



Leicester
City Council

SECOND DESPATCH

MEETING OF THE PLANNING AND DEVELOPMENT CONTROL COMMITTEE

WEDNESDAY, 23 NOVEMBER 2022

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

[item 4.] **Planning Applications and Contraventions**
 [Appendix A]

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.

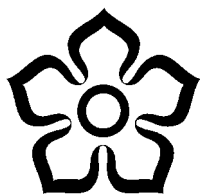
Officer contacts

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

Planning & Development Control Committee

Applications, Contraventions and Other Reports: Supplementary Report

Wards: see individual reports



Leicester
City Council

Planning & Development Control Committee

Date : 23rd November 2022

SUPPLEMENTARY REPORT ON APPLICATIONS AND CONTRAVENTIONS

INDEX APPLICATION ORDER

Page Main	Page Supp	Application Number	Address	Ward
19		20213040	Melton Road Land North of Sainsburys	RM
41		20221993	87 Kincaple Road	RM
49		20221334	22A Staveley Road	SG
79		20221285	9 Uppingham Close	Ev

Recommendation: Conditional approval	
20213040	Melton Road , Land North of Sainsburys
Proposal:	Construction of a dual brand motor retail facility (Sui Generis), including car showroom, offices, repair, MOT testing and valeting, alongside access, landscaping and associated works
Applicant:	Henry Boot Developments Limited
App type:	Operational development - full application
Status:	
Expiry Date:	24 November 2022
JL	WARD: Rushey Mead

Page Number on Main Agenda: 19

Amended Conditions:

Amended condition to confirm details of amended plans received:

Condition 16.

The development hereby permitted shall be carried out in accordance with the following drawings:

P-1120 Proposed Roof Plan,
P-1170 Proposed External Elevations,
P-2100 Proposed Wet Valet Building, received by the Local Planning Authority on 16 December 2021.
P-1110 B Proposed First Floor Plan,
P-3100 Proposed Bin Store Details,
EKV0015 Proposed Substation,
Proposed Cycle Storage, received by the Local Planning Authority on 14 February 2022.
21-116-P-01 C Detailed Soft Landscape Proposals, received by the Local Planning Authority on 5 May 2022.
P-1010 E Proposed Site Plan, and
P-1100 B Proposed Ground Floor Plan, received by the Local Planning Authority **on 10 November 2022.**

(For the avoidance of doubt).

Further Considerations

None

Recommendation: Conditional approval	
20221993	87 Kincaple Road
Proposal:	Construction of single storey extension at front of house (Class C3)
Applicant:	Mr & Mrs Bodalia
App type:	Operational development - full application
Status:	
Expiry Date:	7 December 2022
CY1	WARD: Rushey Mead

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Further Representations

A further objection was received on the 11th November from the same address as the previous objection, with concerns regarding the following:

- Development will weaken neighbouring property, resulting in potential damage to that property
- Development invokes the Party Wall Act, and the neighbour has not agreed to the development
- Development is unnecessary
- Development could reduce value of neighbour's property
- Character of the builders and applicants
- Extension built under 20220268 has reduced light to neighbouring property, and drainage has allowed increased weed growth to this property.

Three additional emails were submitted on the 22nd November from the same address as the previous objection, reiterating many previous concerns regarding damage to their property, the party wall act and the character of the applicant. The objector has also claimed that the previous application has not complied with building regulations.

Further Considerations

The Party Wall Act, potential decrease in property value, necessity of the development, character of the builders and applicants, are not planning matters. Any potential damage to the neighbouring property would remain a civil matter. Building regulations is a separate process to planning.

Letters were sent out to neighbouring properties for application 20220268. The dimensions of the extension were listed in the proposal. The letters state that "if no objections are made by neighbours, then your neighbour can build the extension as described in the application". No objections were received for that application. The development was approved and its impact on the neighbour cannot be taken into account under this application.

20221334	22A Staveley Road	
Proposal:	Demolition of builders yard building; construction of two-storey building to provide 8 flats (1 x 1 bed & 7 x 2 bed) (Class C3) (amended plans)	
Applicant:	Nico Properties Ltd	
App type:	Operational development - full application	
Status:		
Expiry Date:	25 November 2022	
WJJ	TEAM: PM	WARD: Stoneygate

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Further Representations

Two further representations have been received raising the following concerns::

Boundary treatment

- concerns as to how the boundary between the application site and the rear gardens of neighbouring properties will be treated. The representation raises concerns that the fence may not be kept in good repair.
- higher level of vehicle movements than the past commercial use of the site. They are concerned that this may increase the likelihood of vehicles hitting the boundary treatments. They request barriers be installed on either side of the entrance next to Staveley Road to protect the boundary treatments.

Fire safety

- Concern has been raised that access by the emergency services, in the event of a fire, may not be to an acceptable standard. The representation raises concerns that, should there be a disaster (like Grenfell), responsibility will lie with the Council. They request that the site be visited by the fire service and a formal judgement made by them as to the acceptability of the scheme.

Further Considerations

Boundary Treatment

The Proposed Site Layout plan (DSA-20164-PL-AL-03 Rev F) is labelled with 'proposed 2m high fencing around perimeter'. On that plan a section of the fence is drawn. It has posts and panels in the manner of a typical fence in a residential area and is labelled 'proposed close boarded fence'. As stated in the main report, I consider 2m high fencing between the site and the rear of neighbouring properties is acceptable.

Clause (v) of Condition 17 for hard and soft landscaping requires that details of boundary treatments be approved. The condition goes on to say they be 'carried out within one year of completion of the development'.

Assuming the fence on the Proposed Site Layout plan (DSA-20164-PL-AL-03 Rev F) is included in the landscaping scheme then there will be an obligation to install it.

However, the maintenance of boundary treatments between properties that fall within Permitted Development Rights and are not within the public realm, are not a material planning consideration. In such circumstance, should there be a point of concern between two neighbouring residents and/or landowners regarding the treatment of a boundary between their properties, then this is a Civil matter that is outside the jurisdiction of the Planning system.

The Inspector for the recent appeal (for application 20200135, for eight flats identical to the current scheme), raised no concerns regarding the access and boundary treatments. I consider that the access is acceptable and metal barriers may be unnecessary and of visually unappealing.

Fire safety

Access by emergency vehicles is considered by the Local Highway Authority (LHA).

They have stated that emergency vehicles will have acceptable access and turning, and this is reported in my main report. A plan showing acceptable vehicle tracking for a fire appliance has been submitted as part of this application.

For the second appeal (for application 20200135, for eight flats identical to the current scheme) the Inspector raised no concerns regarding parking and access.

My view that this scheme will provide emergency vehicles with acceptable access and turning is unchanged.

Recommendation: Conditional approval	
20221285	9 Uppingham Close
Proposal:	Construction of first floor extension; alterations to house (Class C3) (amended plans received 27/09/2022)
Applicant:	Gurnake Singh
App type:	Operational development - full application
Status:	
Expiry Date:	24 November 2022
RB	WARD: Evington

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Further Representations

A further letter of objection has been received from an address that has objected previously to the proposal. The concerns outlined are as follows:

- Overshadowing, overlooking of and loss of light and privacy to garden of 8 Uppingham Close.
- The property and garden at 9 Uppingham Close are elevated compared to the rear garden at 8 Uppingham Close. Additional separation distance to the first floor of the proposal should be provided.
- Privacy has already been lost at 8 Uppingham Close due to previous approvals close by.
- The proposal would result in loss of visual amenity, light, outlook and a sense of connection with the street to the front reception, porch, lounge and galleried windows.

Further emails in support of the application from the applicant have been received, which outline the following points:

- The application property has parking for at least 8 cars on the existing driveways and garage.
- Building work would not cause significant disruption.
- The proposal would not damage neighbouring foundations as it is a first floor extension.
- The proposal would be lower than every other property on the Close apart from 10 Uppingham Close.
- Amendments have been submitted to overcome planning concerns during the course of the application.
- The planning approval at 3 Uppingham Close has brought a property back into use.

A further email from a neighbour has been received, retracting an earlier representation of support for the application. This reduces the letters of support for the application from different households from 9 to 8.

Further Consideration

The report addresses most of the above concerns. However, the below provides additional detail to the further comments received.

There is an over 12m separation distance of the rear elevation of the proposed first floor extension to the rear boundary, (as opposed to the 11m stated in the objection.)

Two of the proposed rear facing windows within the extension at first floor level are non-habitable room bathrooms and two are bedrooms. One of the bedrooms is set another 2m from the rear boundary. The impacts are considered acceptable.

The apex windows at ground floor and first floor levels are to a porch and hallway at the side of the property, both of which are non-habitable rooms.

The land levels are not considered particularly significant in terms of impact; and appear to be no more than 0.5m across both gardens.

There are four car parking spaces shown on the existing and proposed plans not including the space within the garage. The proposed car parking situation is as existing and I consider it unreasonable to attach any conditions in relation to parking.

The approval of a front dormer at the front of 7 Uppingham Close and the planning approval for an extension at 3 Uppingham Close do not relate to the current proposal at 9 Uppingham Close and any application at 3 Uppingham Close would be considered on its own merits.

Planning & Development Control Committee

23rd November 2022

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Planning Applications Index

Planning & Development Control Committee 23rd November 2022

20213007

80 Queens Road

20221285

9 Uppingham Close

20213040

**Melton Road , Land North of
Sainsburys**

20221334

22A Staveley Road

20220977

8 Thoresby Street

20221993

87 Kincaple Road

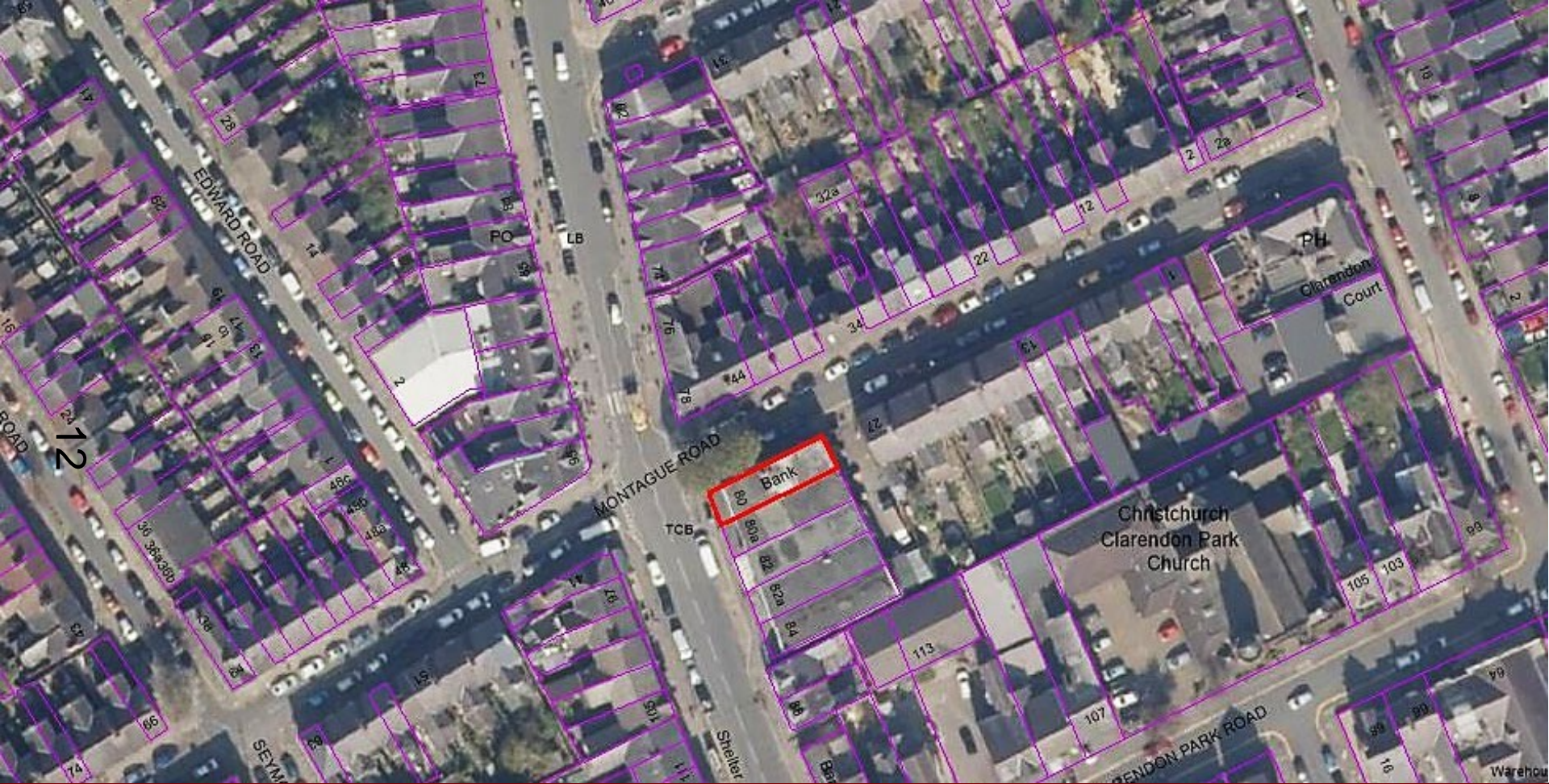
80 Queens Road

20213007

P&DCC 23rd November 2022

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[CLICK - 3D VIEW](#)

20213007
80 Queens Road



Front elevation

**20213007
80 Queens Road**



14

NO VEHICLES PLEASE
LEAVE 1M EITHER
SIDE OF GATEWAY
24 HR ACCESS
NEEDED DAY
AND NIGHT

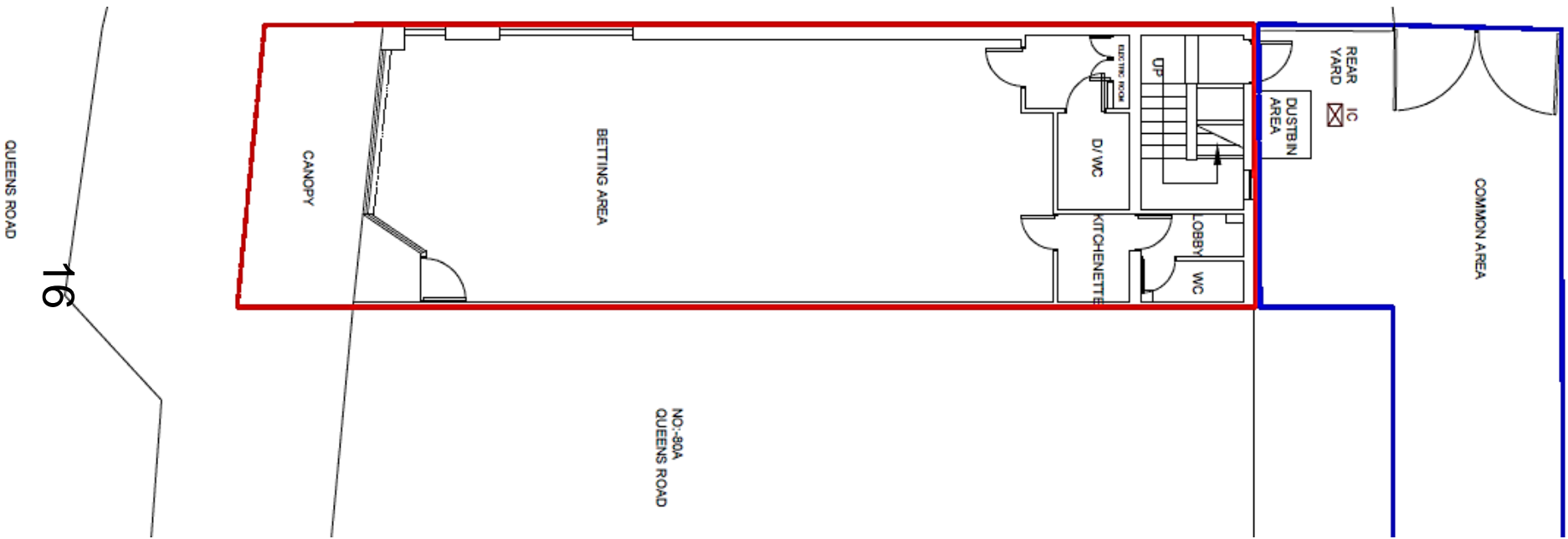
Rear service yard

20213007
80 Queens Road



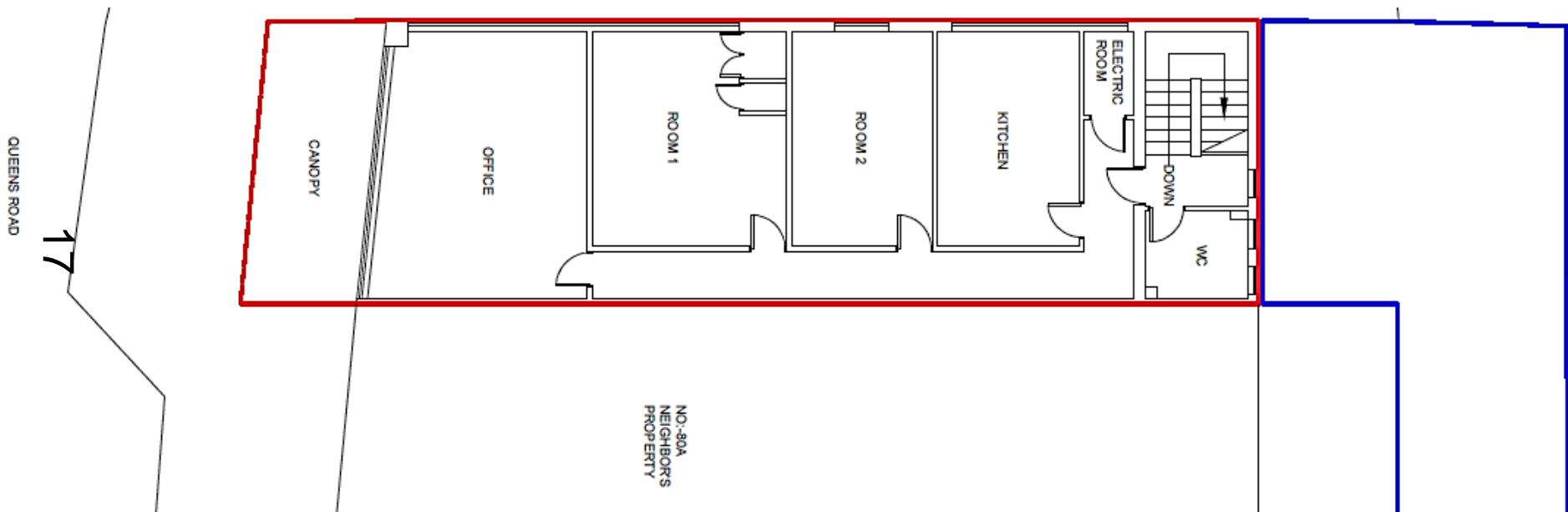
Side elevation

20213007
80 Queens Road



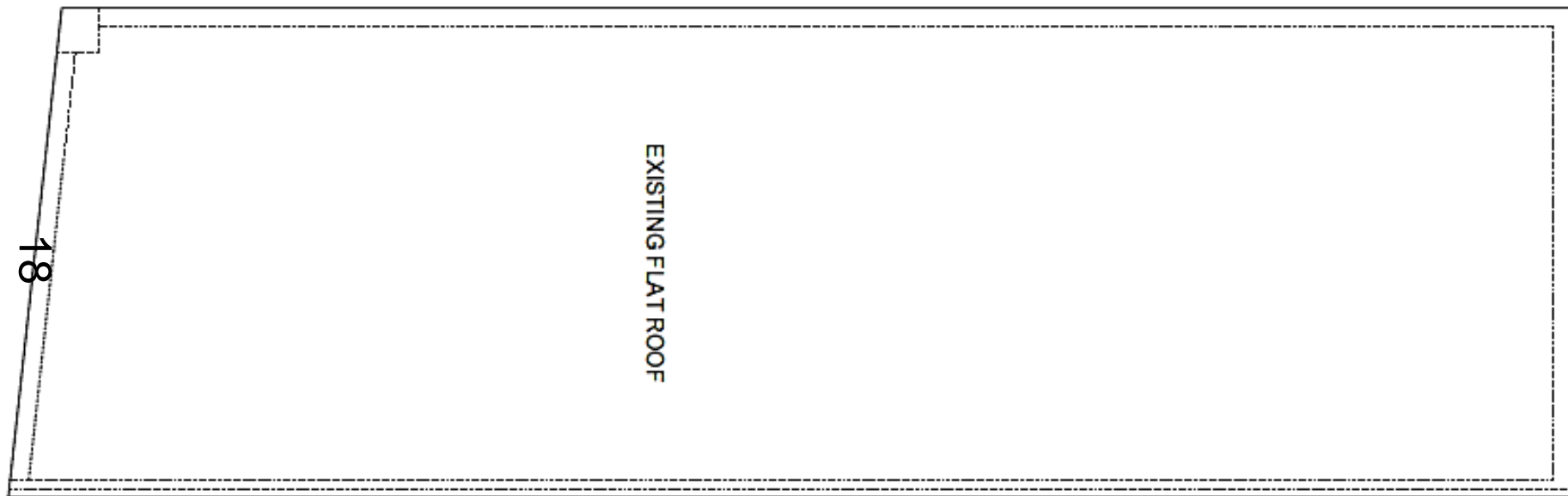
Ground floor previous layout

20213007
80 Queens Road



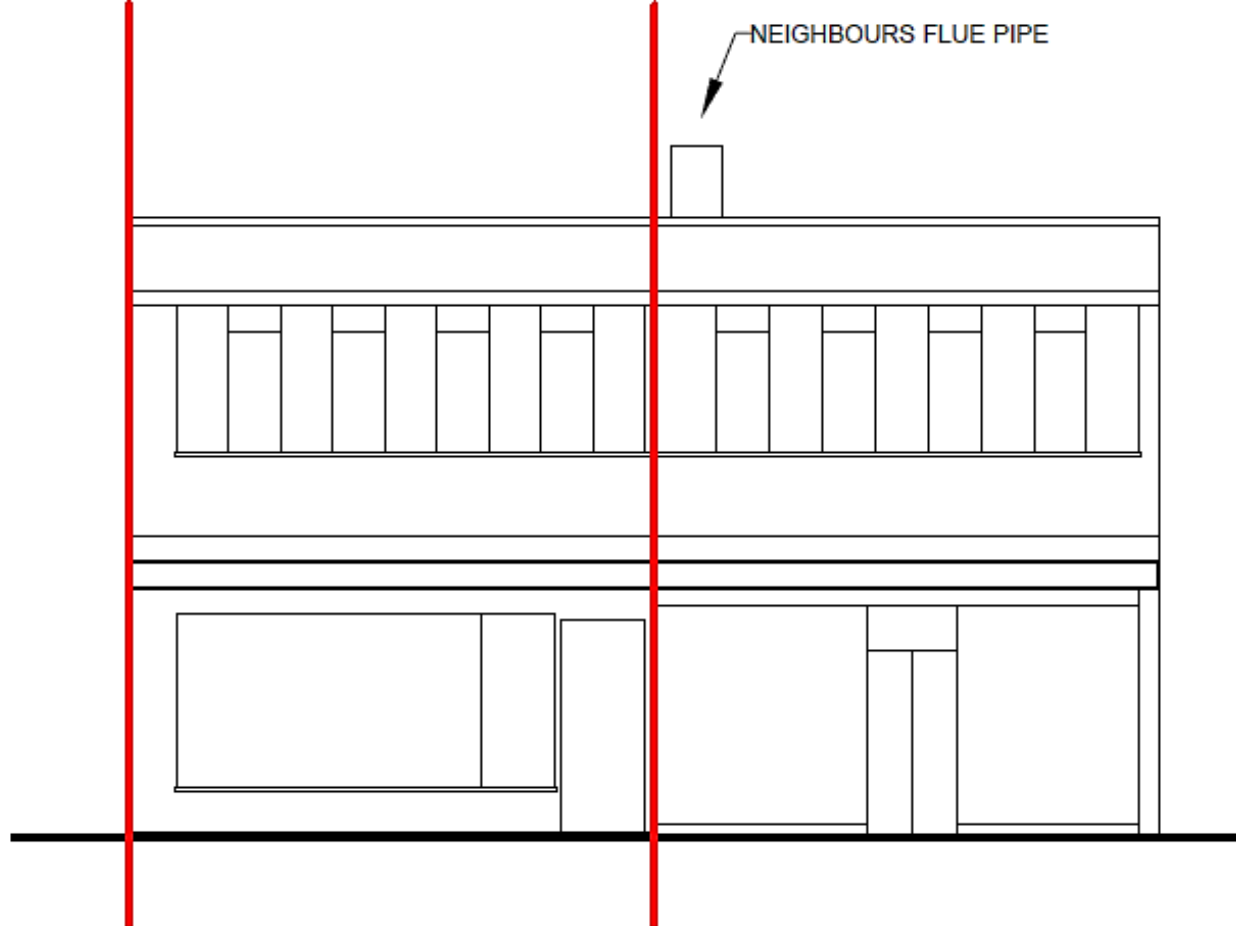
First floor previous layout

**20213007
80 Queens Road**



Roof plan as previous

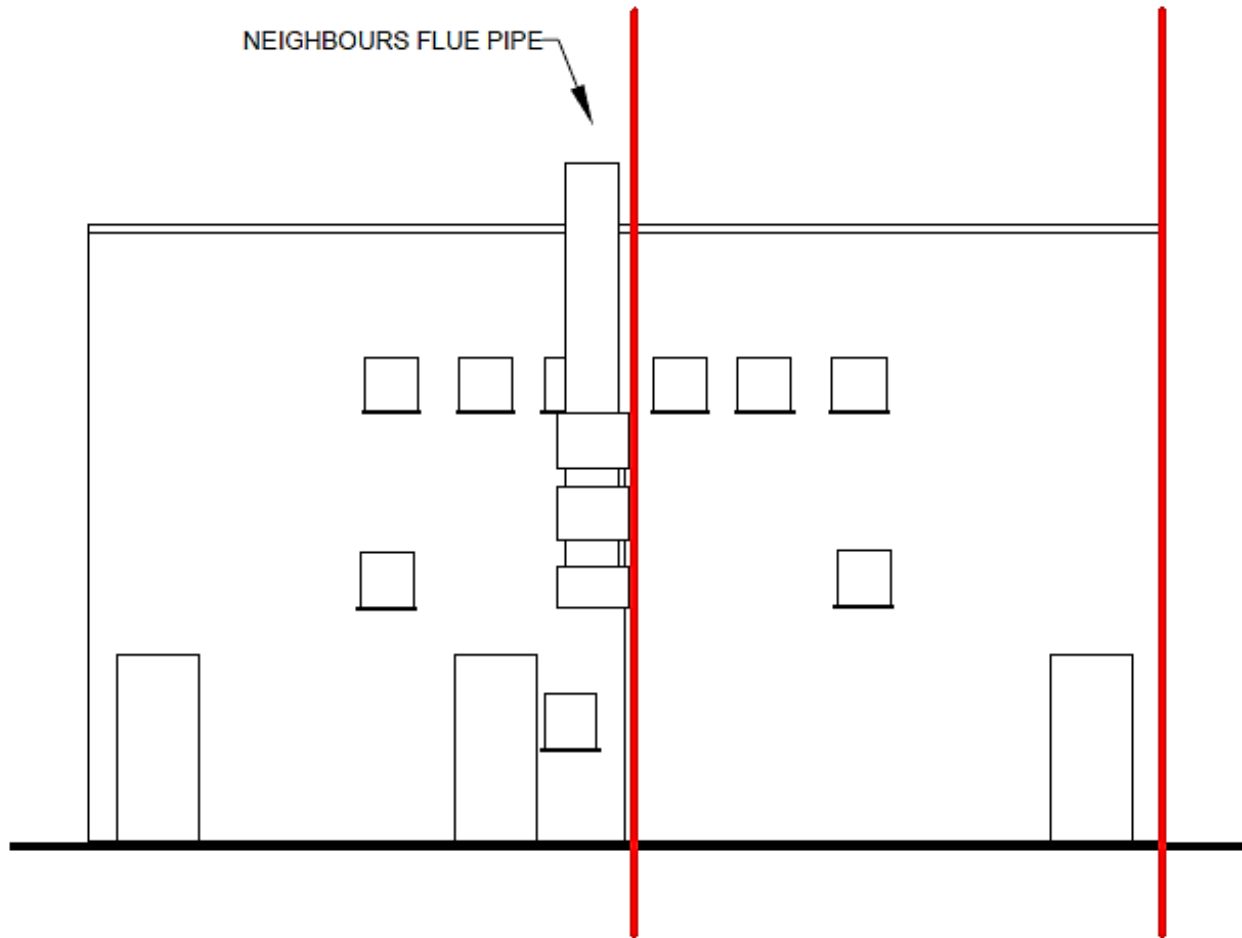
**20213007
80 Queens Road**



NEIGHBOURS FLUE PIPE



20



Rear elevation as previous: rear service yard

20213007
80 Queens Road

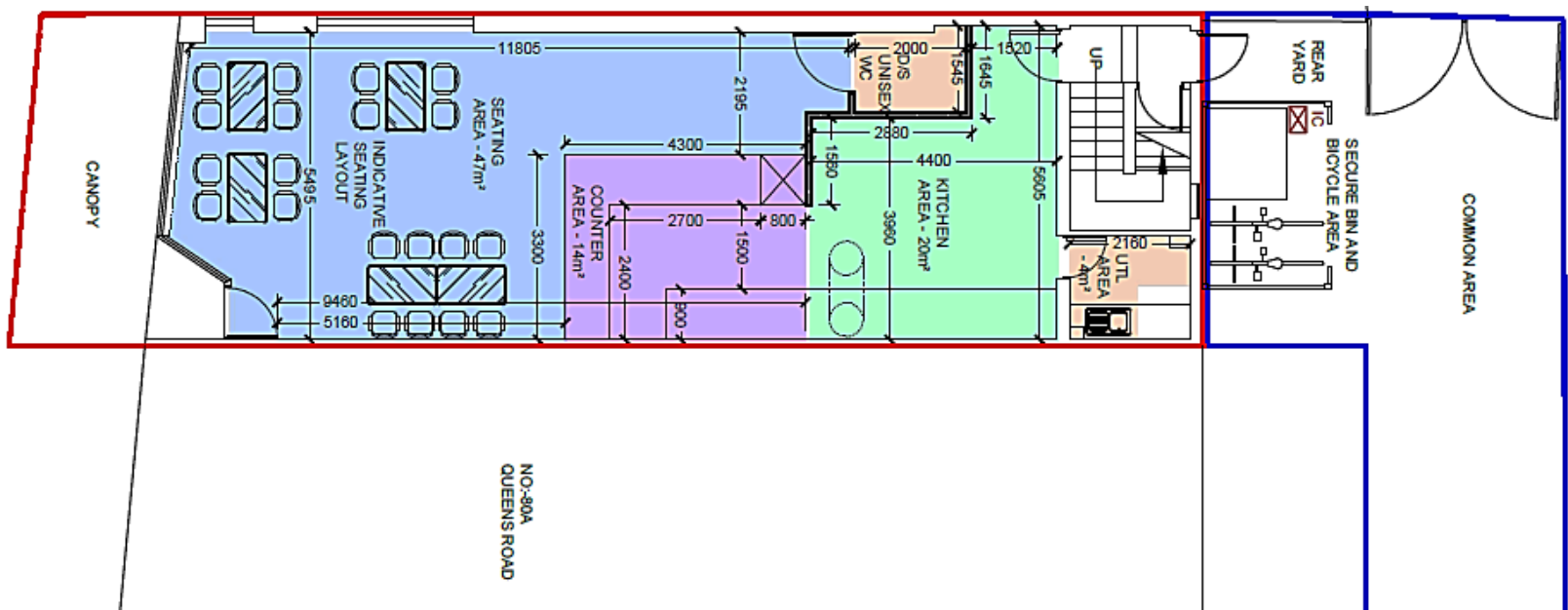
NEIGHBOURS FLUE PIPE



21

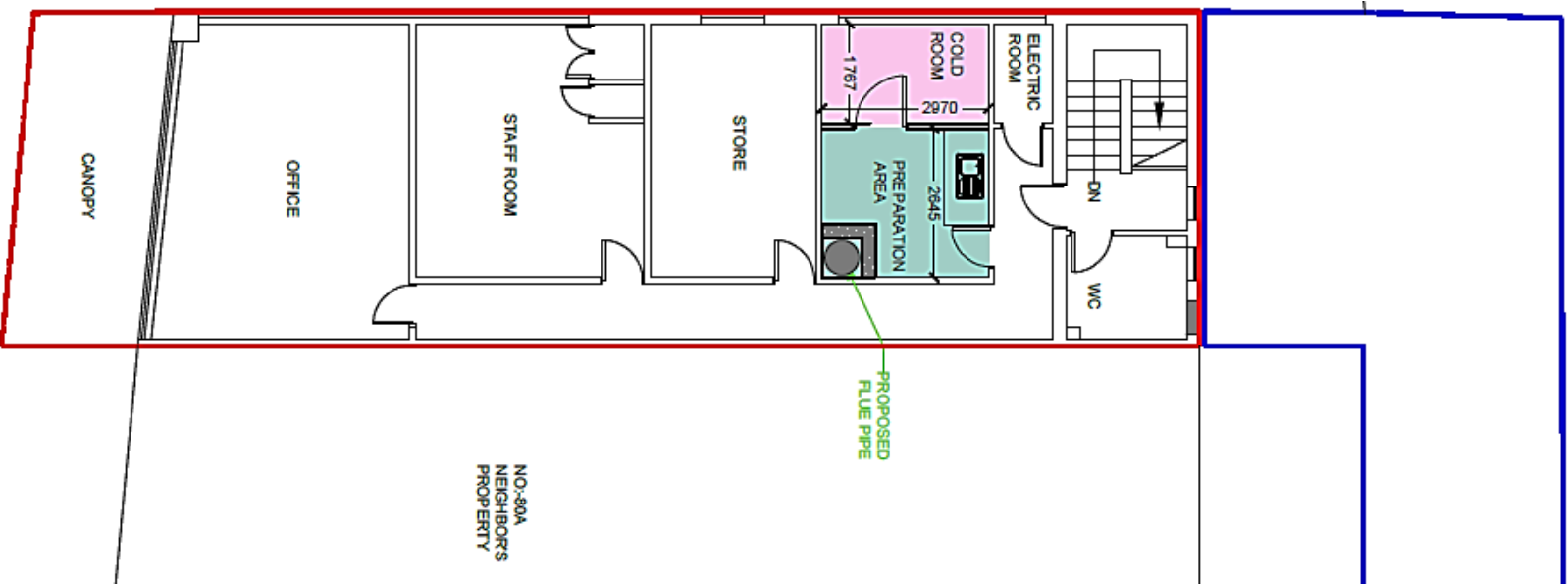
Side elevation as previous: Montague Road

20213007
80 Queens Road



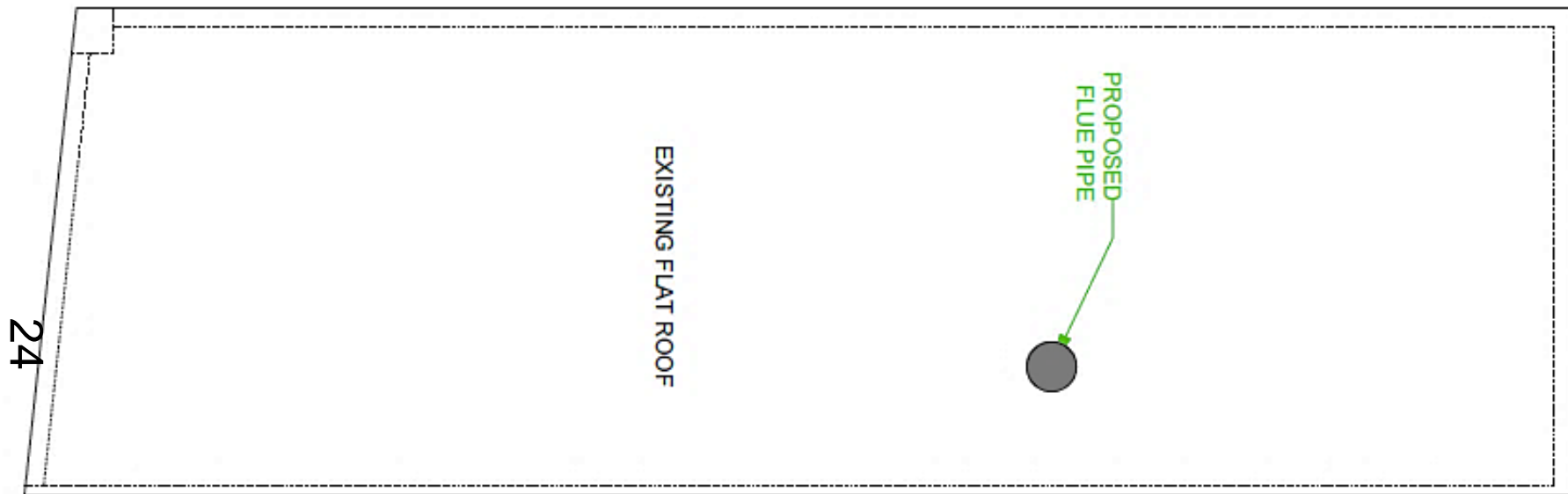
Ground floor current layout

**20213007
80 Queens Road**



First floor current layout

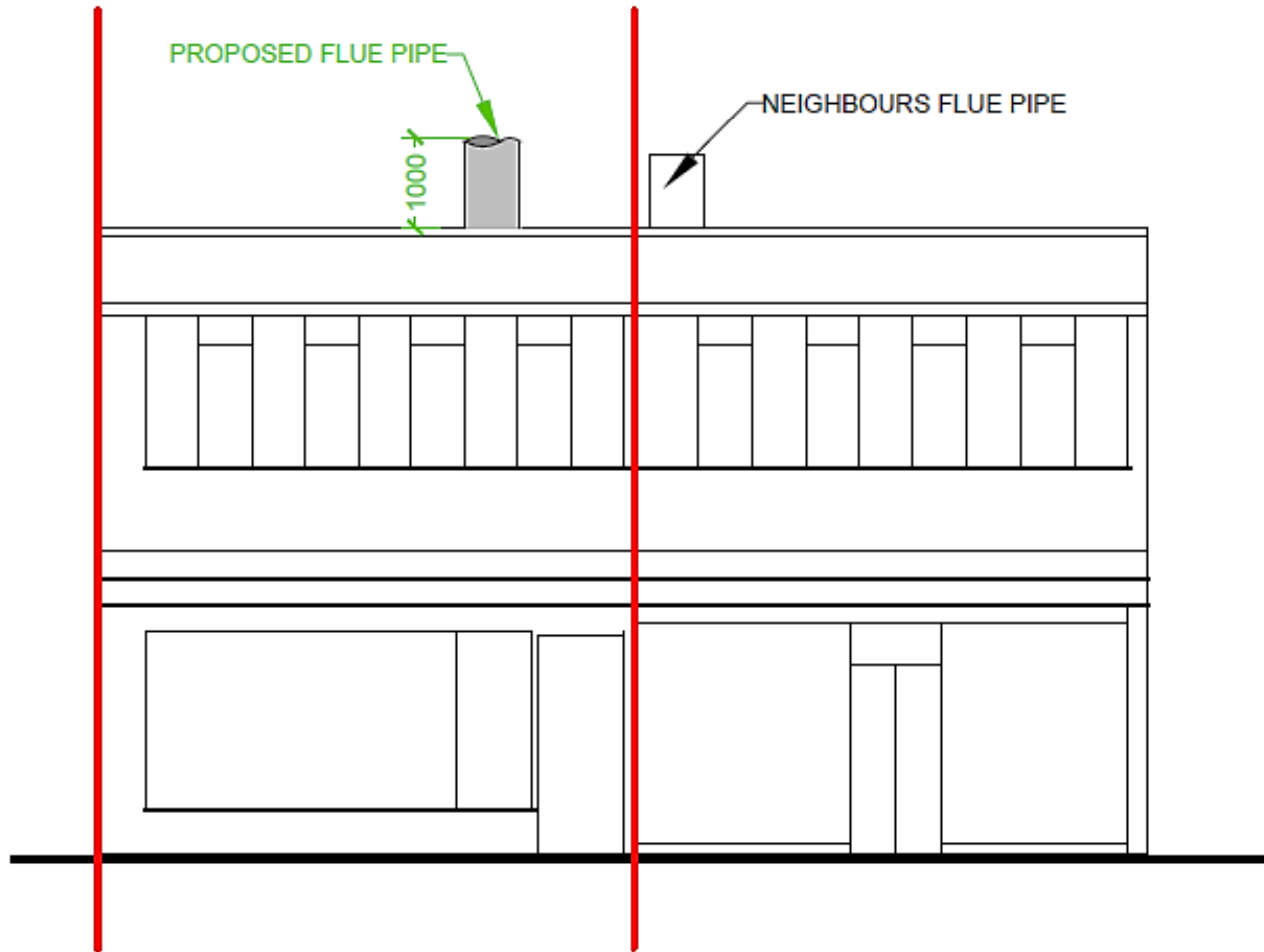
20213007
80 Queens Road



Roof plan as current

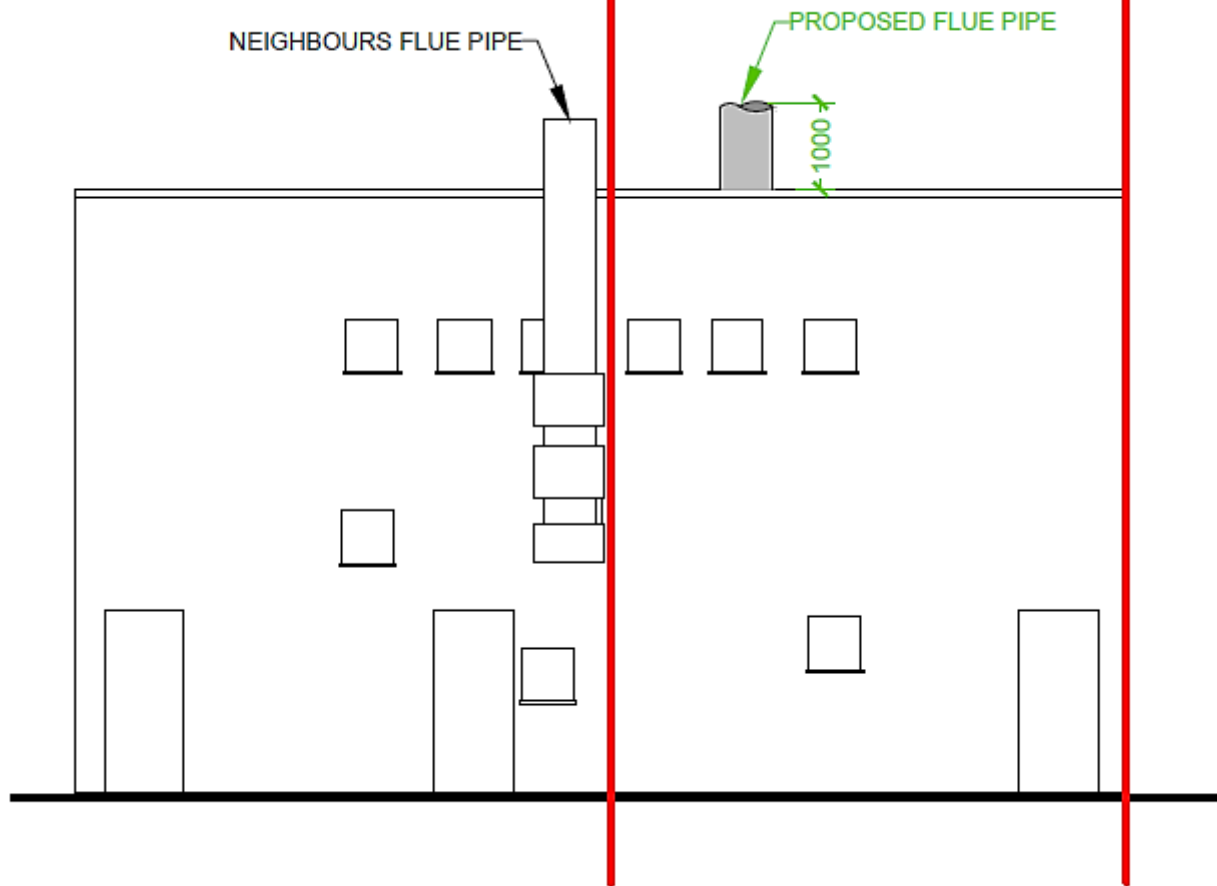
**20213007
80 Queens Road**

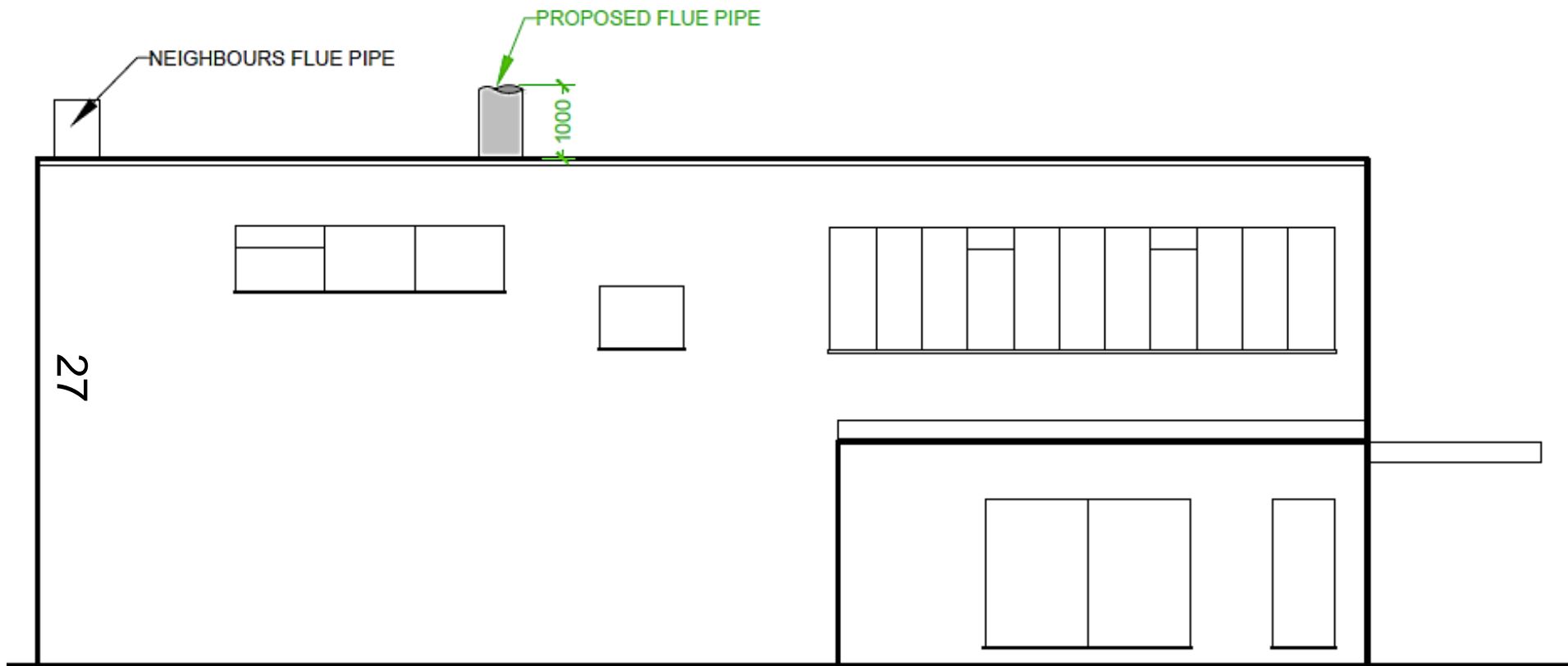
25



Front elevation as current: Queens Road

20213007
80 Queens Road

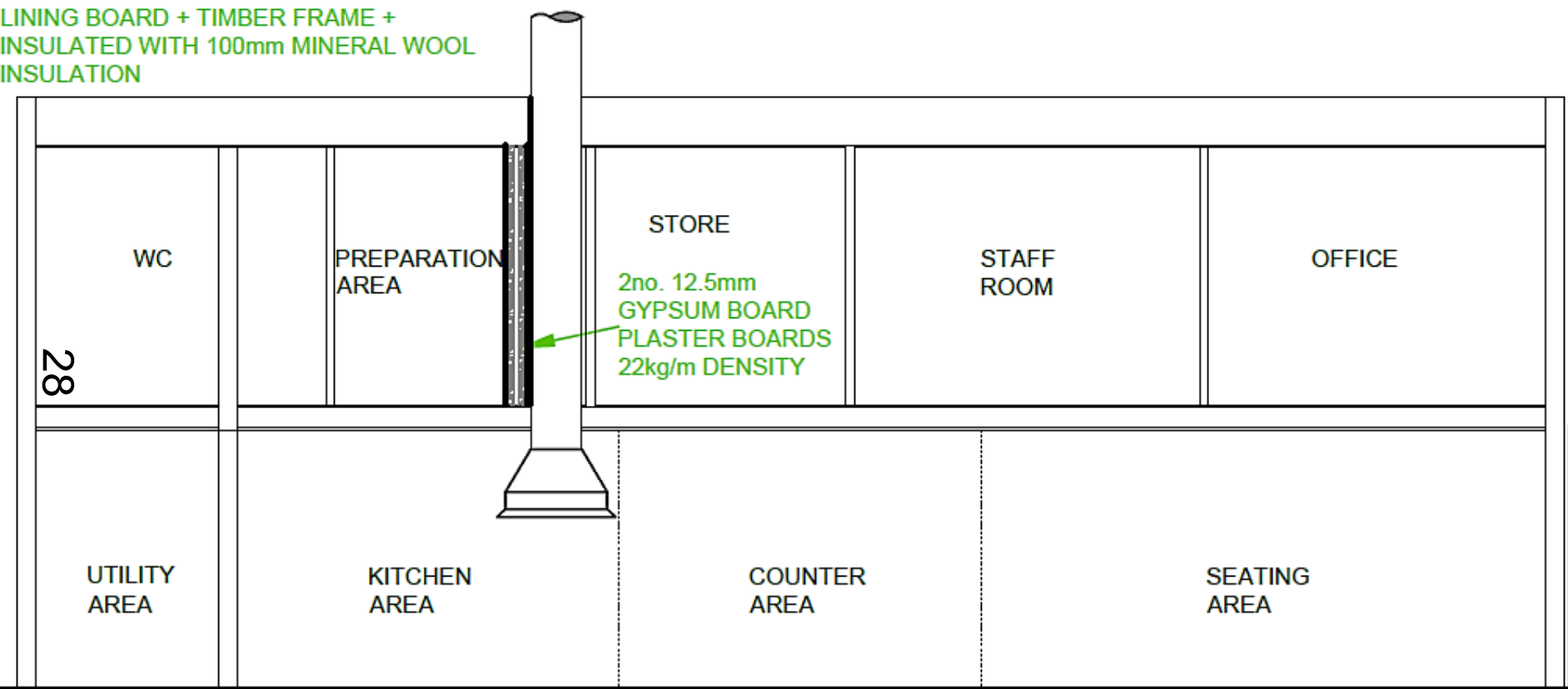




Side elevation as current: Montague Road

20213007
80 Queens Road

AS THE FLUE PASSES THROUGH THE ROOF
VOID IT IS TO BE ENCASED IN 1hr FIRE
LINING BOARD + TIMBER FRAME +
INSULATED WITH 100mm MINERAL WOOL
INSULATION



Section detail as current

Land to the North of Sainsburys, Melton Road

20213040

P&DCC 23/11/2022

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[CLICK - 3D VIEW](#)

20213040
Land to the North of Sainsburys, Melton Road



**Site
Entrance**



**Entrance
to site at
East**



**Access/
deliveries
road**



**Access
road**



**Site
including
rear
boundary**

20213040

Land to the North of Sainsburys, Melton Road



**Site
including
boundary
to East**



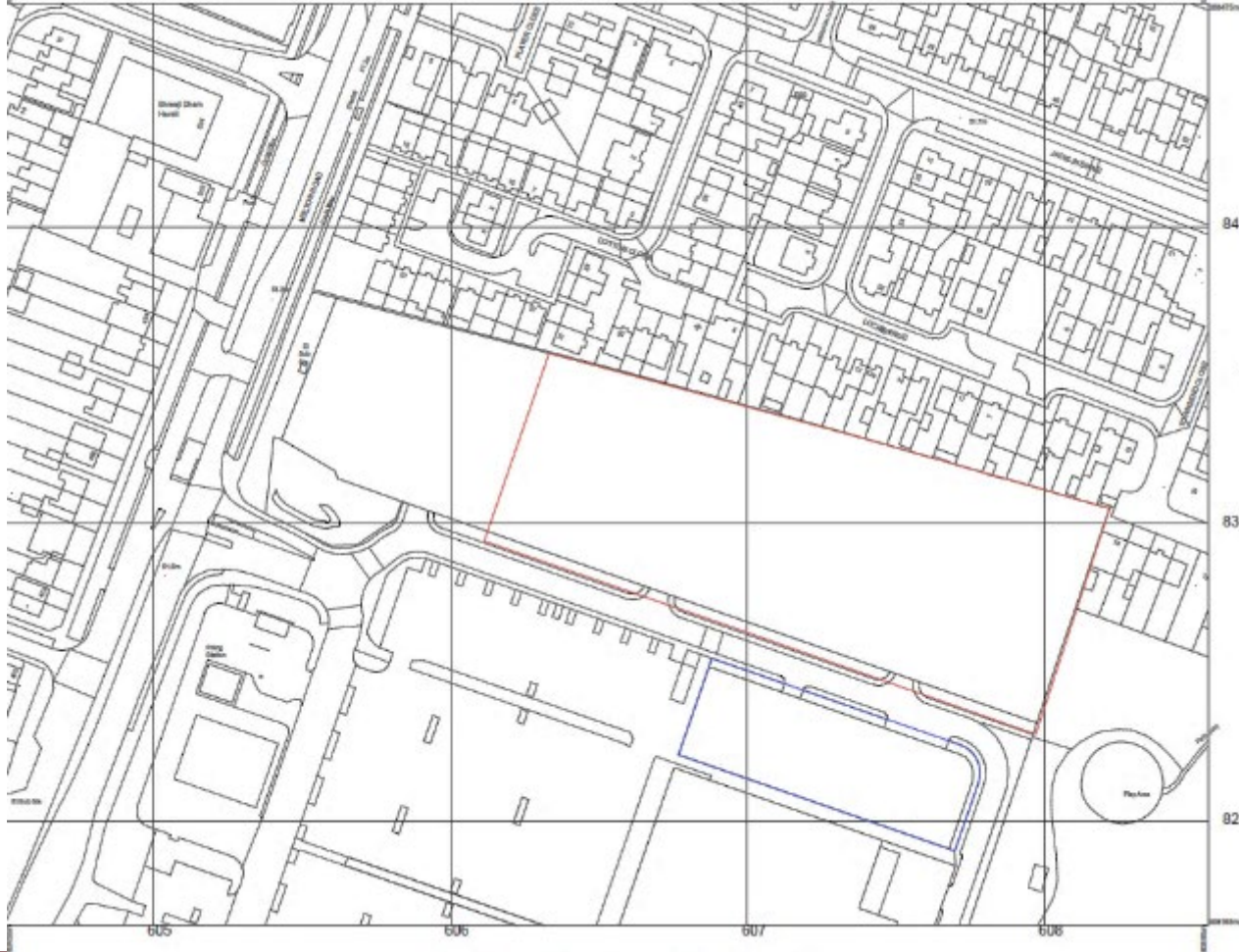
**Site
including
boundary
to West**



**Access
to Jesse
Jackson
park**

20213040

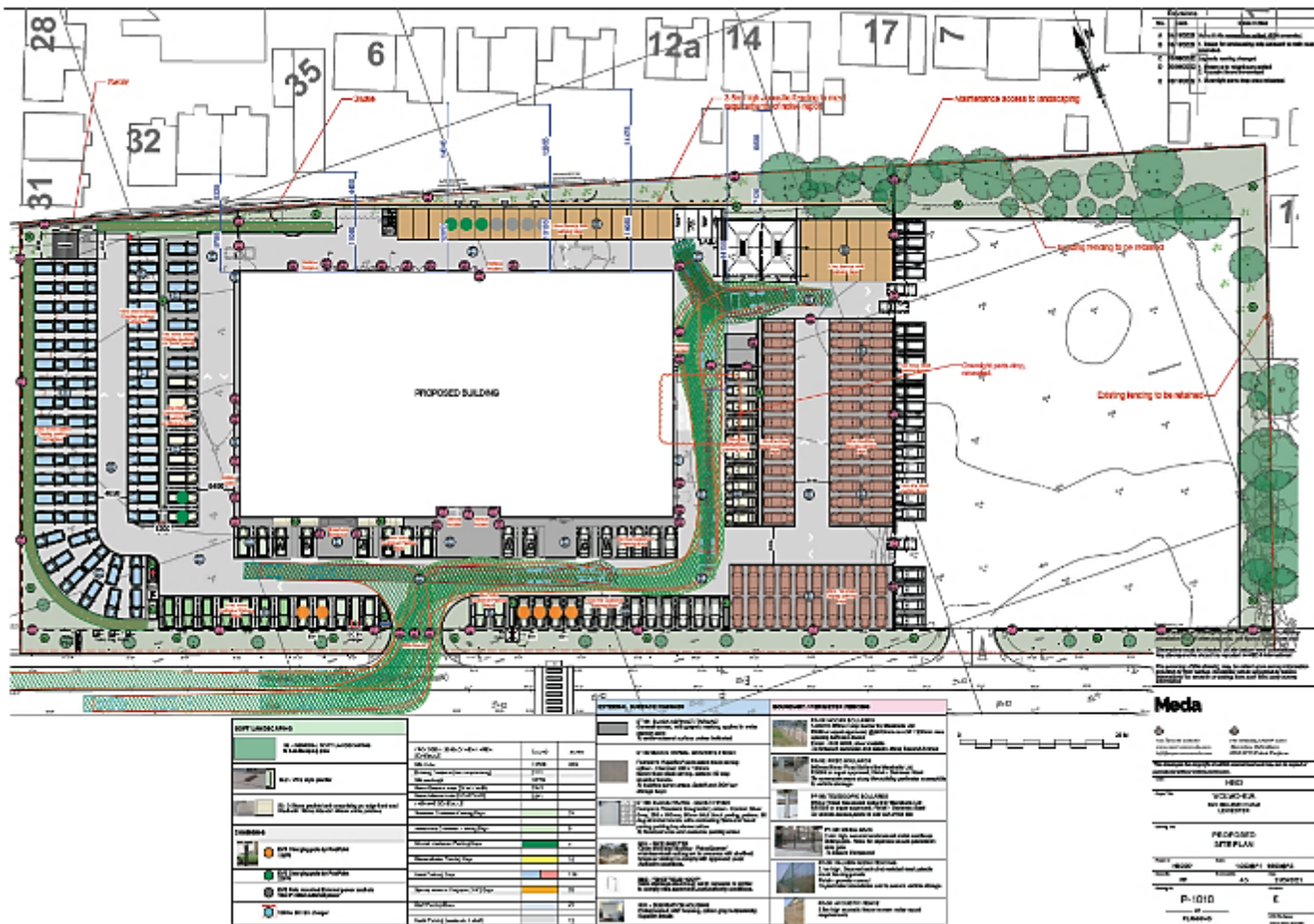
Land to the North of Sainsburys, Melton Road



**Site
Location**

20213040

Land to the North of Sainsburys, Melton Road

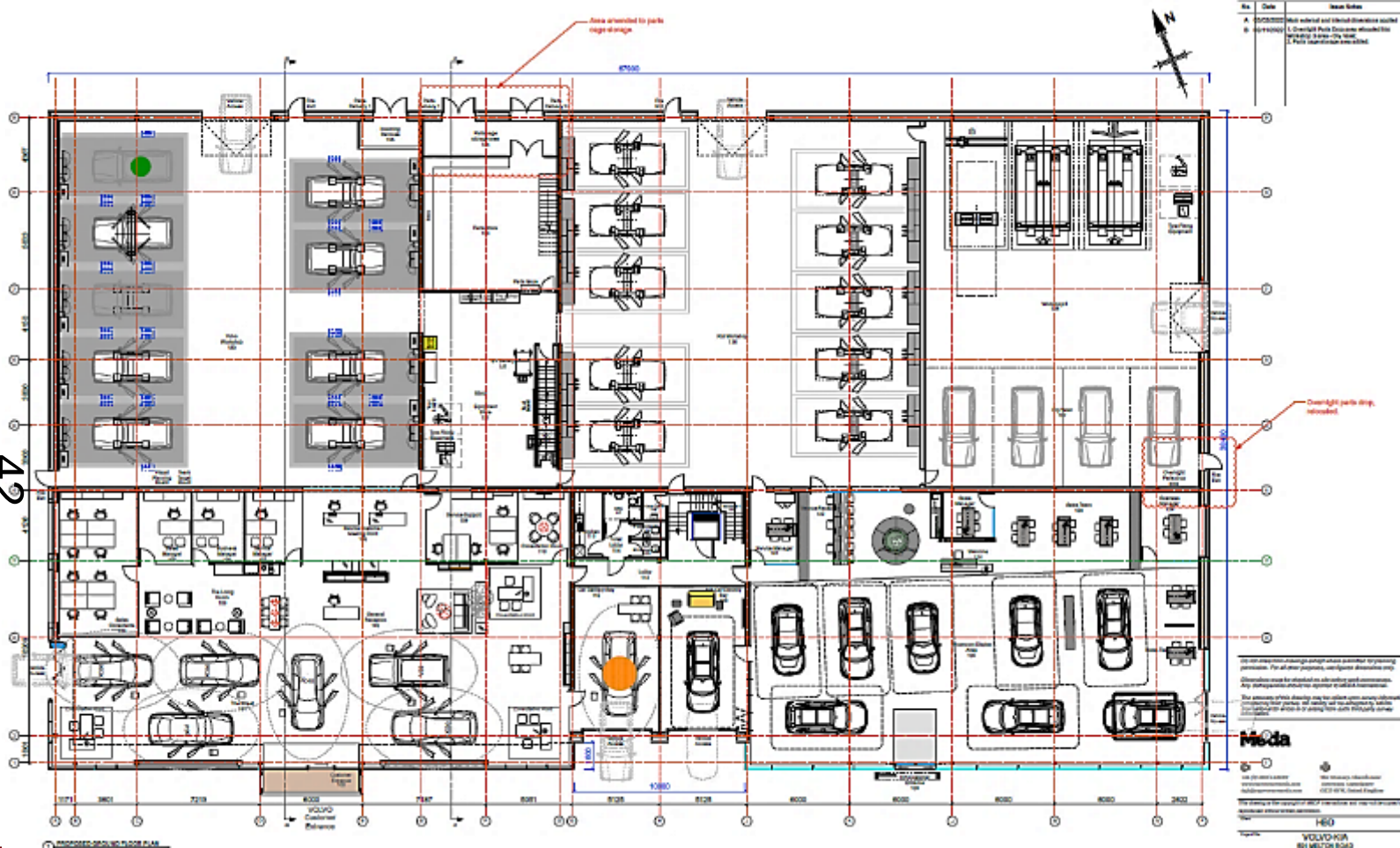


Proposed Site Plan

20213040

Land to the North of Sainsburys, Melton Road

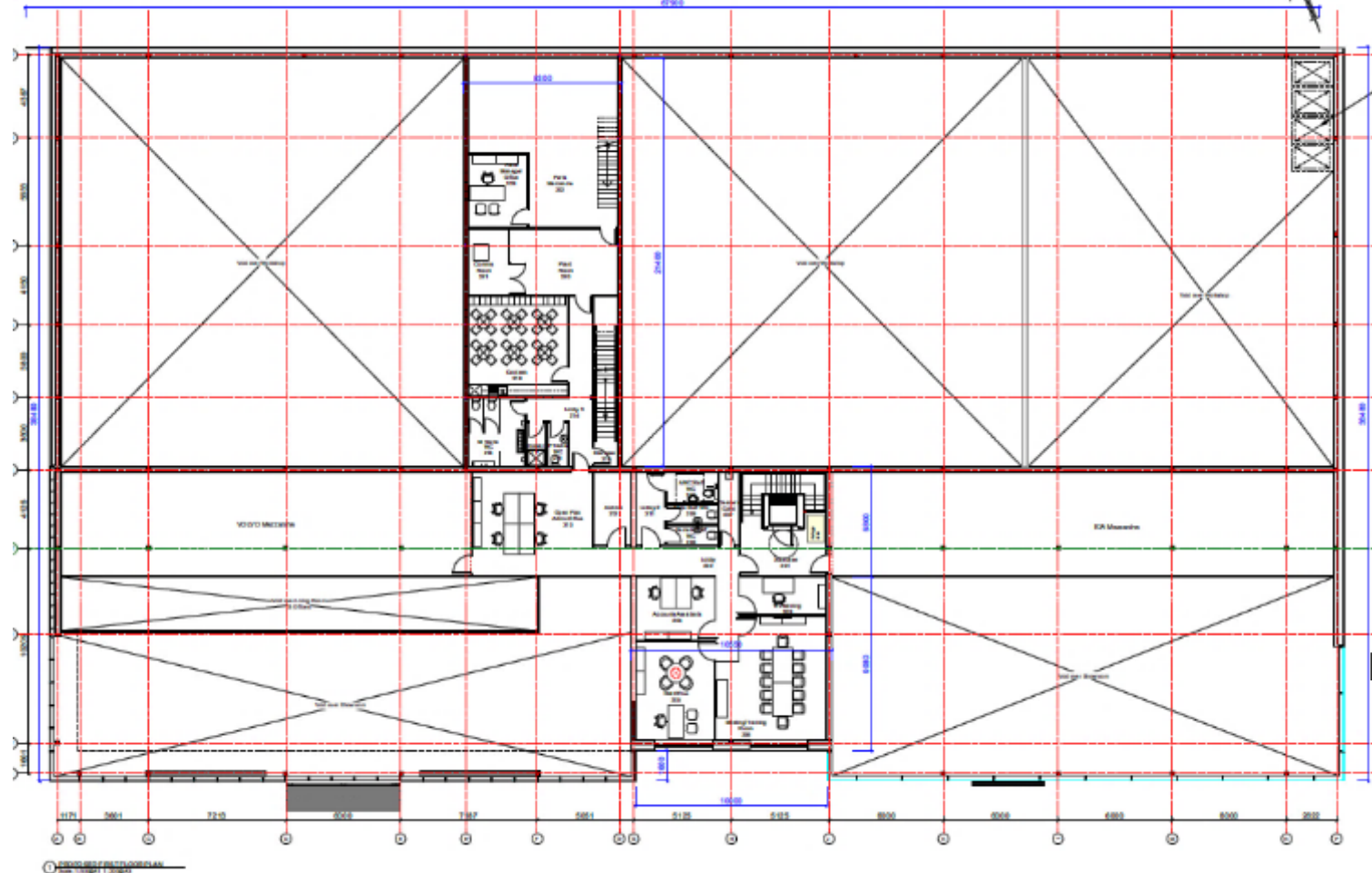
Proposed Elevations



Proposed Ground Floor Plan

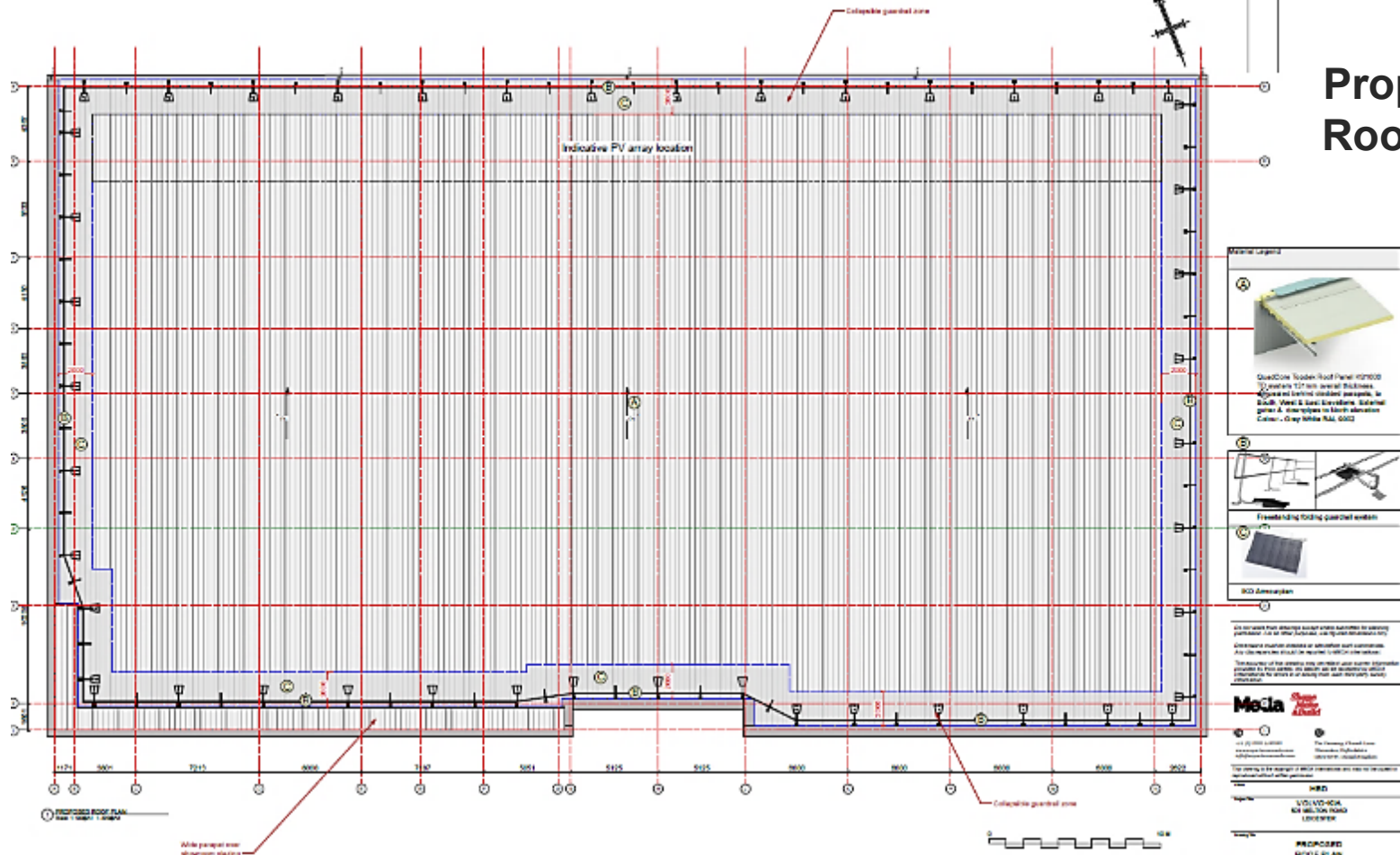
20213040

Land to the North of Sainsburys, Melton Road



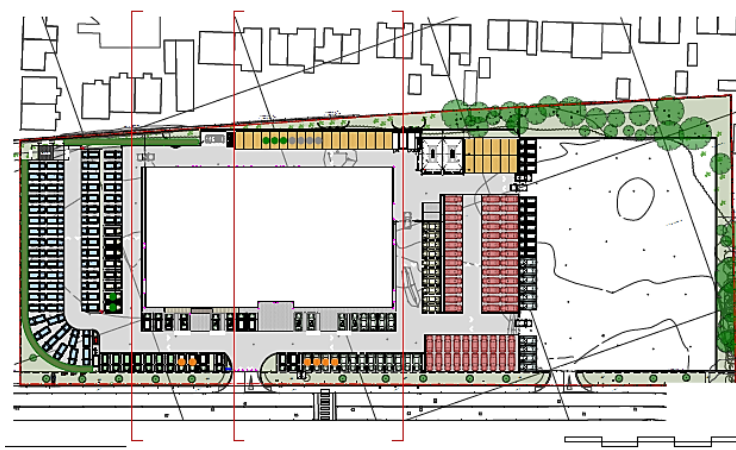
**Proposed
First
Floor
Plan**

Proposed Roof Plan

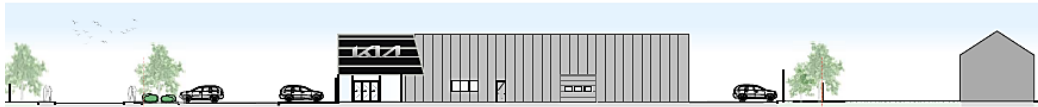
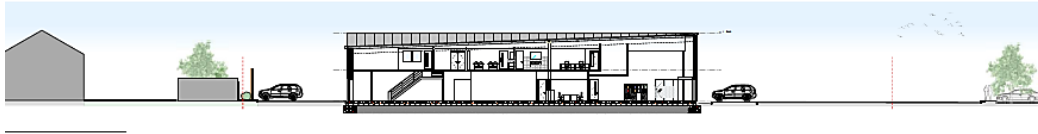
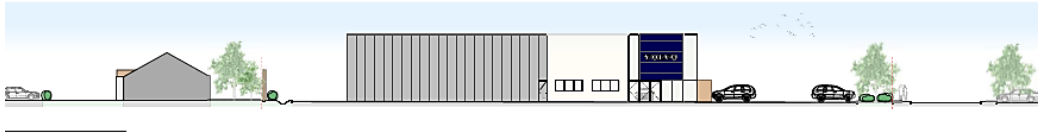


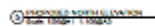
20213040

Land to the North of Sainsburys, Melton Road

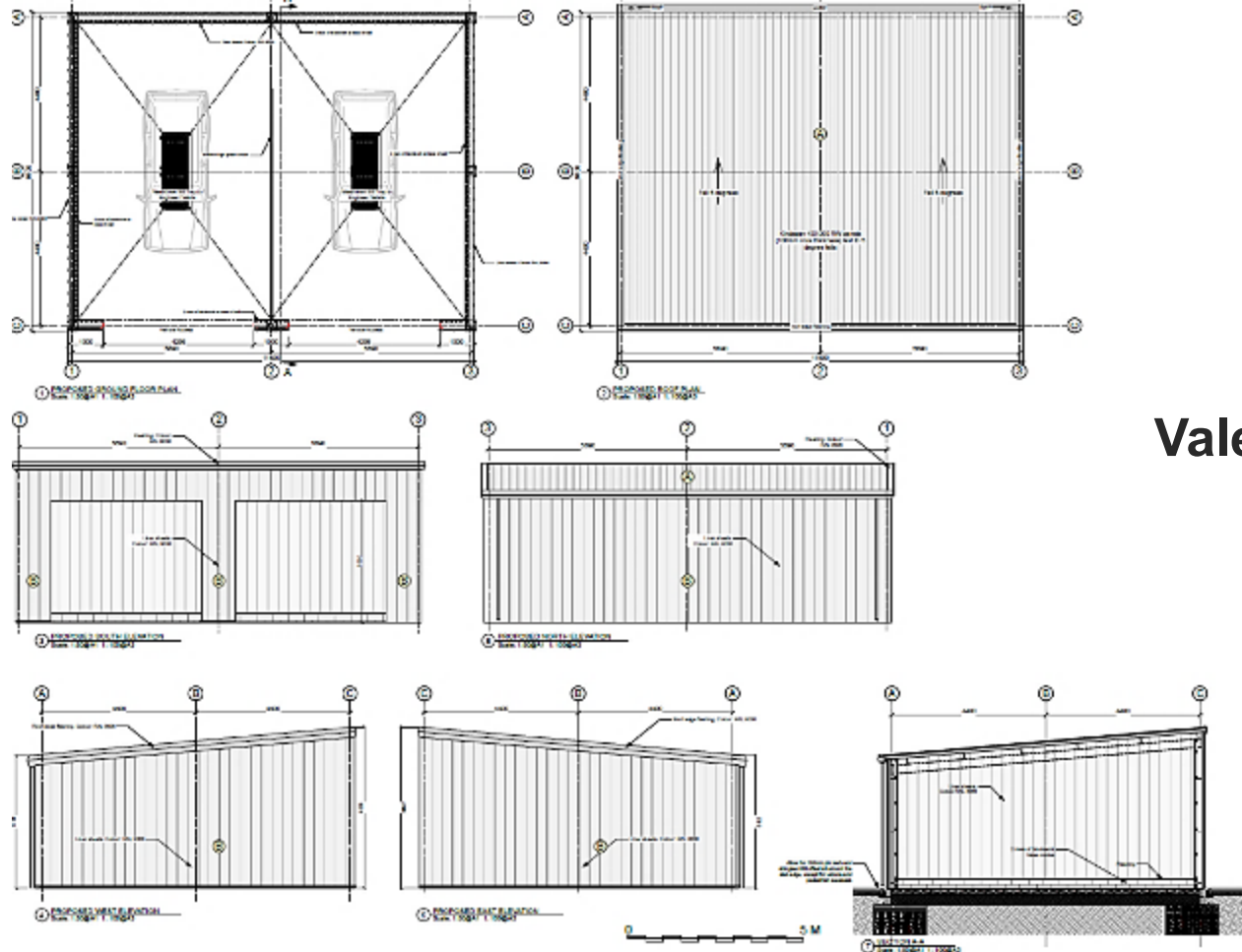


Sections Plan of Proposed Fencing to Neighbours





Bin Storage Details



Valet Building

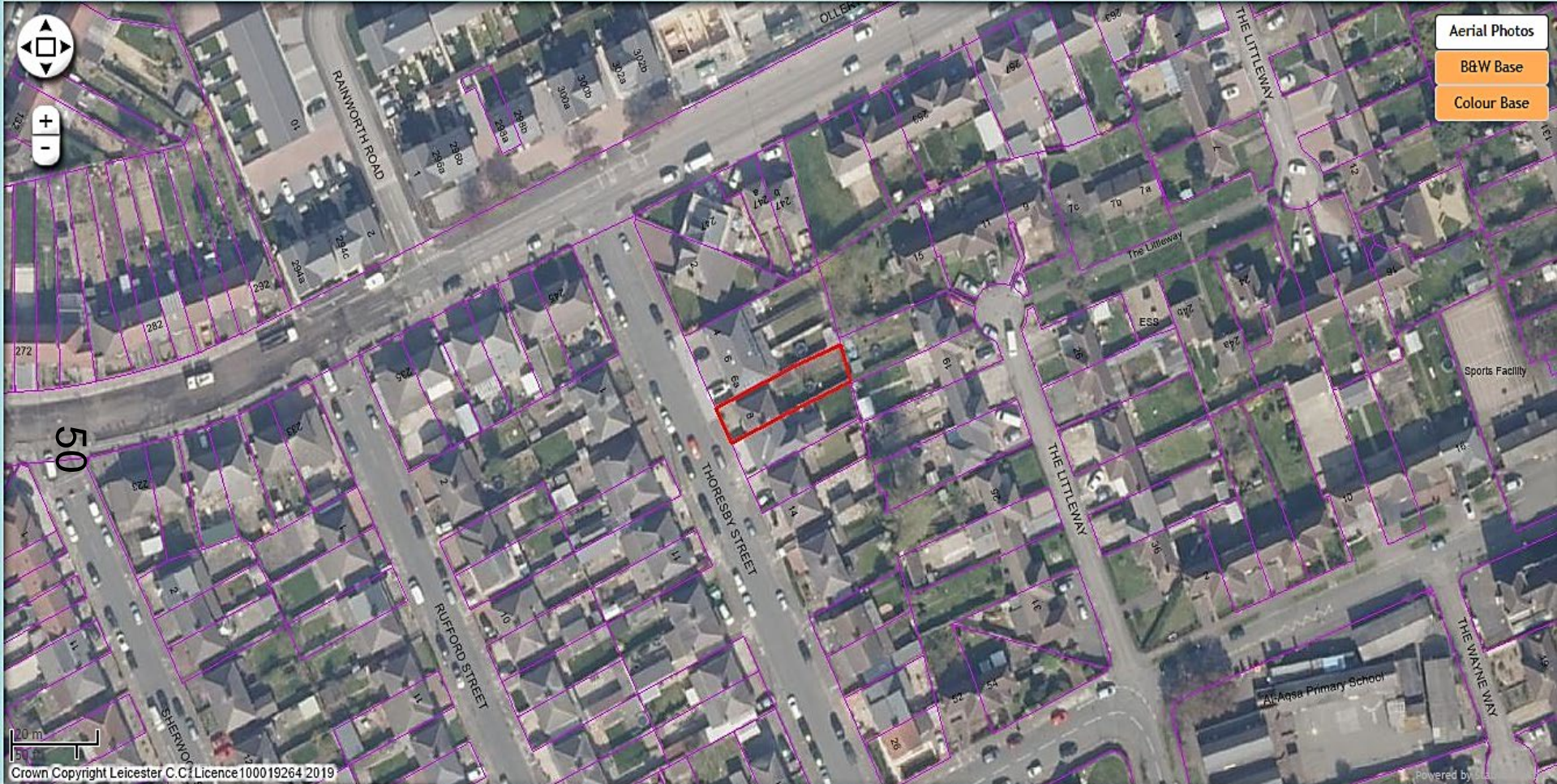
8 Thoresby Street

20220977

P&DCC 23rd November 2022

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CLICK - 3D VIEW

20220977
8 Thoresby Street









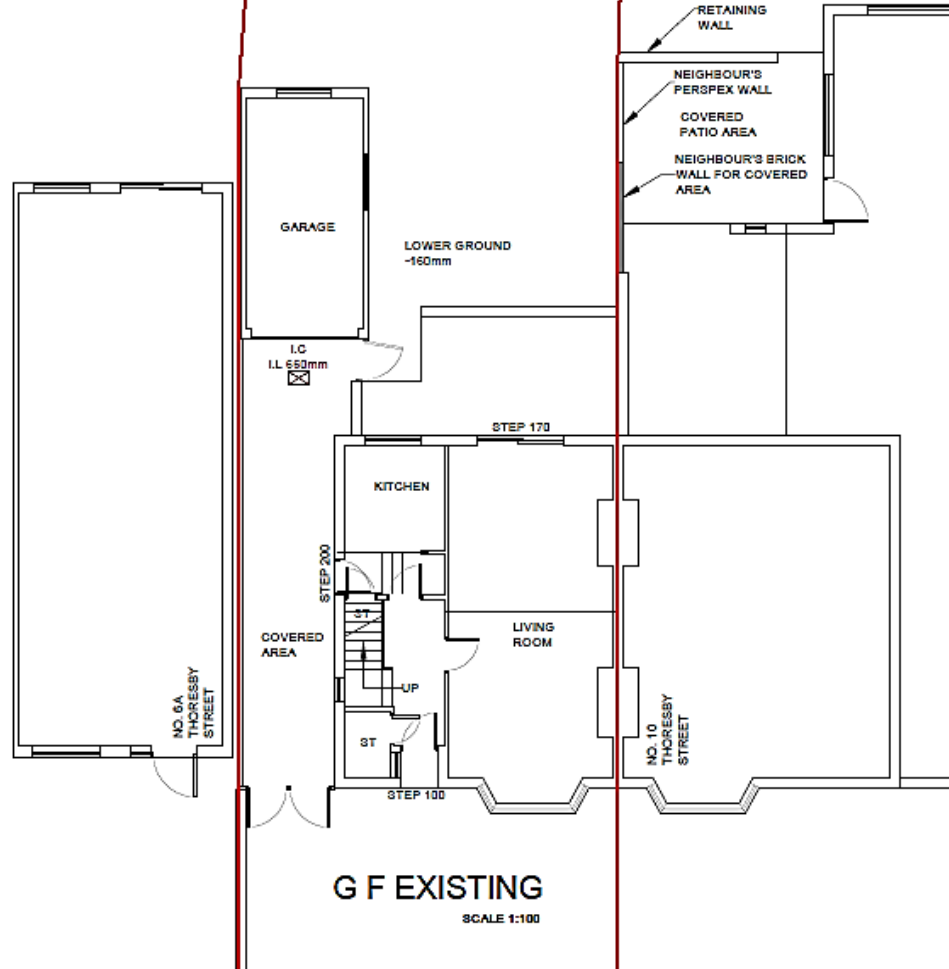


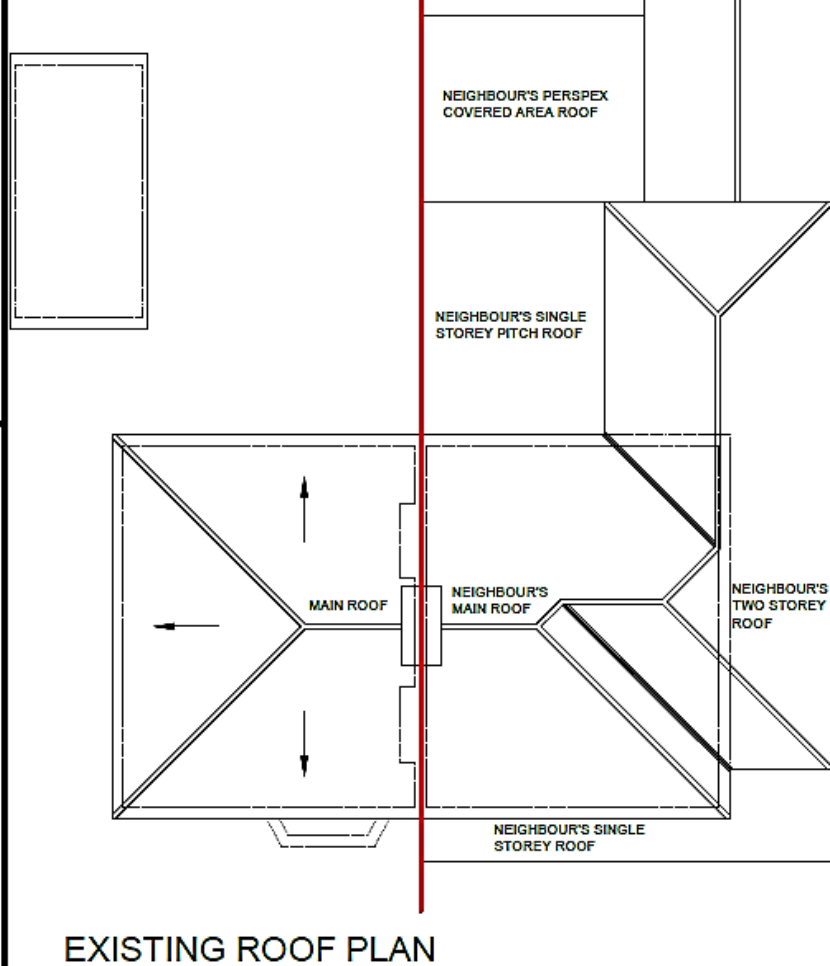
20 Sep 2022 at 10:23:18

56



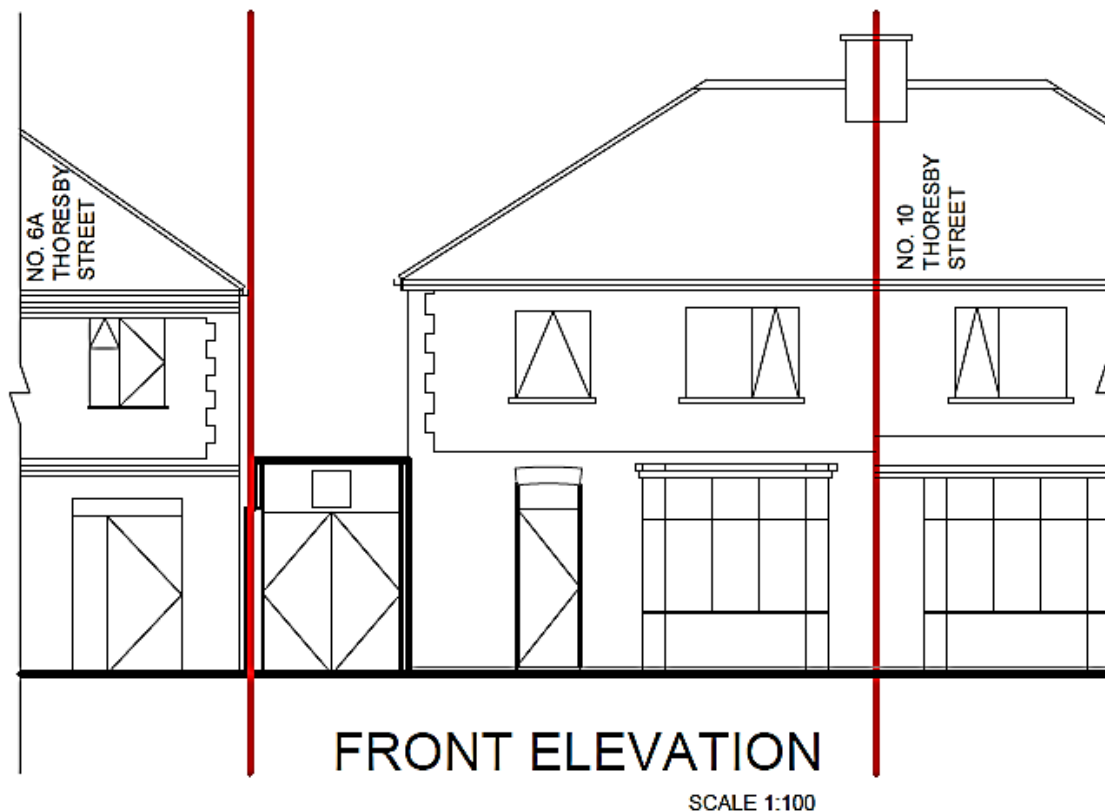
20220977
8 Thoresby Street





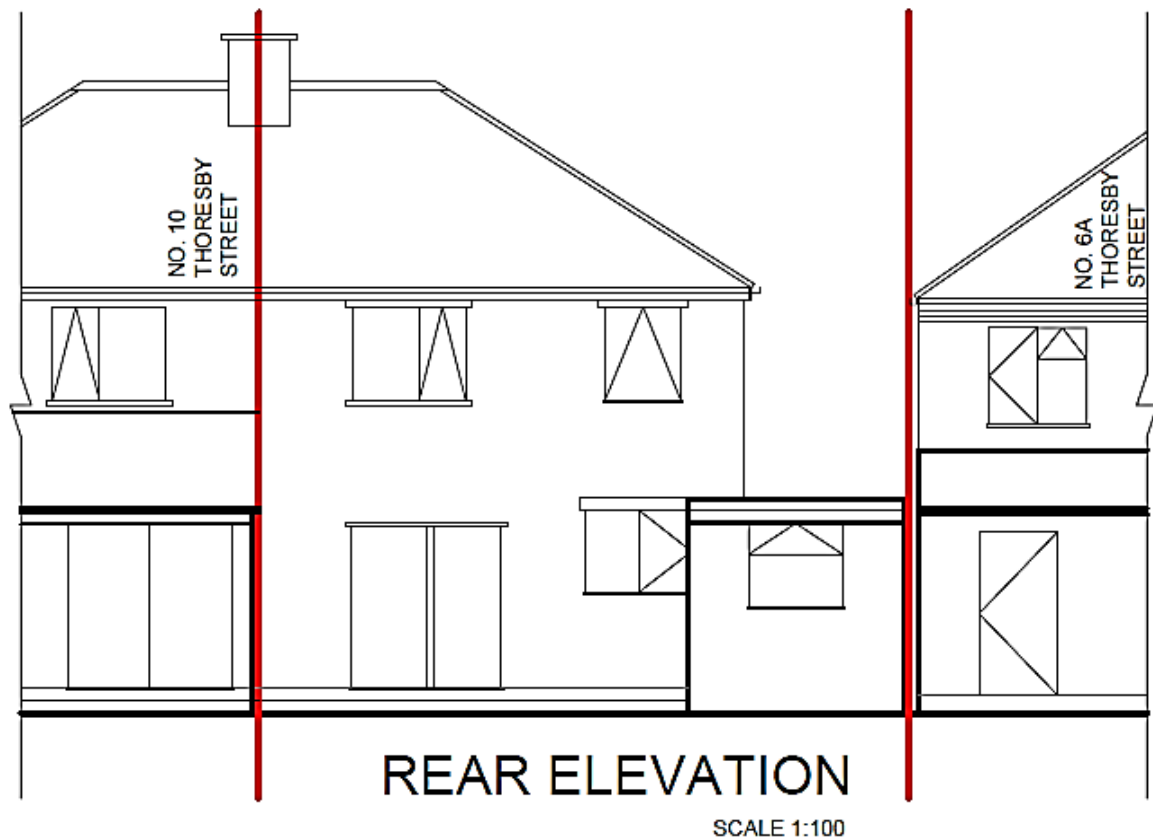
EXISTING ELEVATION

59

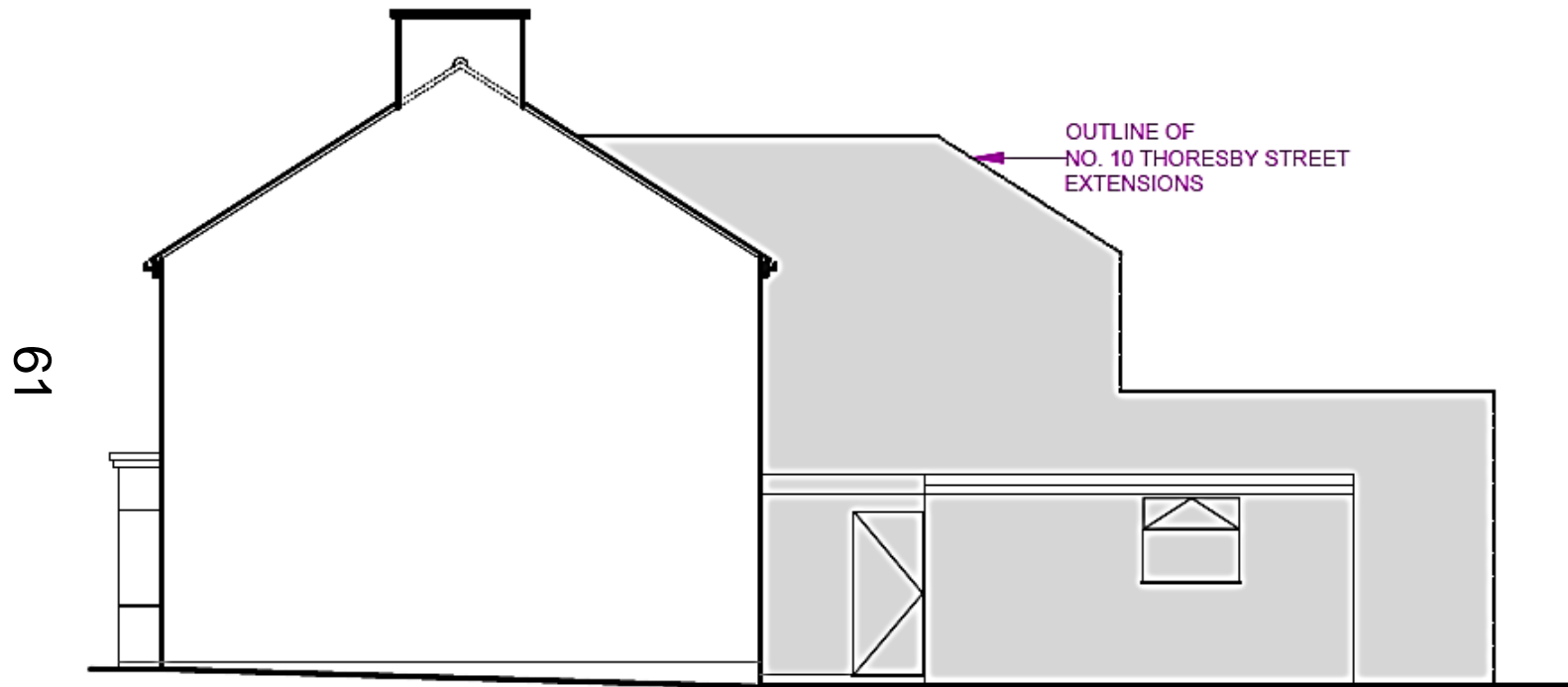


20220977

8 Thoresby Street



EXISTING ELEVATION

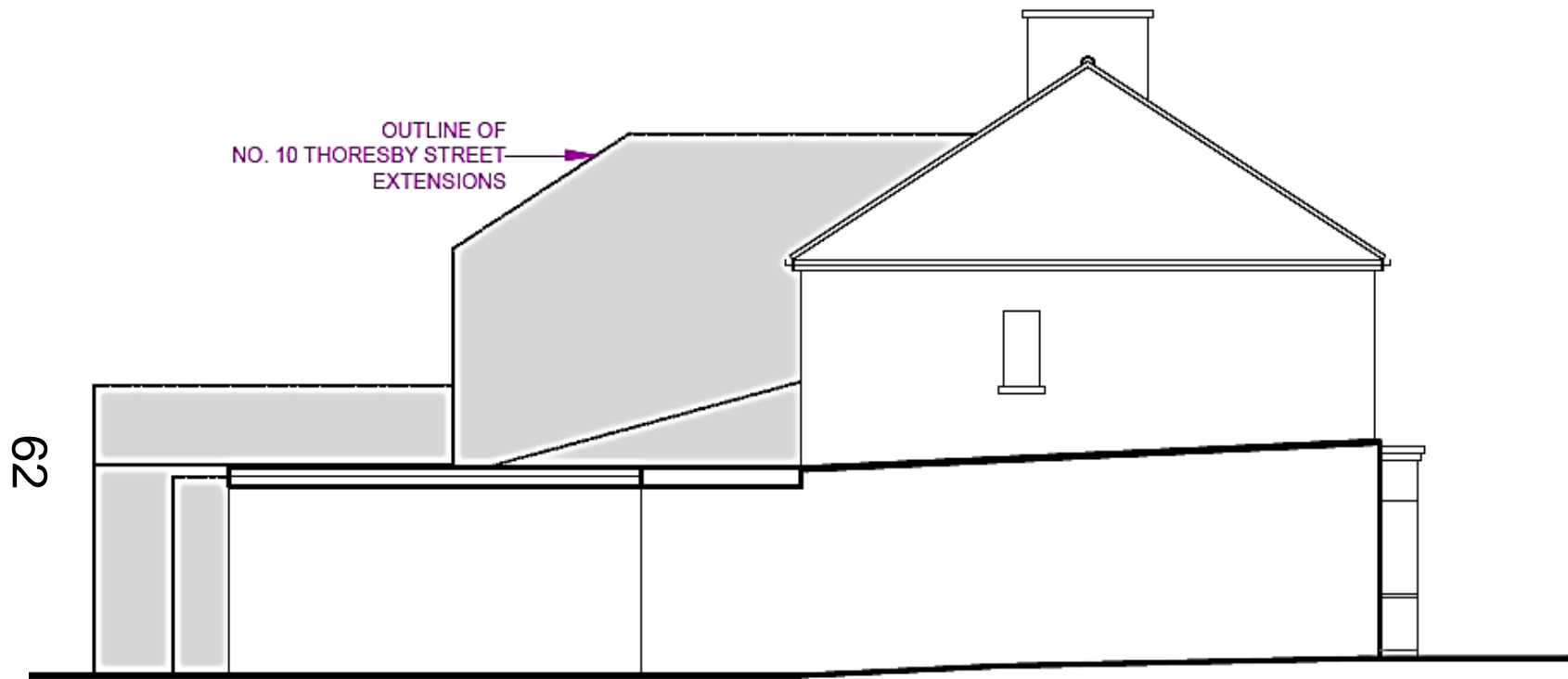


SIDE ELEVATION

SCALE 1:100

20220977

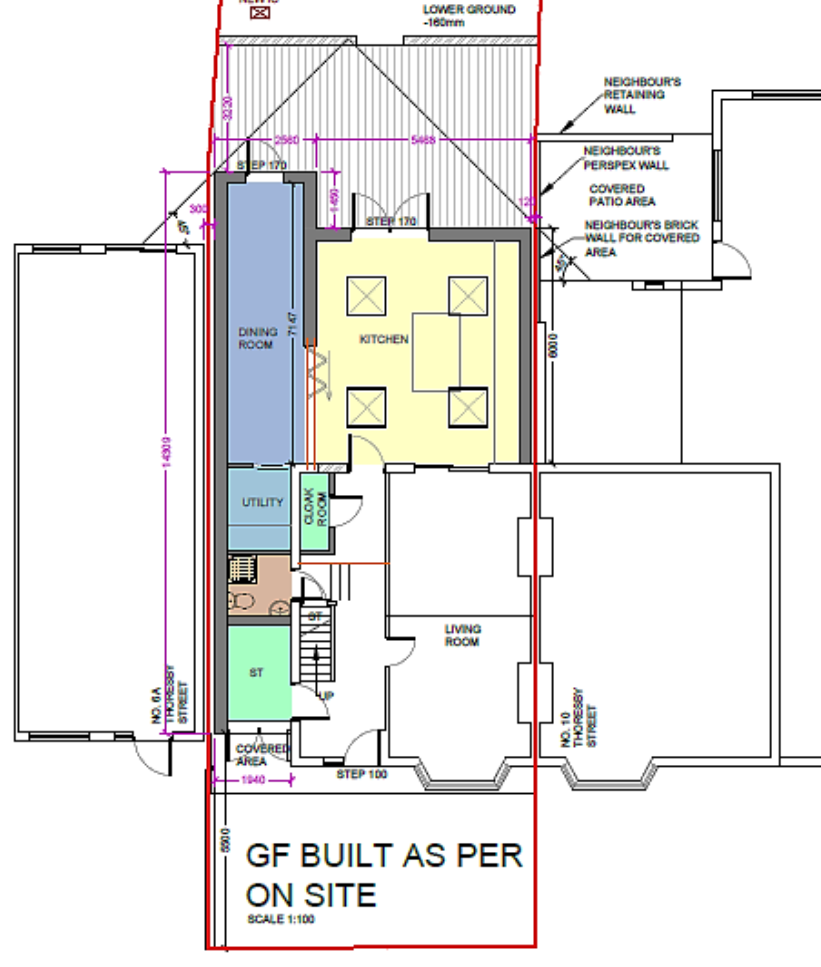
8 Thoresby Street

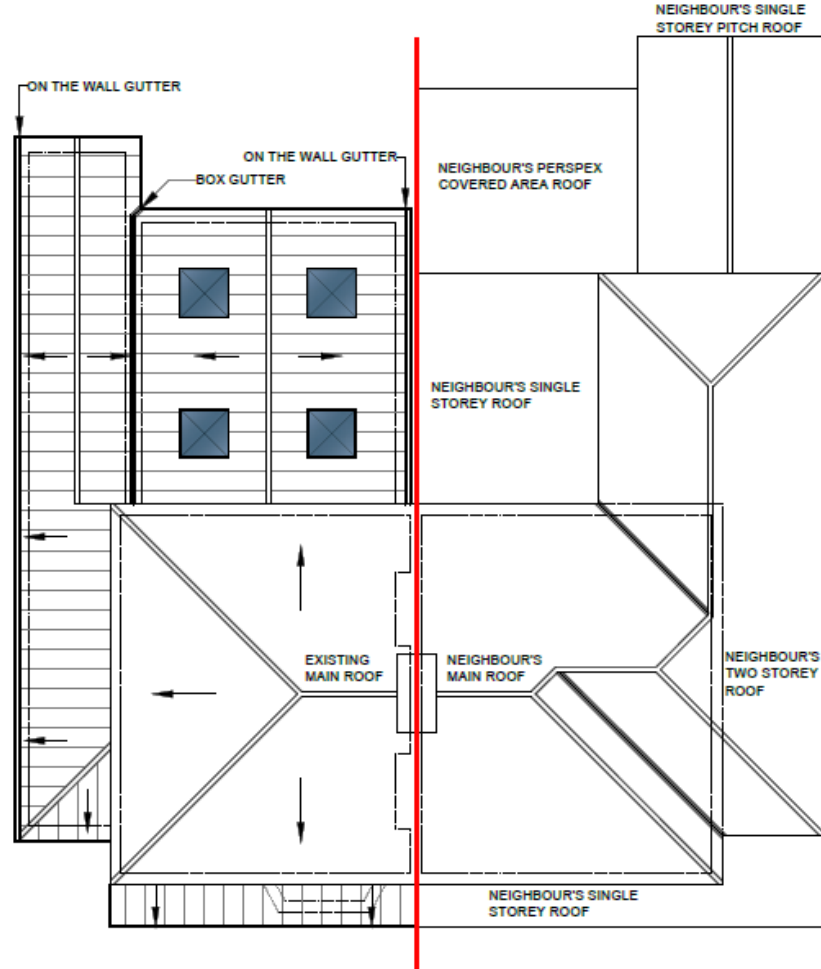


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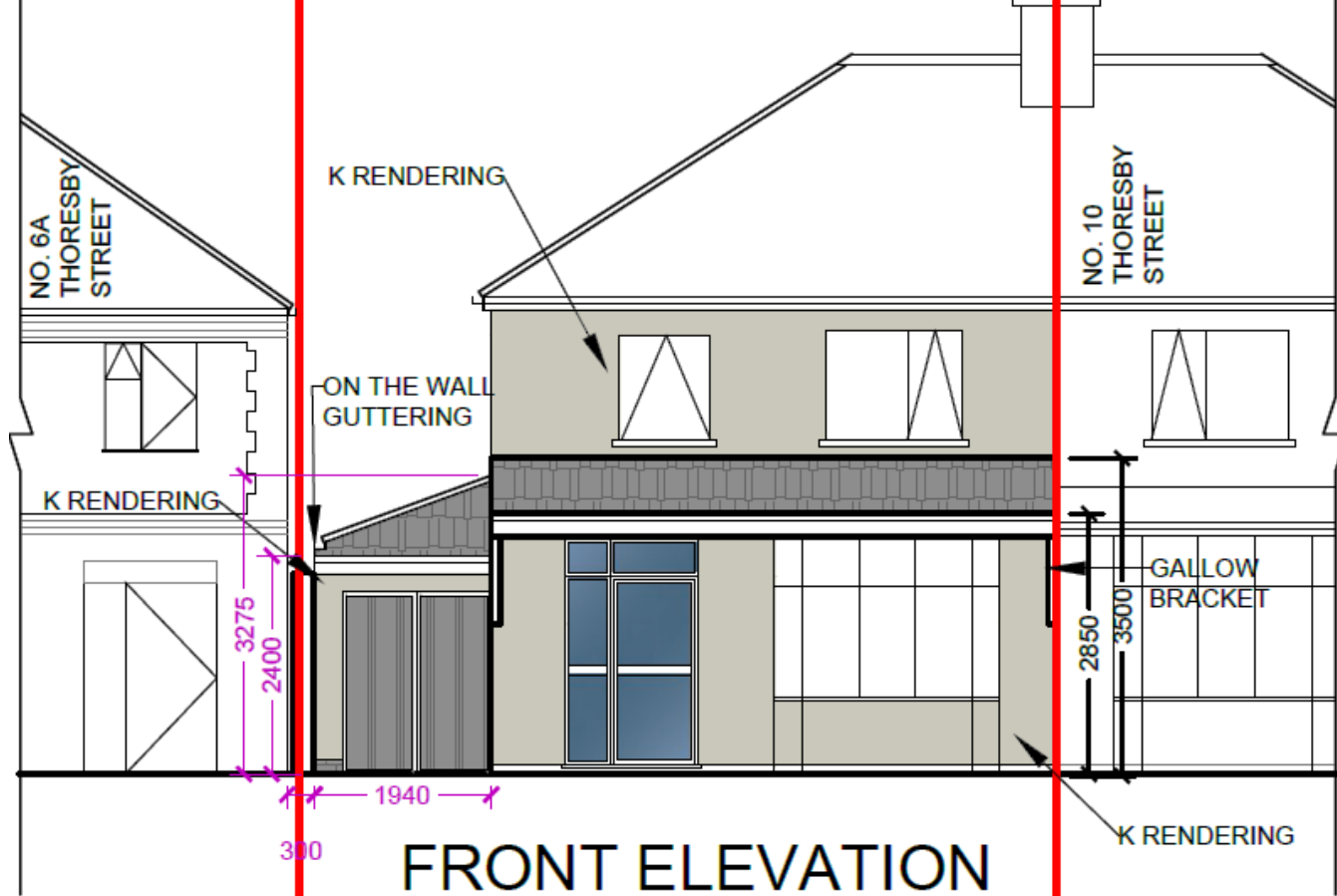
SIDE ELEVATION

SCALE 1:100





65

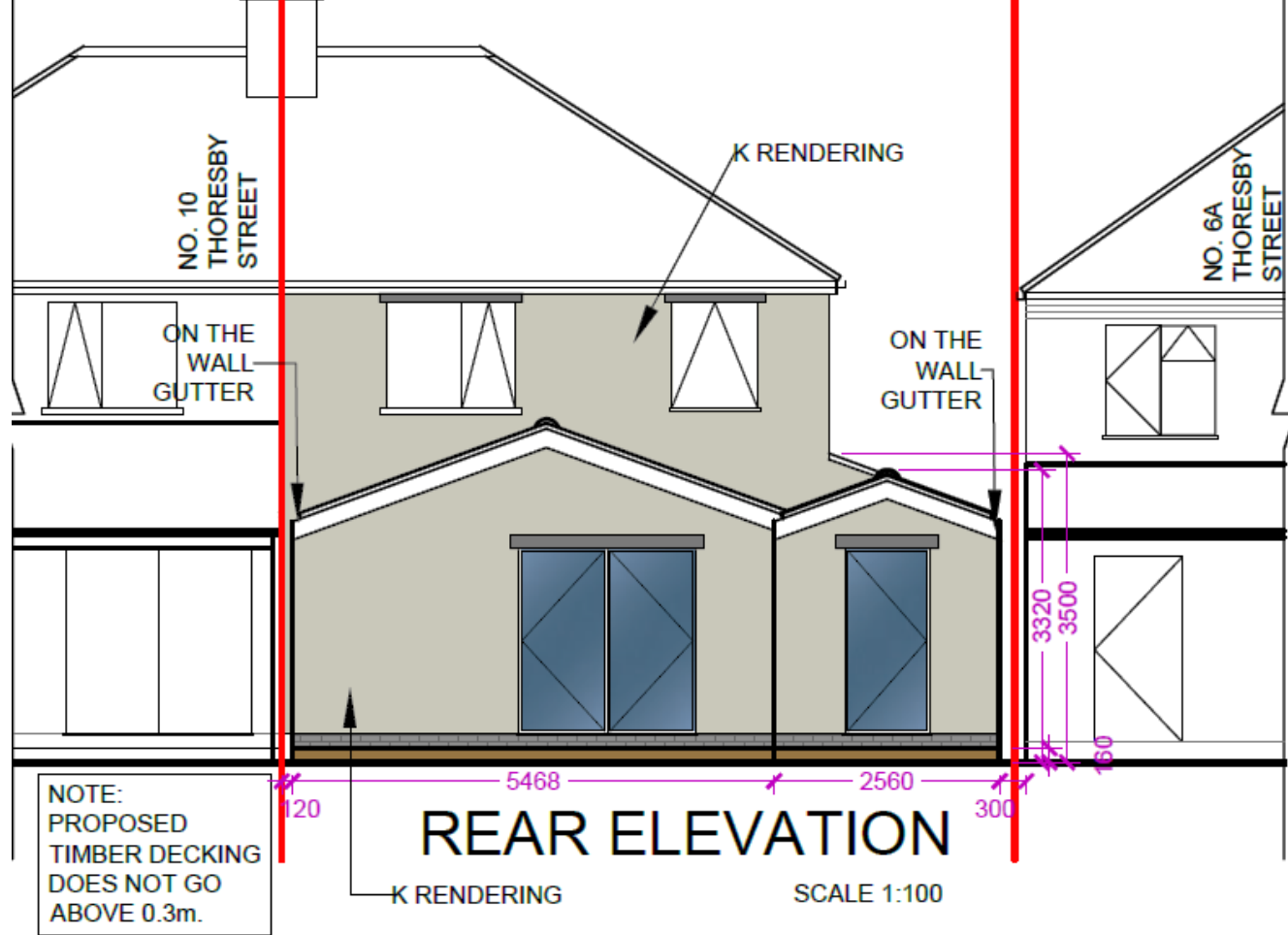


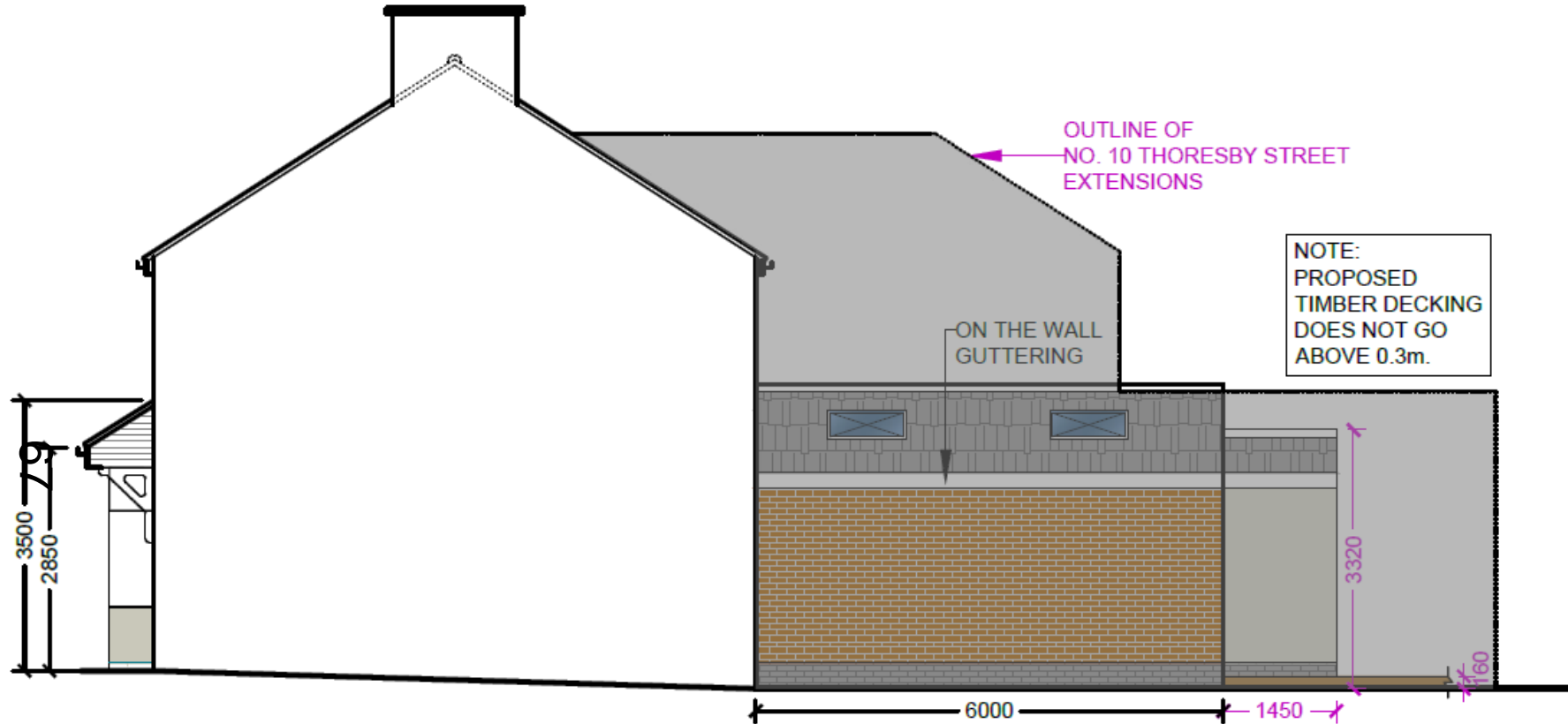
FRONT ELEVATION

SCALE 1:100

20220977

8 Thoresby Street



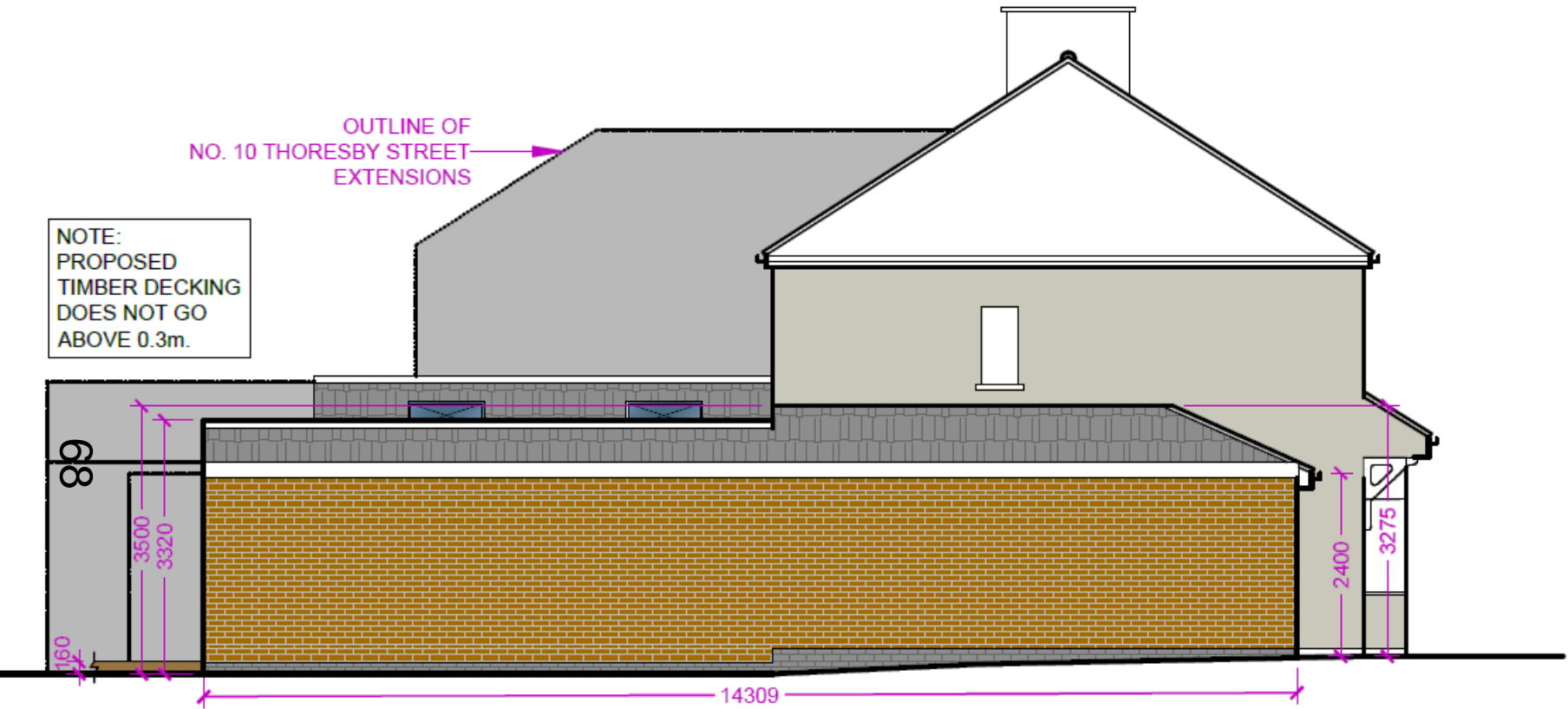


SIDE ELEVATION

SCALE 1:100

OUTLINE OF
NO. 10 THORESBY STREET
EXTENSIONS

NOTE:
PROPOSED
TIMBER DECKING
DOES NOT GO
ABOVE 0.3m.



SIDE ELEVATION

SCALE 1:100

20220977

8 Thoresby Street

Slides from Applicant

Planning and Development Control Committee

Planning Application: 20220977

8 Thoresby Street, LE5 4GU

Mr & Mrs Mann

24 November 2020

Application sent to LCC
LCC property site visit

14 February 2022

Our build commenced

2 May 2022

We received letter from LCC of breach

9 May 2022

Retrospective application sent to LCC

23 November 2022

Present day

22 January 2021

LCC approved application

19 April 2022

LCC came to our property with regards to breach

3 May 2022

We called LCC for further advise

15 July 2022

LCC advised recommendation of 1.5 meter & 45°

6 weeks

9 days

13 months

9 weeks

2 weeks

1 day

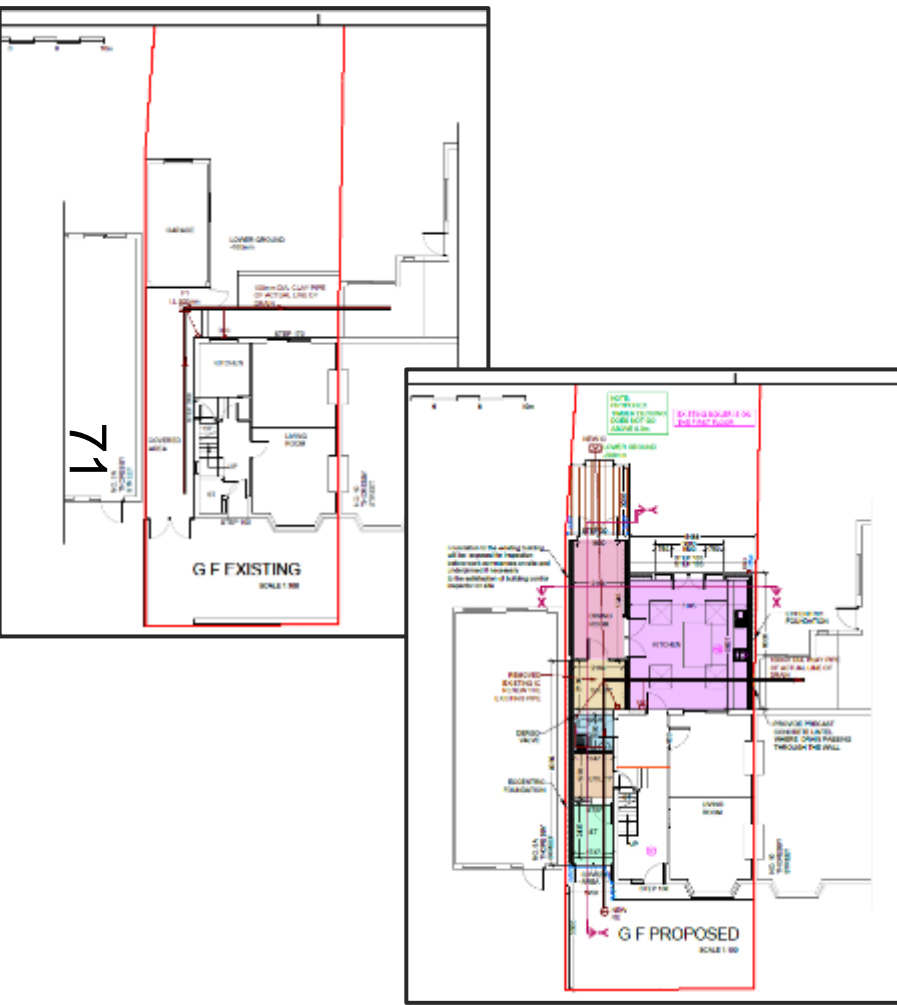
6 days

9 weeks

20 weeks

29 weeks (6 months)

Approved plans 22 January 2021



15 April 2022

Photo's taken before LCC came to our property with regards to breach on 19 April



4 May 2022

Photo's taken 2 days after receiving letter of breach from LCC.



72



Present day 21 November 2022

Present day 21 November 2022

Damages occurring due to the weather. Exposed brick, wooden beams and concrete.



73

No.10 Letter

10 Thoresby St
LE5 4GU
LEICESTER
Neatdoor Neighbour

21 November 2022

To whom it may Concern

We are writing to confirm that we have no objections in 8 THORESBY ST with their building of their extension. We didn't object before they started and won't in the future.

We are not thinking of moving from here anytime as this is our forever home.

Yours faithfully

Mr & Mrs MOTA

P.S. Please do Contact us for further information

9 Uppingham Close

20221285

P&DCC 23rd November 2022

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UPPINGHAM CLOSE

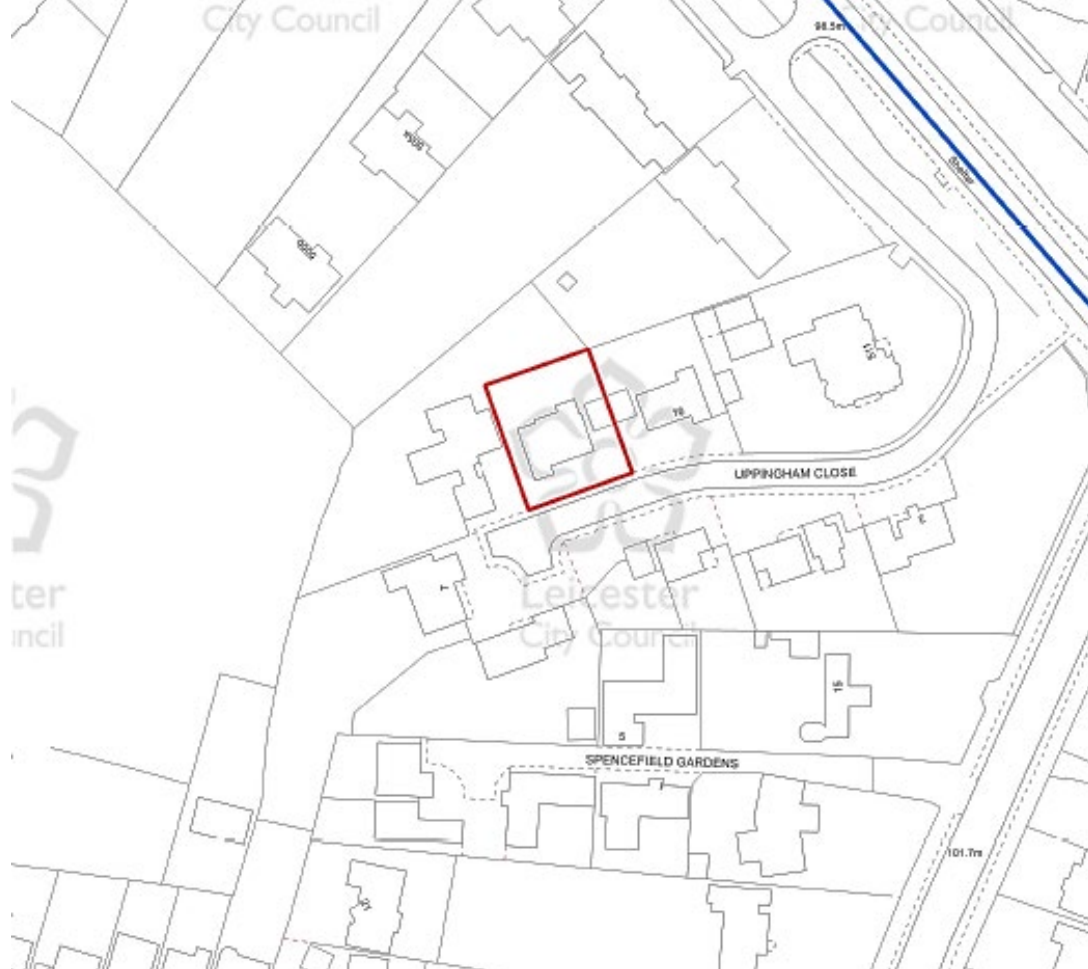
SPENCEFIELD GARDENS

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Copyright Leicester C.C. Licence 100019264 2019

CLICK - 3D VIEW

20221285
9 Uppingham Close



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Photo of front of 9 Uppingham Close

20221285
9 Uppingham Close

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Photo of rear of house taken from rear garden of 8 Uppingham Close

20221285
9 Uppingham Close

79



Photo of rear of house showing side of 8 Uppingham Close

20221285
9 Uppingham Close



Photo showing rear of 9 Uppingham Close

20221285
9 Uppingham Close



Photo of rear of 9 Uppingham Close and rear of garage to side

20221285
9 Uppingham Close



Photo of side elevation of 9 Uppingham Close taken from first floor hallway at 8 Uppingham Close

20221285
9 Uppingham Close

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Photo of side elevation of 9 Uppingham Close taken from first floor bedroom at 8 Uppingham Close

20221285
9 Uppingham Close





Photo of side of neighbouring 8 Uppingham Close



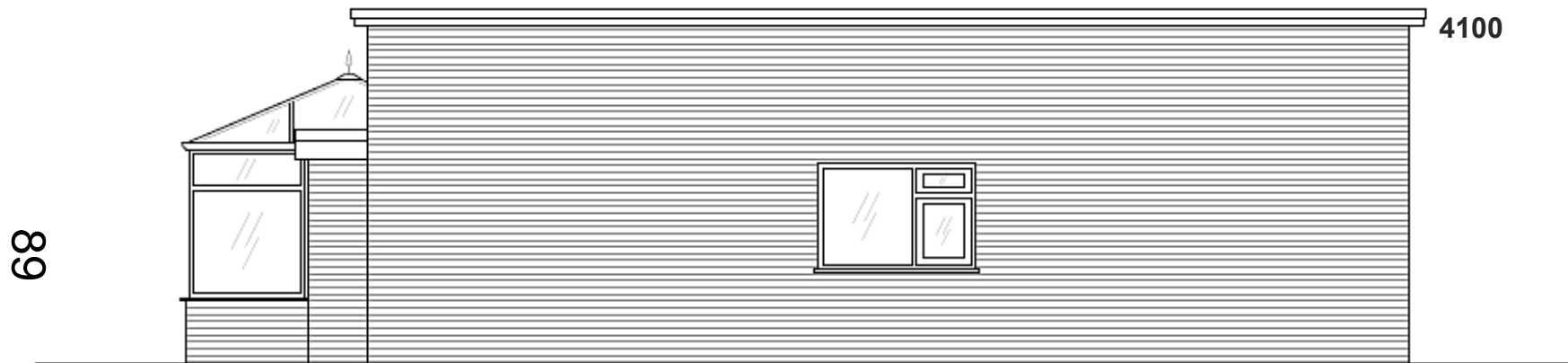
Photo of side of neighbouring 8 Uppingham Close

20221285
9 Uppingham Close



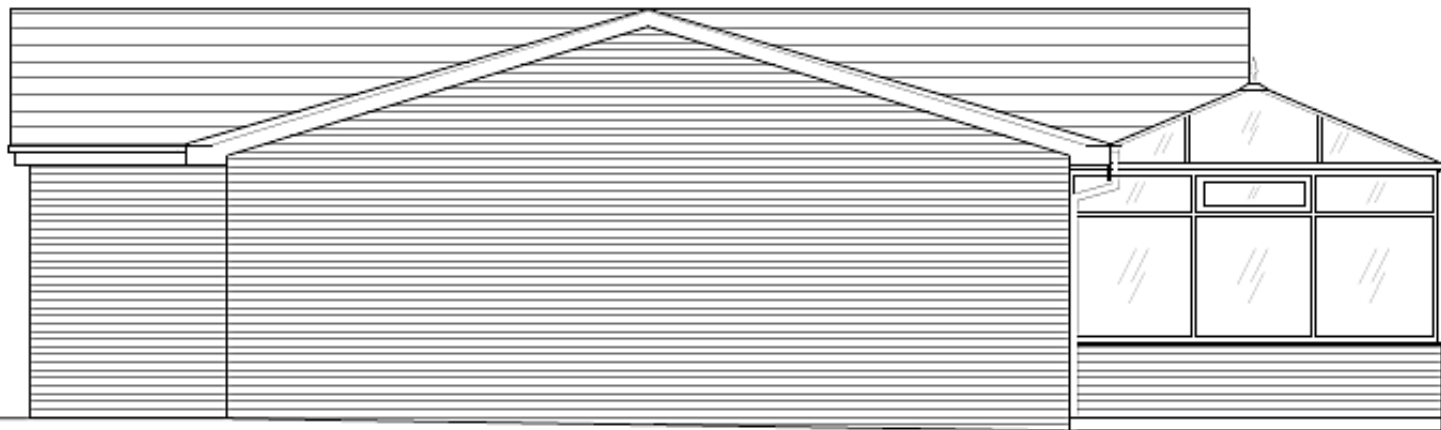


Existing Front Elevation



Existing Side Elevation

06



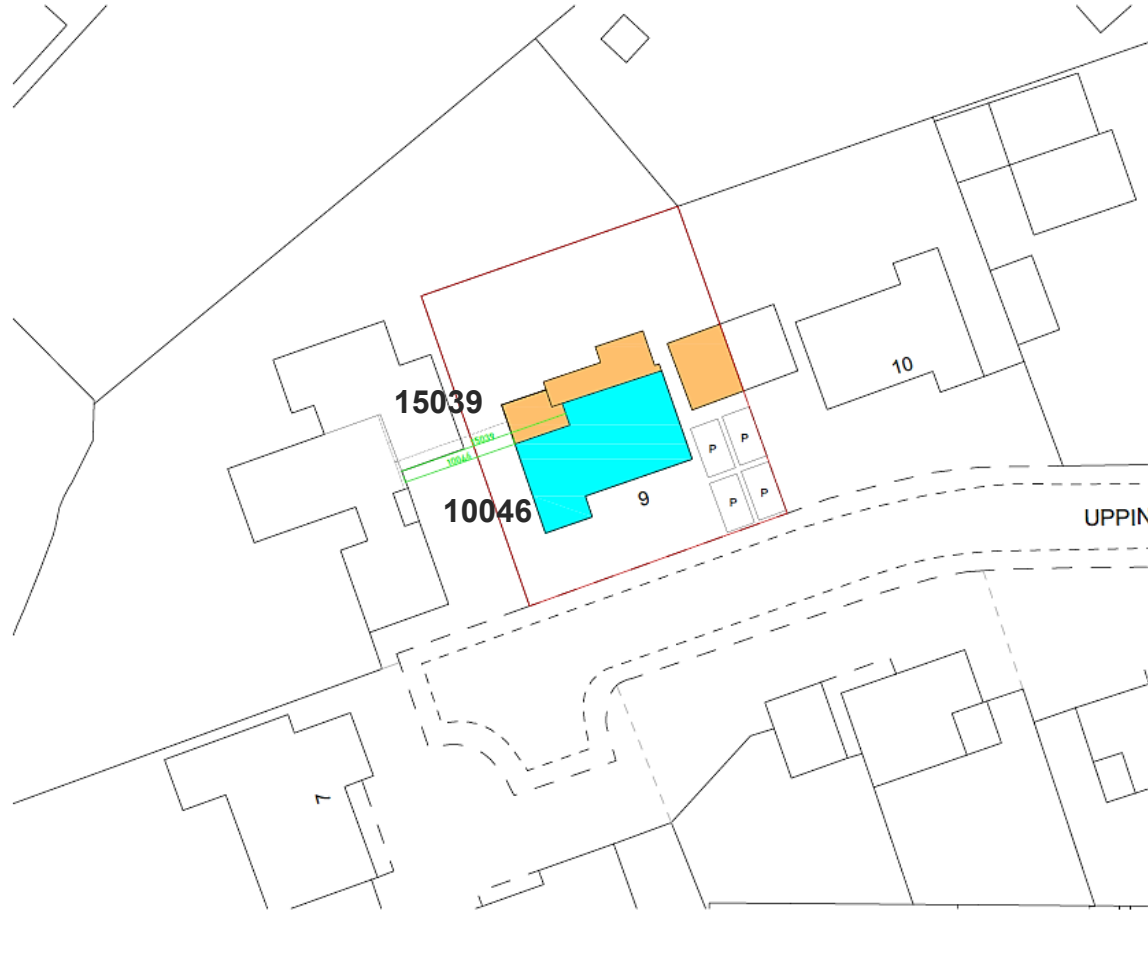
Existing Side Elevation

91

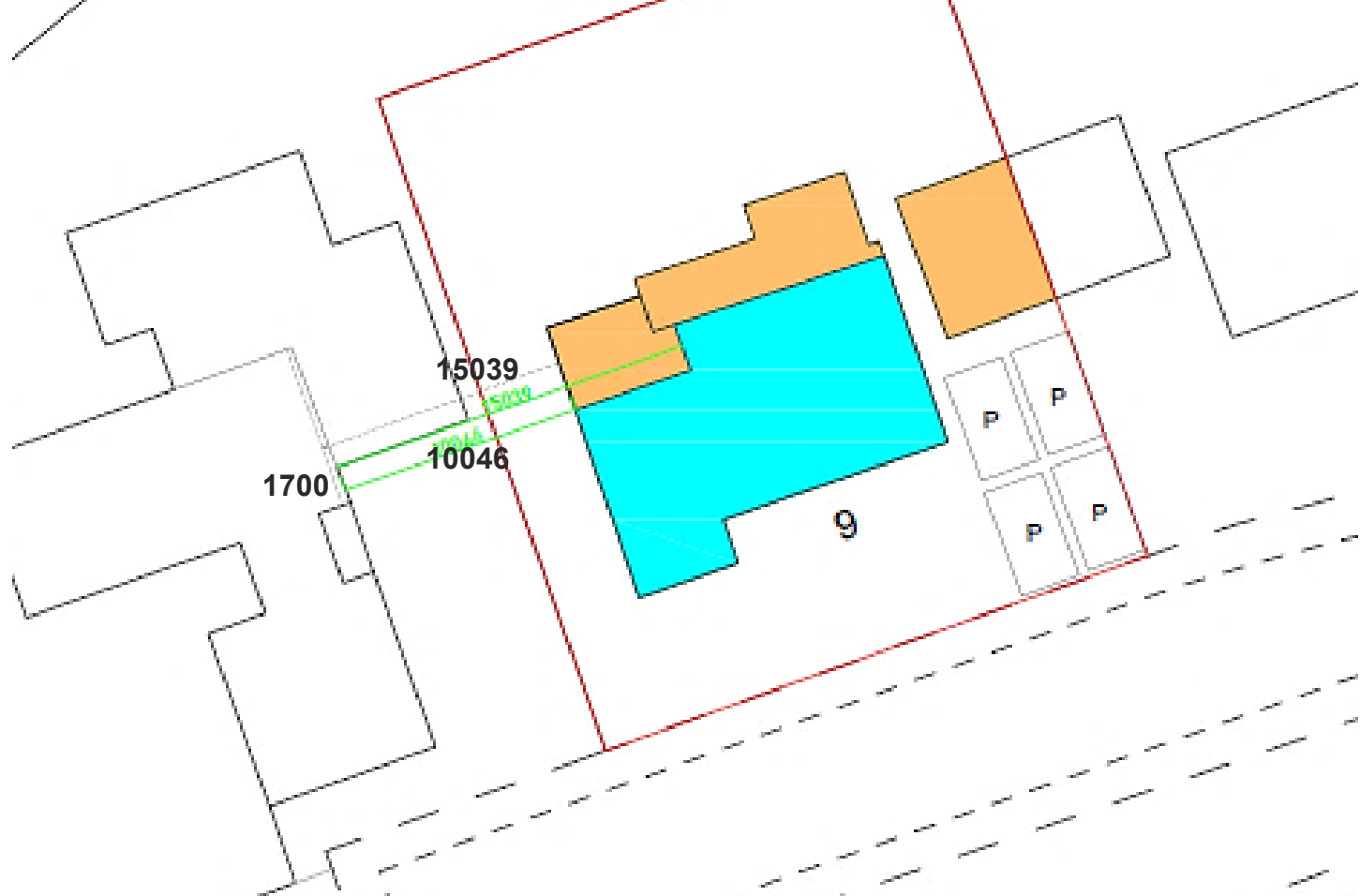


Existing Rear Elevation





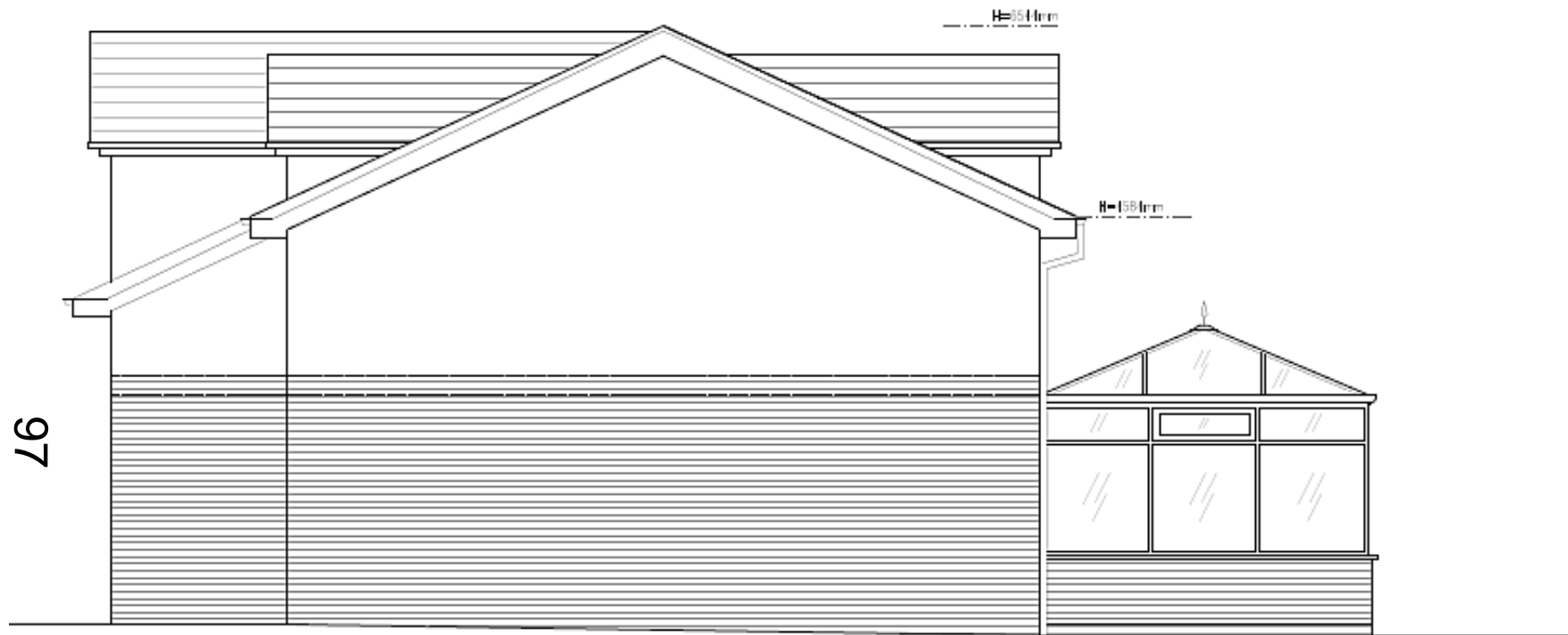
94



95



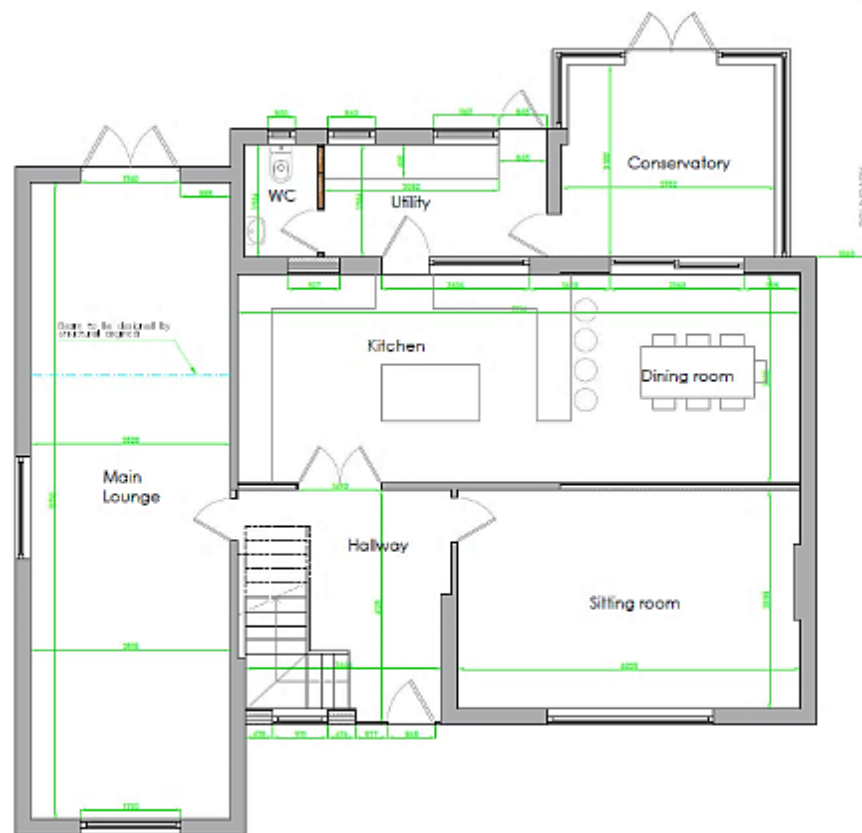
Proposed Front Elevation



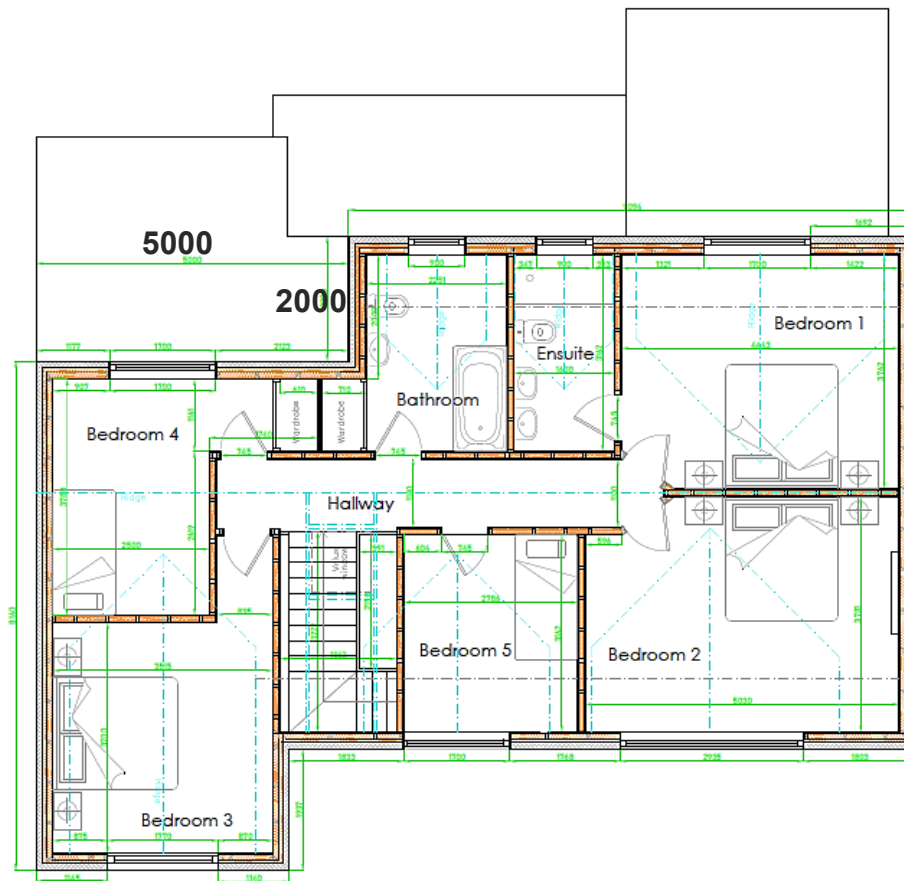
Proposed Side Elevation



Proposed Rear Elevation



Proposed Ground Floor



Proposed First Floor

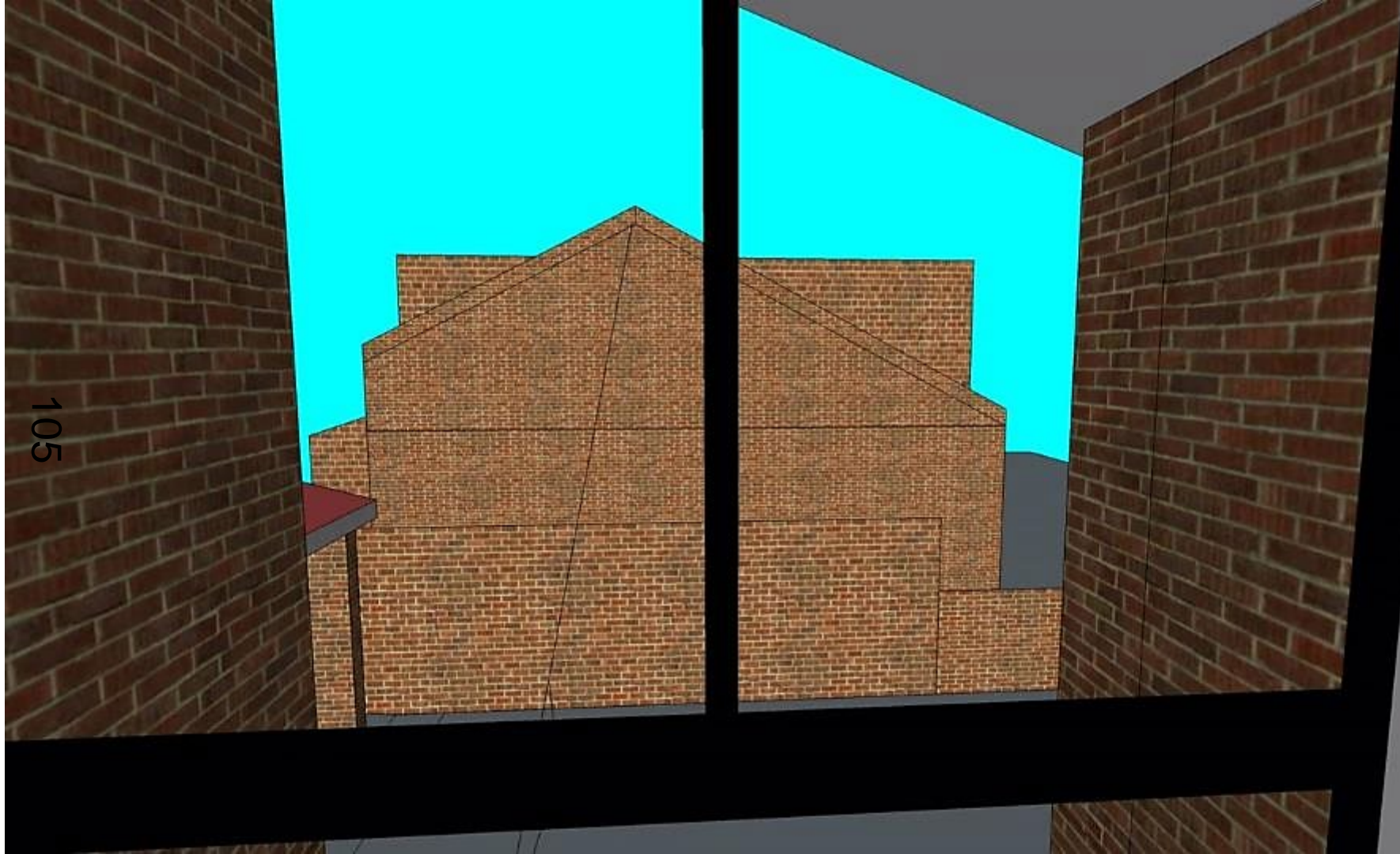
Slides from Objector



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22a Staveley Road

20221334

23rd November 2022

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Coach and
Horses
(PH)

HOLLINGTON ROAD

STAVELEY ROAD

Factory

Warehouse

CLICK - 3D VIEW

20221334
22a Staveley Road



Looking west
down driveway
from Staveley
Road.

22 Staveley
Road on left.

24 Staveley
Road on right.



Looking east down
driveway towards
Staveley Road.

22 Staveley Road
on right.

24 and 26 Staveley
Road on left.

109

20221334

22a Staveley Road



Looking east, from middle of site, towards rear of houses on Staveley Road.



Looking north
from near
southern
boundary of site.
The houses in
the middle are
on Chesterfield
Road. The
houses on the
right are on
Staveley Road.

20221334

22a Staveley Road



The northern end of the site.

The houses on the left are on Kedleston Road.

The houses in the middle are on Chesterfield Road.

113

Looking west from
where driveway
ends.

On the left are
houses on Hollington
Road.

In the middle is
Evington Community
Centre.

On the right is the
existing single
storey buildings on
the site (first with
pitched roof, then
with flat roof).

20221334

22a Staveley Road



Looking
towards rear of
houses on
Hollington
Road from
middle of site.

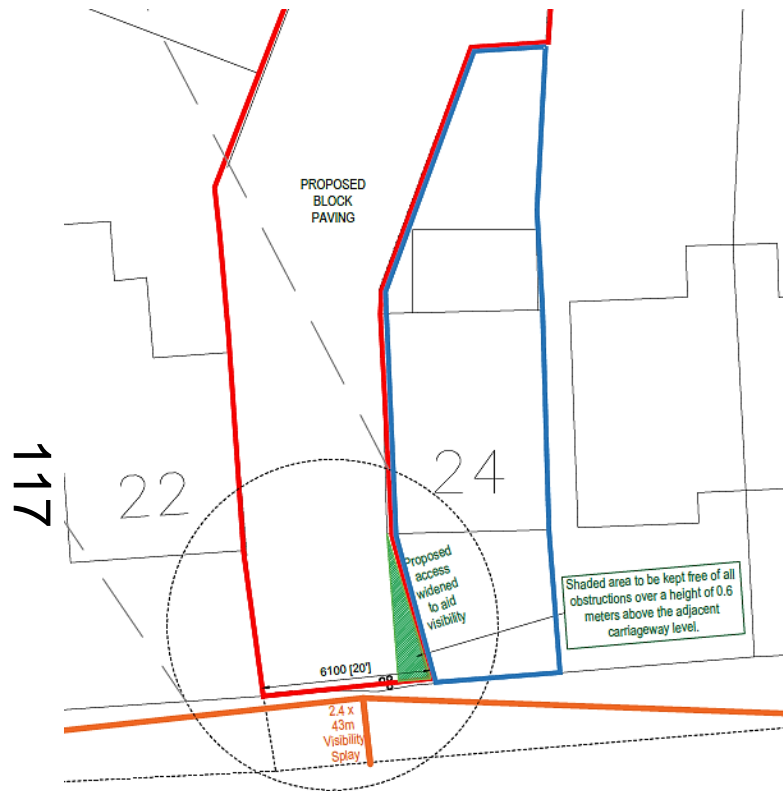


Location plan showing application site in red and 24 Staveley Road with blue edge (in ownership of applicant).

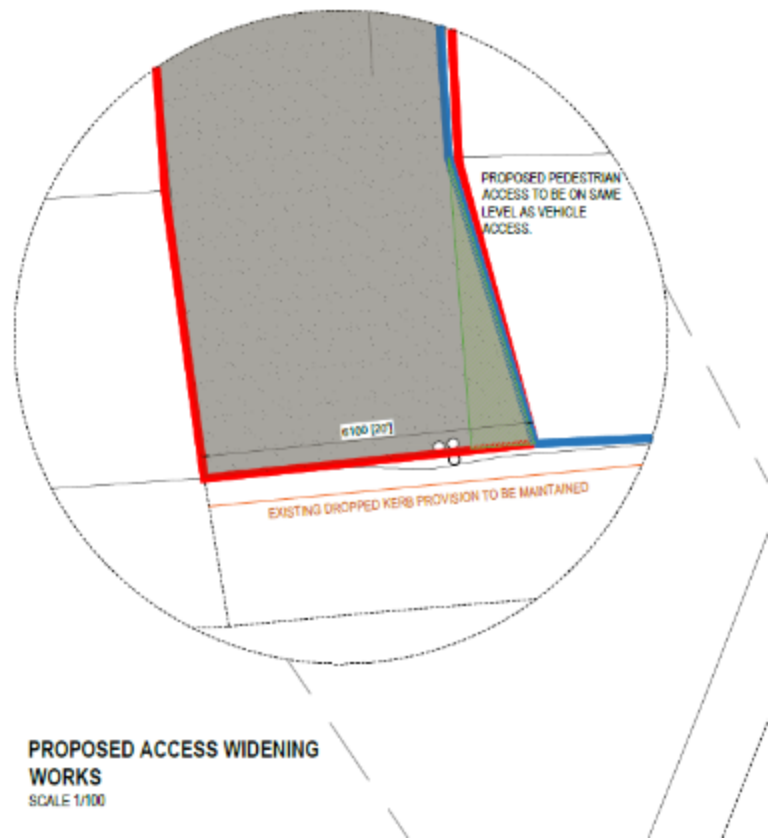
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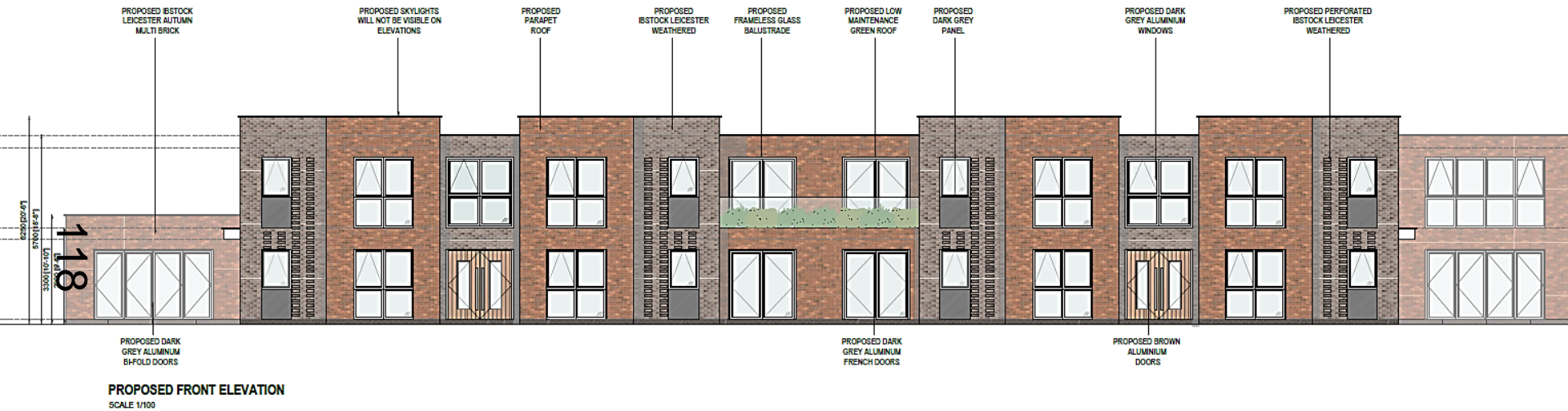
20221334

22a Staveley Road



Access – showing widening





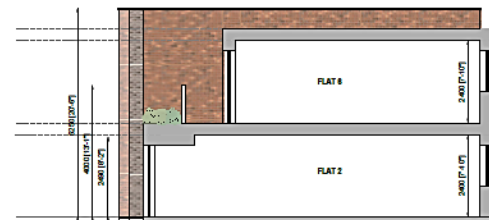
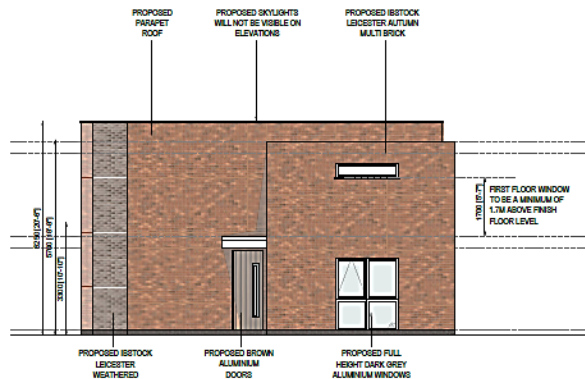
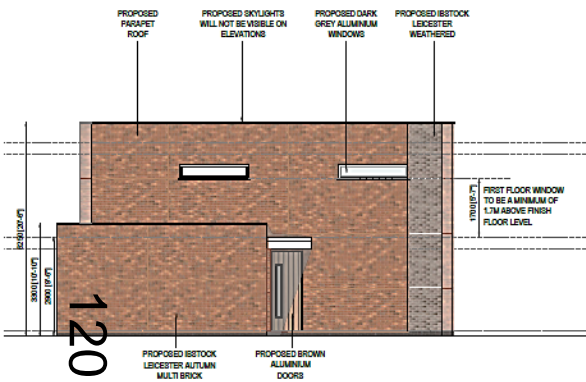
Front elevation



PROPOSED REAR ELEVATION

SCALE 1/100

Rear elevation



From left to right - South Elevation, North Elevation,
Section for middle of block with balconies and green
roof on roof of ground floor

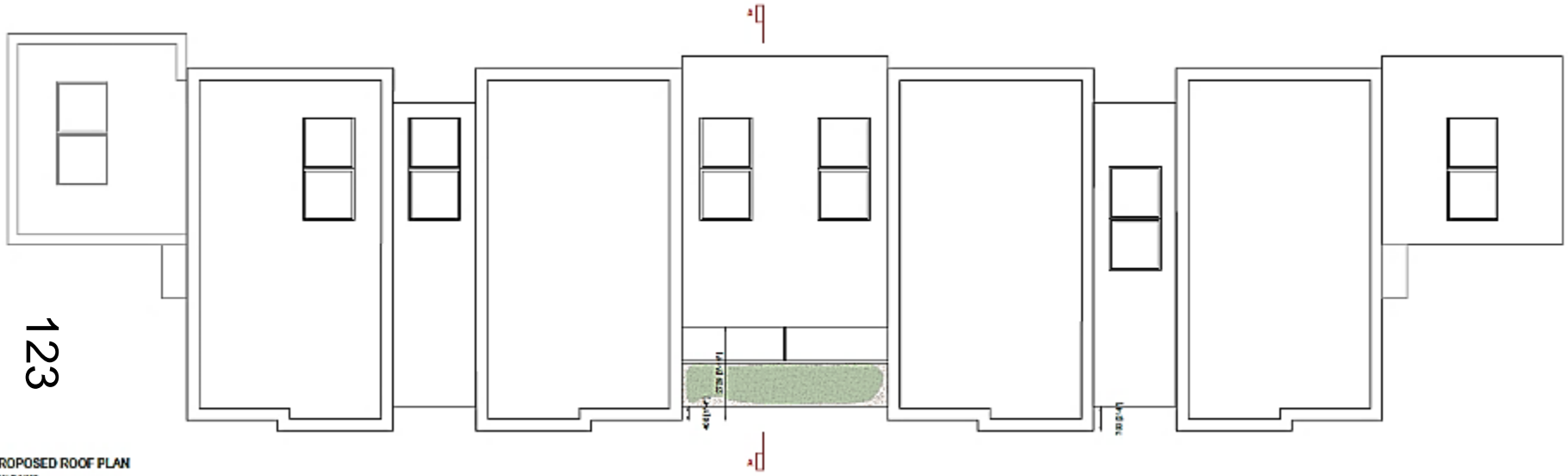


Ground floor plan

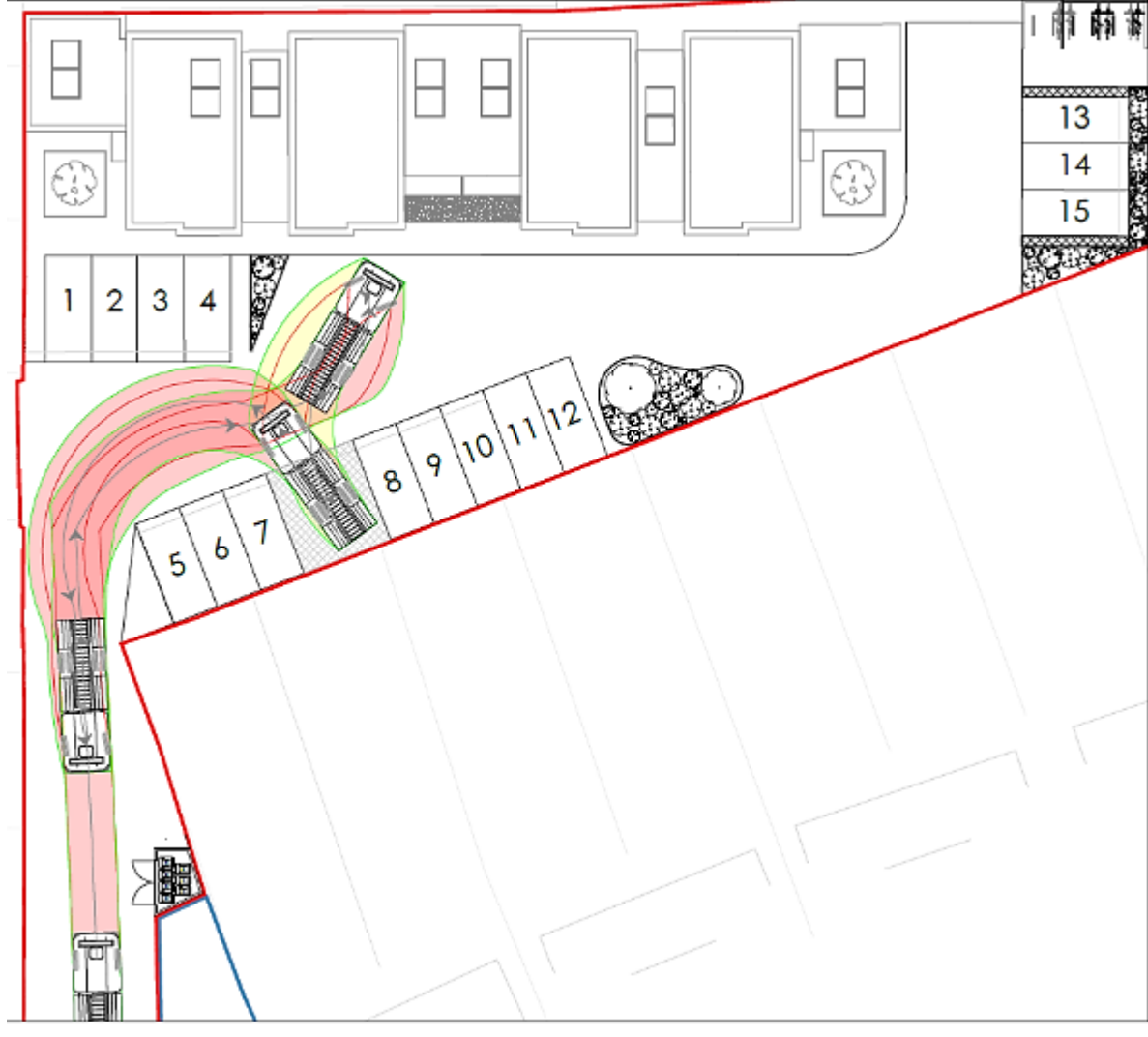


PROPOSED FIRST FLOOR PLAN
SCALE 1/100

First floor plan



Roof plan



**Vehicle
tracking
for Fire
Appliance**

87 Kincaple Road

20221993

P&DCC 23rd November 2022

125





CLICK - 3D VIEW

20221993
87 Kincaple Road



Front Elevation

20221993
87 Kincaple Road

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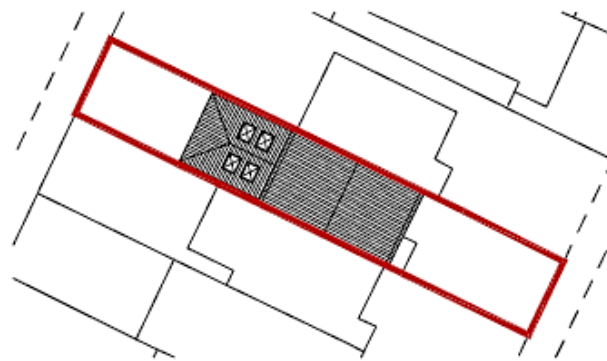
Numbers 71 to 83

20221993
87 Kincaid Road

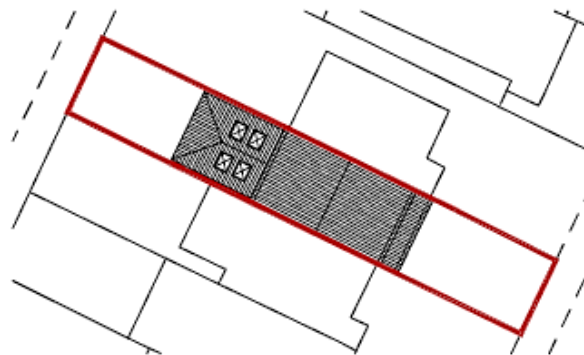


Numbers 89 to 93

20221993
87 Kincaple Road



EXISTING SITE PLAN



PROPOSED SITE PLAN

Scale 1:500 0 2 4 10 20m

GENERAL NOTES

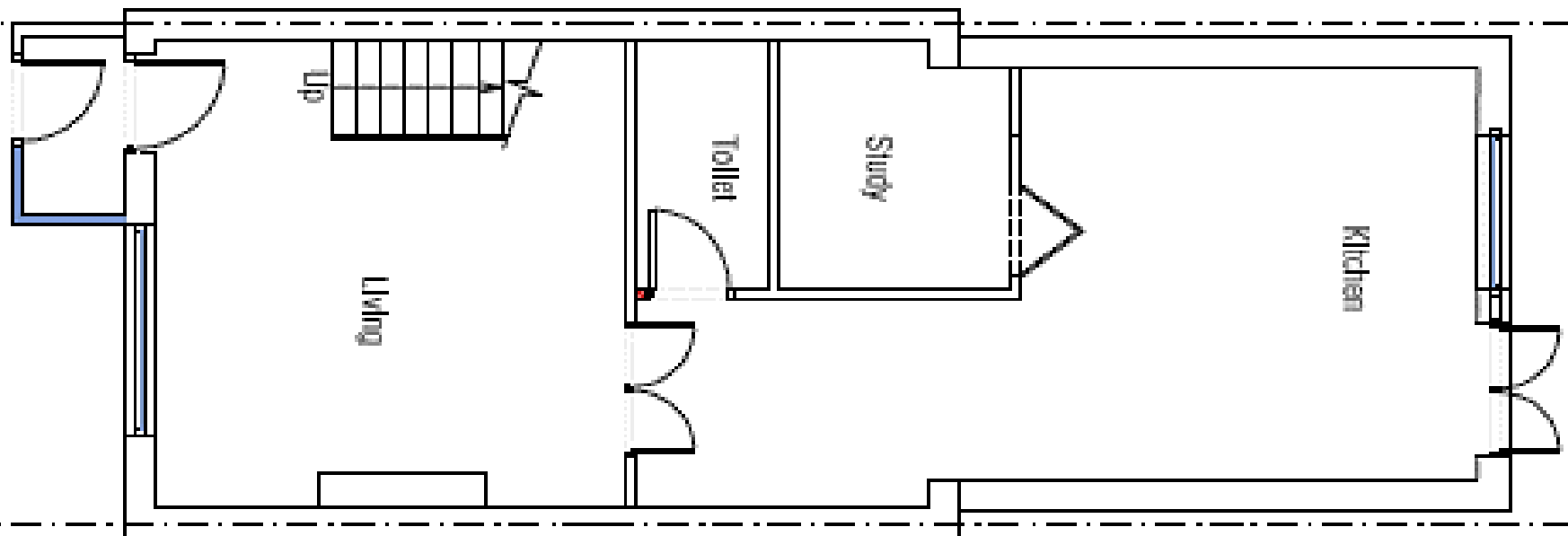
Do not scale from this drawing.

This drawing has been prepared solely for planning purpose only.

A	Particulars	11.10.2020
No.	Description	Date
arc hitecture 365 +447983399940 Architecture365 Ltd contact@architecture365.co.uk www.architecture365.co.uk 30 Lynwood Road Leicester LE5 1HA Project 87 KINCAPLE ROAD LE4 7YD		
Drawing Title EXISTING AND PROPOSED SITE PLAN		
Drawing No. PLAT A306	Rev A	
Scale @ A3	1:500	

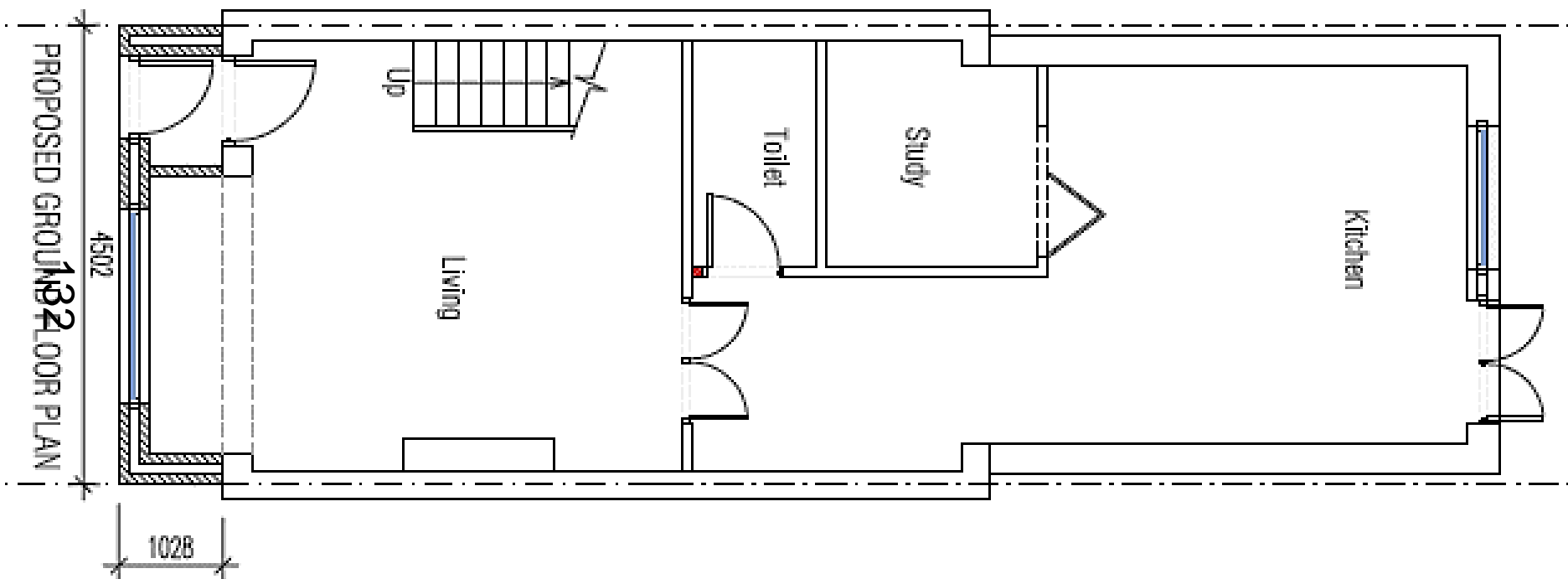
EXISTING GROUND FLOOR PLAN

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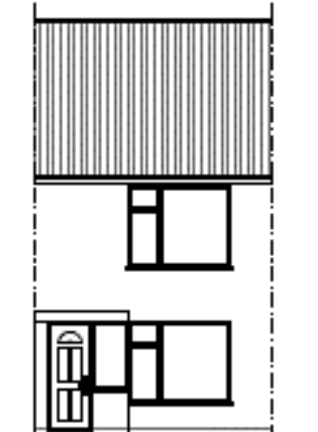
Existing floor plan

20221993
87 Kincaple Road



Proposed floor plan

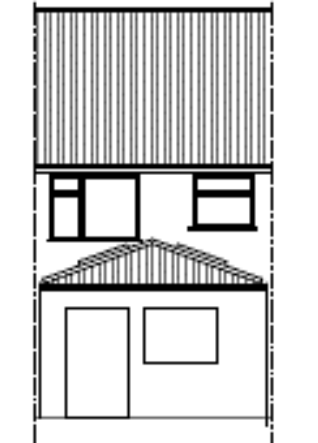
20221993
87 Kincaple Road



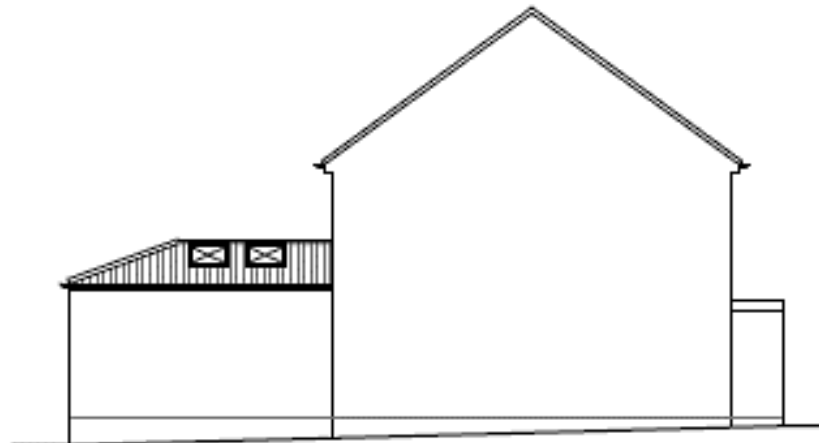
EXISTING FRONT ELEVATION



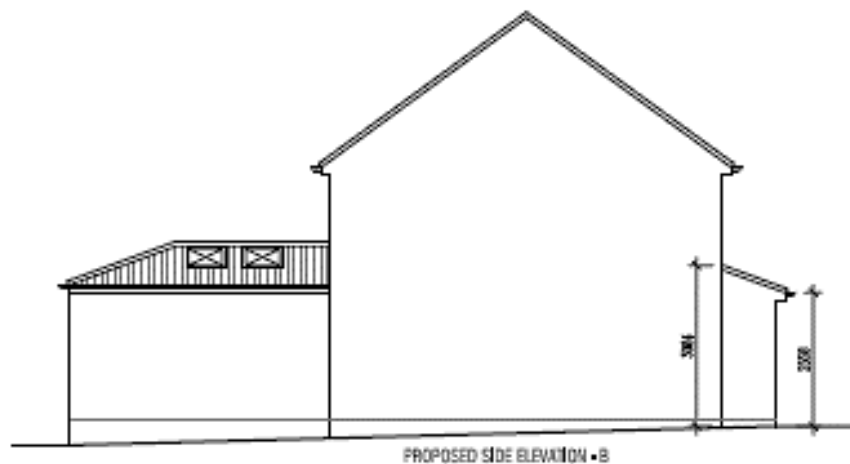
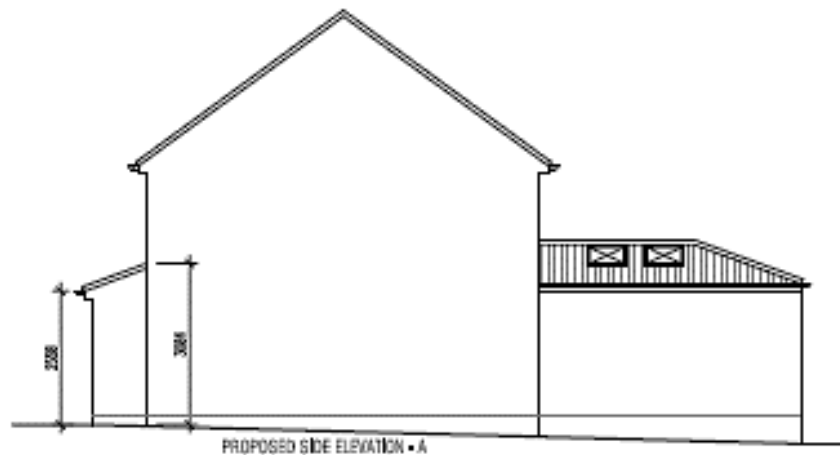
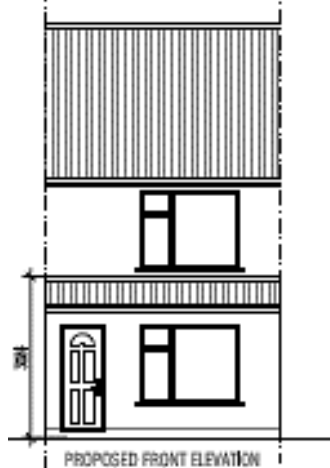
EXISTING SIDE ELEVATION - A



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION - B



Objector Slides



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