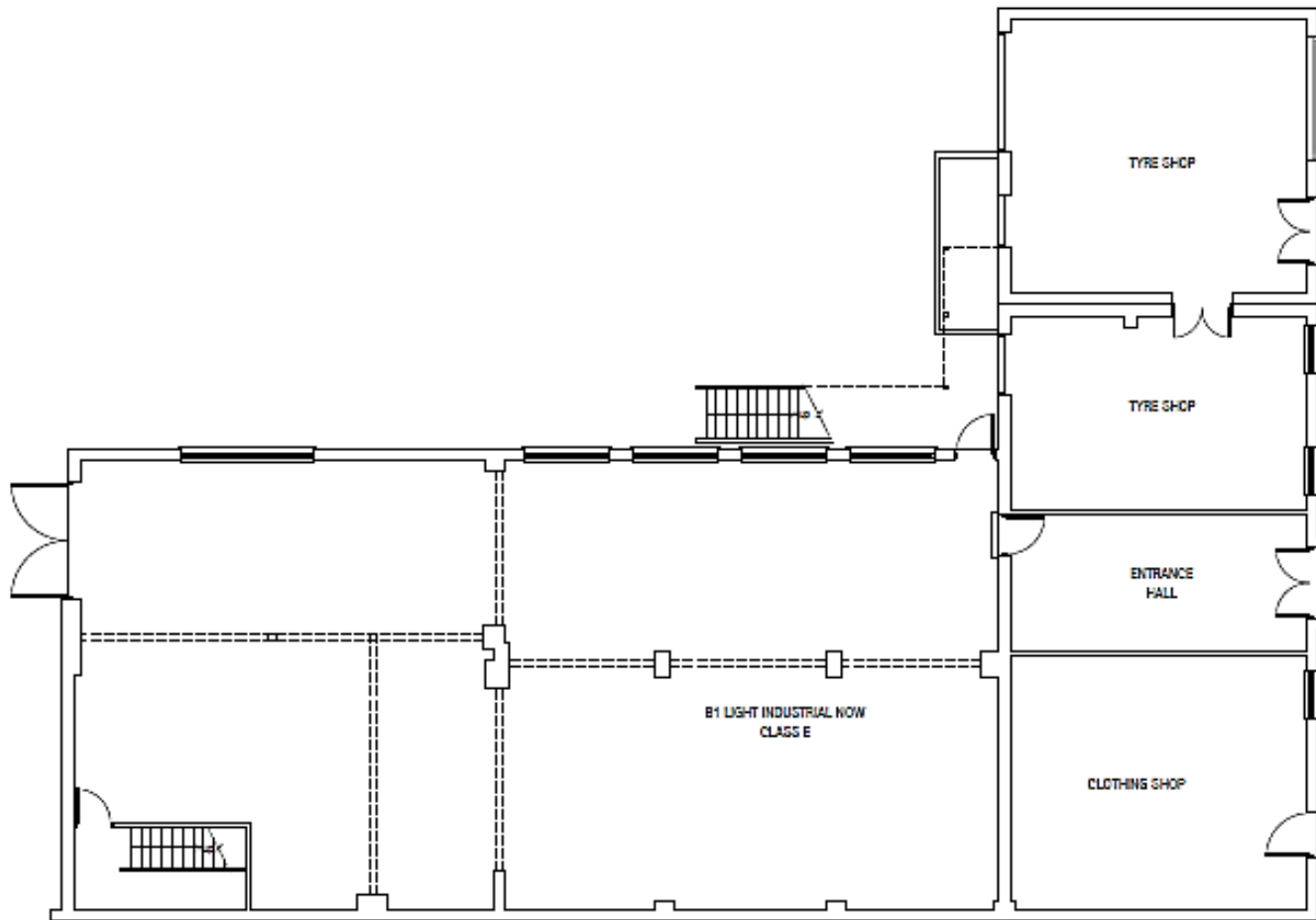
20220031  
118 Evington Valley Road



Rear elevation (proposed)

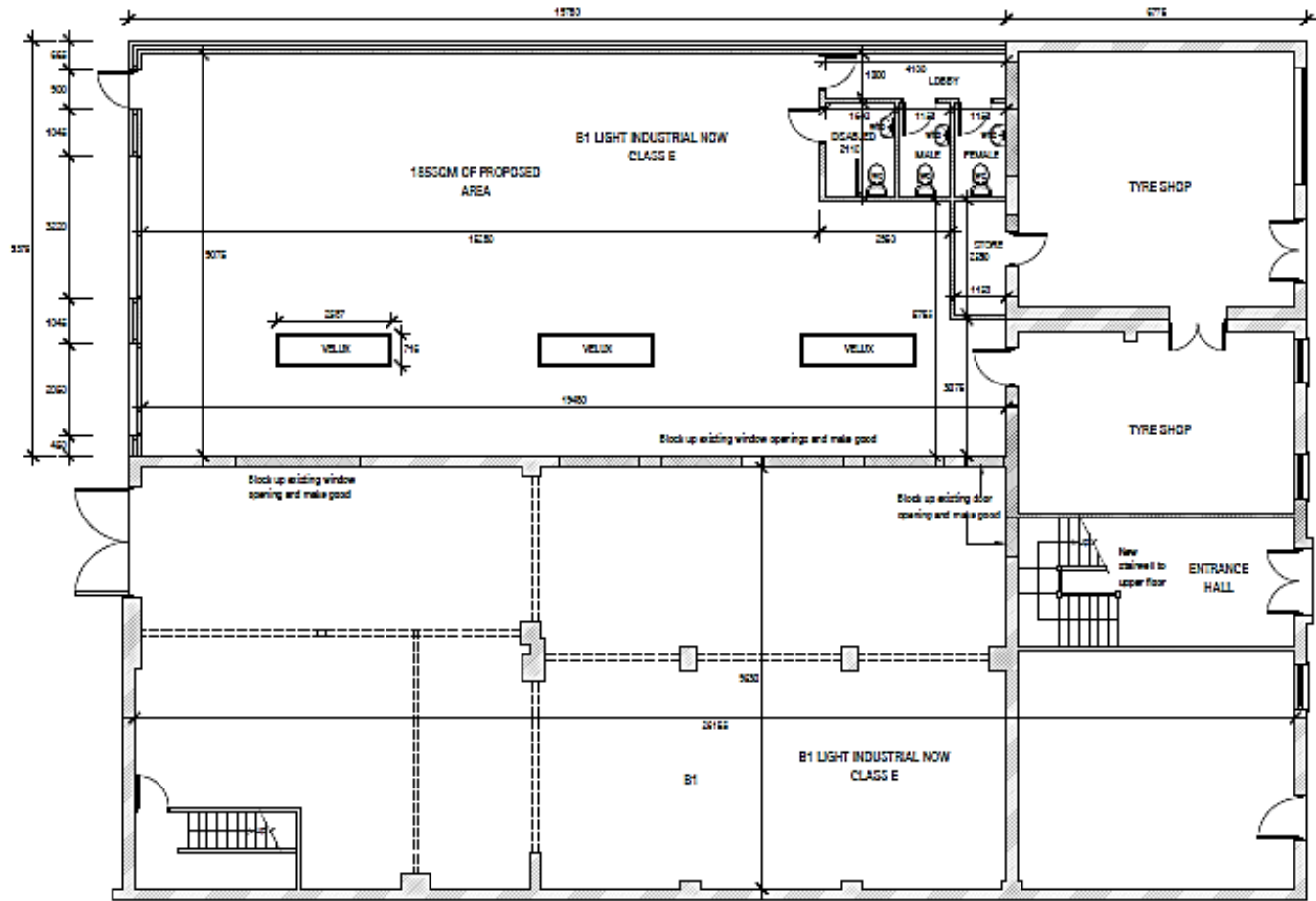
**20220031**  
**118 Evington Valley Road**

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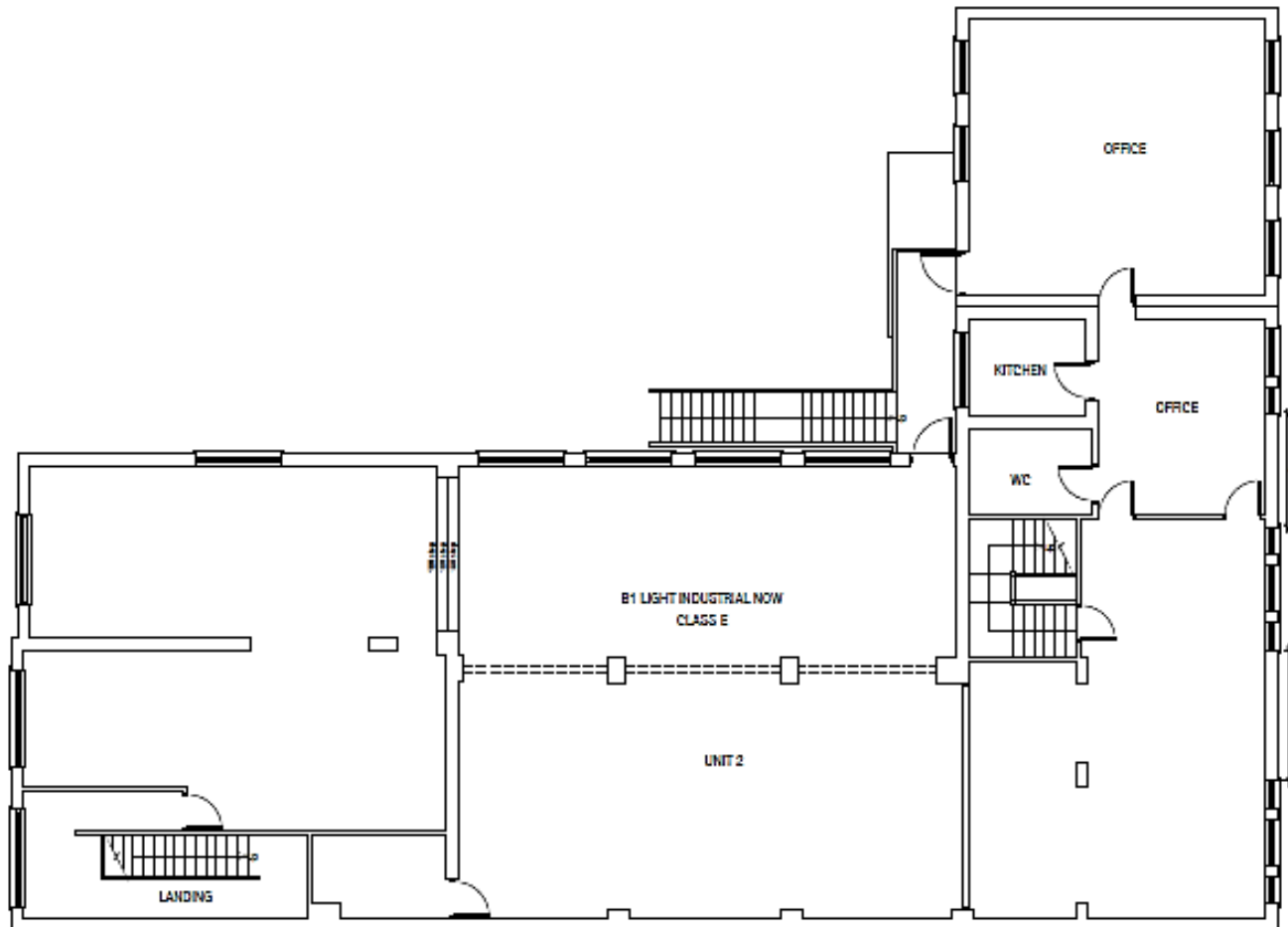


Ground floor (existing)

20220031  
118 Evington Valley Road



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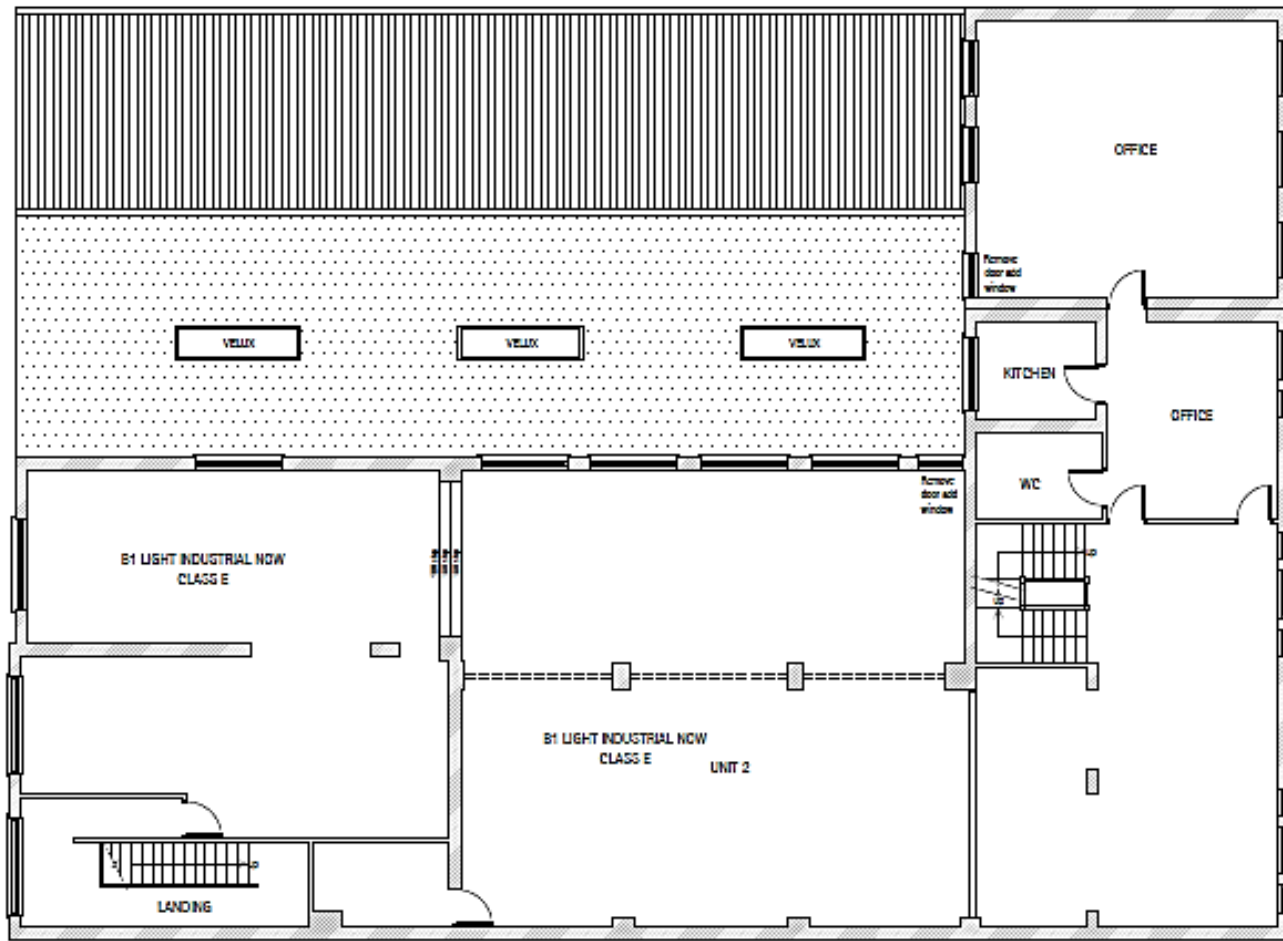


First floor (existing)

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