

Leicester
City Council

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

DATE: WEDNESDAY, 15 APRIL 2026

TIME: 5:30 pm

**PLACE: Meeting Rooms G.01 and G.02, Ground Floor, City Hall,
115 Charles Street, Leicester, LE1 1FZ**

Members of the Committee

Councillor Surti (Chair)

Councillor Dr Moore (Vice-Chair)

Councillors Agath, Chauhan, Cole, Joel, Kennedy-Lount, Kitterick,
Modhwadia, Mohammed and Singh Patel

Members of the Committee are summoned to attend the above meeting
to consider the items of business listed overleaf.

For Monitoring Officer

Officer contact:

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PUBLIC SESSION

AGENDA

NOTE:

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1. Apologies for Absence

2. Declarations of Interest

Members will be asked to declare any interests they may have in the business to be discussed on the Agenda.

Members will be aware of the Code of Practice for Member involvement in Development Control decisions. They are also asked to declare any interest they might have in any matter on the committee agenda and/or contact with applicants, agents or third parties. The Chair, acting on advice from the Monitoring Officer, will then determine whether the interest disclosed is such to require the Member to withdraw from the committee during consideration of the relevant officer report.

Members who are not on the committee but who are attending to make representations in accordance with the Code of Practice are also required to declare any interest. The Chair, acting on advice from the Monitoring Officer, will determine whether the interest disclosed is such that the Member is not able to make representations. Members requiring guidance should contact the Monitoring Officer or the Committee's legal adviser prior to the committee meeting.

3. Minutes of the Previous Meeting

Appendix A

Members will be asked to confirm that the minutes of the meeting of the Planning and Development Control Committee held on 25 March 2026 are a correct record.

4. Planning Applications and Contraventions

Appendix B

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.

(i) **20242042 - 122a Western Road**

Appendix C

(ii) **20252035 - 83 Laverton Road**

Appendix D

(iii) **20251959 - 4 Burnaston Road**

Appendix E

(iv) **20260077 - 12 Goodwood Road, St Josephs
Church Presbytery**

Appendix F

5. Any Other Urgent Business



Leicester
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Item 3

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: Wednesday, 25 March 2026 at 5:30 pm

P R E S E N T :

Councillor Surti (Chair)
Councillor Dr Moore (Vice Chair)

Councillor Agath
Councillor Chauhan
Councillor Joel

Councillor Kennedy-Lount
Councillor Kitterick
Councillor Modhwadia

Councillor Mohammed

1 Apologies for Absence

There were no apologies of absence.

2 Declarations of Interest

Members were asked to declare any interests they had in the business on the agenda.

All members mentioned they were contacted regarding the application 20251436, but maintained they have an open mind on the application.

There were no declarations of interest.

3 Minutes of the Previous Meeting

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held 4 March 2026 be confirmed as a correct record.

4 **Planning Applications and Contraventions**

5 **20251436 - Stoughton Drive and North of Gartree Road**

Ward: Evington

Proposal: Development of a 72no. bed care home (Use Class C2), together with associated communal and care facilities, means of access, parking, hard and soft landscaping, diverted public right of way and all other supporting infrastructure including attenuation basin (amended plans received)

Applicant: Morrison Community Care (Leicester) Propco Limited

The Planning Officer presented the report.

Ashwin Mistry, Jeevan Thandi and Nadir Khan-Juhoor addressed the Committee and spoke in support of the application.

Dr Harai Virdee addressed the Committee and spoke against the application.

Councillor Joannou addressed the Committee and spoke for the application.

Councillor Alam of Oadby Grange Ward addressed the Committee and spoke against the application.

Members of the Committee considered the report and Officers responded to the comments and questions raised.

The Chair summarised the application and points raised by Committee Members and moved that the application be refused. This was seconded by Councillor Mohammed, and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was refused

REASONS FOR REFUSAL

1. The site is located in the designated Green Wedge which has scored highly in the Council's latest evidence, and the proposal does not meet any of the exception criteria outlined in saved policy GE06 of the Leicester Local Plan, nor Core Strategy policy CS13. Furthermore, the proposal would fail to accord with emerging Local Plan policy OSSR01. As such the proposal is unacceptable in principle and contrary to the Development Plan.

NOTES FOR APPLICANT

1. The City Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application advice was given during the application process and in earlier pre-applications. Notwithstanding that advice the City Council has determined this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. As the proposal was clearly

unacceptable and could not be reasonably amended it was considered that further discussions would be unnecessary and costly for all parties.

6 20250928 - Heacham Drive

Ward: Abbey

Proposal: Erection of 60 dwellings, with access, open space, drainage, landscaping, and associated infrastructure (Amended Plans)(S106 Agreement)

Applicant: Barratt David Wilson Homes North Midlands

The Planning Officer presented the report.

Ellie Dukes addressed the Committee and spoke in support of the application.

Members of the Committee considered the report and Officers responded to the comments and questions raised.

The Chair summarised the application and points raised by Committee Members and moved that the application be approved subject to the conditions noted in the addendum. This was seconded by Councillor Dr Moore, and upon being put to the vote, the outcome was nine in favour, one abstention, therefore the motion was CARRIED.

RESOLVED: Approved subject to addendum and section 106

CONDITIONS

1. Prior to the commencement of development a Habitat Management and Monitoring Plan (HMMP) to set out the management of all the proposed biodiversity enhancements in accordance with the submitted DEFRA Metric and prepared in accordance with a Biodiversity Gain Plan, shall be submitted to and approved in writing by the local planning authority. The HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- a) Description and evaluation of the features to be managed;
- b) Ecological trends and constraints on site that may influence management;
- c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
- d) Description of the management operations necessary to achieving aims and objectives;
- e) Preparation of a works schedule, including annual works schedule;
- f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
- g) Details of the persons responsible for the implementation and monitoring;
- h) Mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
- i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain

Within six months of the practical completion of the final dwelling, the habitat creation and enhancement works set out in the approved HMMP shall be completed, and a completion report evidencing the completed habitat enhancements has been submitted to and approved in writing by the Local

Planning Authority. The residential garden for each individual dwelling shall be created prior to the occupation of the corresponding dwelling.

The development shall thereafter be undertaken in accordance with the approved HMMP. All habitat creation, management and monitoring measures shall be fully implemented and maintained for no less than 30 years following completion of the habitat works.

Notice in writing shall be given to the Local Planning Authority when the HMMP works have started. Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

(To enhance biodiversity, and in accordance with paragraph 187 of the National Planning Policy Framework, paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Core Strategy policy CS17. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

2. 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.)
3. The proposed Parallel Cycle and Zebra Crossing, as presented generally on the S278 GA - Pedestrian Access off Heacham Drive drawing no. H7666 contained at Appendix B of the ADC Infrastructure Transport Statement Blackbird Road Phase 2 dated 13/05/2025, shall be implemented prior to occupation of the 50th dwelling (In the interests of pedestrian and cycle connectivity, highway safety, and accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
4. No part of the development shall be occupied until the 2 metre by 2 metre sight lines on each side of each vehicular access have been provided, and they shall be retained thereafter. (In the interests of the safety of pedestrians and other road users, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
5. All street works shall be constructed in accordance with the Leicester Street Design Guide, June 2020. (To achieve a satisfactory form of development, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
6. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a 'New Residents Travel Pack'. The contents of this shall be similar to that as approved under discharge of condition application 20222144, and which shall be submitted to and approved in writing by the local planning authority. The pack shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. (In the interest of sustainable development and in accordance with saved policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy).

7. Prior to first occupation, the electric charging points (one per dwelling) shall be provided in accordance with guidance in the Leicester City Council's Air Quality Action Plan. All charging points shall be retained and kept available for use by electric vehicles thereafter. (In the interest of sustainable development and in accordance with policy CS14 of the Core Strategy.)
8. Before the occupation of the development the parking spaces shown on the approved plans shall be provided and shall be retained for vehicle parking. (To secure adequate off-street parking provision, and in accordance with saved policy AM12 of the City of Leicester Local Plan.)
9. Prior to the commencement of development, notwithstanding the information already submitted as part of this application, a Construction Method Statement, with consideration being given to ecology, highway safety, the water environment and flood risk management, shall be submitted to and approved in writing by the local planning authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (i) temporary construction access;
 - (ii) the vehicle and pedestrian temporary access arrangements including the parking of vehicles of site operatives and visitors;
 - (iii) the loading and unloading of plant and materials;
 - (iv) the storage of plant and materials used in the development;
 - (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (vi) wheel washing facilities;
 - (vii) measures to control the emission of dust and dirt during construction;
 - (viii) a scheme for storage and management (including recycling and disposing) of waste resulting from excavation and construction works
 - (ix) the proposed phasing of development and a detailed description of the works in each phase
 - (ix) procedures to ensure flood risk is managed on site during the period of works for personnel, plant and members of the public
 - (x) the procedures to ensure flood risk is not increased anywhere outside of the site for the duration of the works;
 - (xi) the procedures to ensure pollution and sedimentation is minimised to any adjacent watercourse and the procedure to be used in case of a pollution incident;
 - (xii) the measures that will be undertaken to ensure the structure of any adjacent watercourse is not impacted by the proposed development.
 - (xiv) a list of all works to be carried out in the highway and arrangements to facilitate these works, including temporary traffic management plan/s and permits, licences and TTROs required.
 - (xiii) (To ensure the satisfactory development of the site, and in accordance with policies AM01 and UD06 of the City of Leicester Local Plan and Core Strategy policies CS02 and CS03.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
10. No construction work, other than unforeseen emergency work, shall be undertaken outside of the hours of 0730 to 1800 Monday to Friday, 0730 to 1300 Saturday or at any time on Sundays or Bank Holidays, unless the methodology has been submitted to the City Council Noise and Pollution Control Team. The

- methodology must be submitted at least 10 working days before such work commences and agreed, in writing, by the City Council Noise and Pollution Control Team.
- i. The City Council Noise and Pollution Control Team shall be notified of any unforeseen emergency work as soon as is practical after the necessity of such work has been decided by the developer or by anyone undertaking the works on the developer's behalf.
 - ii. (In the interests of the amenities of nearby occupiers, and in accordance with saved policy PS10 of the City of Leicester Local Plan.)
11. Prior to the commencement of development a Dust Management Plan shall be submitted to, and approved in writing, by the Local Planning Authority. The development must be carried out in accordance with the details to be approved. (In the interests of the amenities of nearby occupiers and in accordance with Core Strategy policy CS02.) (To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
12. Prior to the commencement of development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved by the local planning authority. No property shall be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
13. Prior to the commencement of development details of drainage, shall be submitted to and approved by the local planning authority. No property shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
14. Prior to the commencement of any above ground works, a detailed landscape management plan (LMP) showing the treatment and maintenance of all parts of the site which will remain unbuilt upon shall be submitted to and approved in writing by the local planning authority. This scheme shall include details of: (i) other surface treatments; (ii) fencing and boundary treatments, including details of any entrance gates; (iii) any changes in levels; (iv) the position and depth of service and/or drainage runs (which may affect tree roots), (In the interests of amenity, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17).

15. No development shall take place until a badger mitigation strategy has been submitted to and agreed in writing by the local planning authority for the specified activity/development as outlined in the ecology report (Ecological Appraisal Report revision A (FPCR, May 2025)).(To comply with the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat and Species Regulations 2017 and policy CS17 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition
16. No dwelling shall be occupied until the mitigation measures as identified in Section 8 of the Acoustic Assessment (December 2025, 26838-ENV-0401 Rev B by MEC) have been installed. (In the interests of the amenities of the occupants of the new dwellings, and in accordance with saved policy PS10 of the City of Leicester Local Plan.)
17. Prior to the commencement of development above ground level, full design details of energy efficiency and renewable energy measures as outlined in the Sustainable Energy Statement Blackbird Road Phase 3 dated July 2025 shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until evidence demonstrating satisfactory operation of the approved scheme including on-site installation has been submitted to and approved in writing by the Local Planning Authority. The installations shall be retained and maintained thereafter. (In the interests of carbon reduction and energy efficiency and in accordance with Core Strategy policy CS02.)
18. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement or other alteration to any dwelling house of types specified in Part 1, Classes A, C and E of Schedule 2 to that Order shall be carried out without express planning permission having previously been obtained. (Given the nature of the site, the form of development is such that work of these types may be visually unacceptable or lead to an unacceptable loss of amenity to occupiers of neighbouring properties or to future residents; and in accordance with saved policy PS10 of the City of Leicester Local Plan).
19. All dwellings shall be constructed in accordance with the "Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement" of the Building Regulations Part M. Three units (as specified in the application) shall be constructed to M4(3) standards. On completion of the scheme and prior to the occupation of the development a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the local planning authority certifying compliance with the above standard. (To ensure the development enables access for all and is adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS06).
20. Notwithstanding the approved plans, prior to the commencement of any above ground works, a materials schedule for the development shall be submitted to and approved in writing by the local planning authority. All materials for use on

the buildings and surface treatments/ landscaping shall be provided, including the product and manufacturer specification. The materials shall be in broad accordance with the specifications submitted as part of the application.

- B. Prior to the commencement of any above ground works a sample panel shall be constructed on site in accordance with the approved drawing reference H7666-101 A, showing all external materials including bricks, brick bonds, mortar colour, tiles, weatherboard and render for inspection and approval in writing by the local planning authority. Any additional brick types not shown on the main sample panel will need to be submitted on a 1sqm sample panel, with one panel for each additional coloured brick, showing any detailing if applicable. The sample panel(s) shall be submitted with detailed drawings of the sample panels and a confirmation photograph. The development shall be constructed in accordance with the approved sample panel and materials. (In the interests of visual amenity and character and appearance of the area and in accordance policy CS03 of the Core Strategy and saved policy UD06 of the City of Leicester Local Plan.)

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

H6894-012 - Master Management Plan Rev C
H7666-02 - Blackbird Road Location Plan Rev B
LDG2 H8 DS02 - GARAGES 6 x 3m Double Garage
LSG1 H8 DS02 - GARAGES 6 x 3m Single Garages
N0018079-1 - Gas Layout
EN0018079-1 - Electric Layout
H6894-205-01 - Water Layout
H7666-201 - North Crossing point
H7666-501 - Roads and Sewers AFU Proposed Retaining and Underbuild Rev A
2010-DET-214 - 900mm Post and Rail
2010-DET-216 - 450mm Knee Rail
DB-SD13-006 B - Close Boarded Fence
6783-E-02 - Proposed Habitats
GL2468 SP 01 - Landscape Specification, received by the Local Planning Authority on 9 June 2025

DB-SD13-004_E - Boundary Wall Type 1, received by the Local Planning Authority on 12 June 2025

TBC - Kestrel CAT 2 - Contemporary - Plot 343 - Plans and Elevations Rev B

CKST LTHD DS00 - Kestrel - Plans and Elevations Rev B
TBC - Nightjar CAT 2 - Contemporary - Plots 317, 318 - Plans and Elevations Rev B
CNJR LTHD DS00 Nightjar - Plans and Elevations Rev B

YRAM LTHE - Ramsey (End) - TF - Plans and Elevations Rev B
CRED X0HE - Redpoll CAT 2 - Contemporary - Plots 362, 363 - Plans and Elevations Rev B
CRED X0HE - Redpoll (Maidstone) - Plans and Elevations Rev B
CRSH X0GE - Redshank (Moresby) CAT 2 - Render - Plots 369 - Plans and Elevations Rev B
CRSH X0GE - Redshank (Moresby) CAT 2 - Weatherboarding - Plot 336 - Plans and Elevations Rev B
CRSH X0GE - Redshank (Moresby) - Plans and Elevations Rev B
YB50 X0HE - YB50 (Type 50) - Plans and Elevations Rev B
YB42 X0HE - YB52 (Type 52) Rev B
YB55 L0GE - YB55 (Type 55) Rev B
TBC - Ancona CAT 2 - Render - Plots 331, 332 - Plans and Elevations Rev B

TBC - Ancona CAT 2 - Render - Plots 350, 351 - Plans and Elevations Rev B

TBC - Ancona CAT 2 - Weatherboarding - Plots 319, 320, 344, 345 - Plans and Elevations Rev B

TBC - Bittern CAT 2 - Render - Plots 310, 328, 329 - Plans and Elevations Rev B

TBC- Bittern CAT 2 - Weatherboarding - Plots 316, 342, 361, 364 - Plans and Elevations Rev B

CDUN L0GE - Dunnock (Kenley) - Plans and Elevations Rev B

TBC - Fallow CAT 2 - Contemporary - Plot 337 - Plans and Elevations Rev B

CFLW LTHD DS00 - Fallow - Plans and Elevations Rev B

CHBY X0GE - Hobby (Kingsville) - Plans and Elevations Rev B

ZHLM X0HD - Holm - Plans and Elevations Rev B, received by the Local Planning Authority on 26 June 2025

H7666/05 - Street Scenes Rev D

H7666-100 - Section and Standard Detail, received by the Local Planning Authority on 5 September 2025

H7666-500 - VEHICLE TRACKING Rev B, received by the Local Planning Authority on 6 October 2025

H766-316-02 - ROADS AND SEWERS_AFU -TYPICAL HIGHWAY CONSTRUCTION DETAILS

H7666-502-01 - VEHICLE TRACKING & VIS SPLAYS Rev C

BMH2 LTGD - Midhurst 2 M4(3) Planning Layout

GL2468 02 - Soft Landscaping Proposals Rev B, received by the Local Planning Authority on 23 October 2025

H7666-201 - Blackbird Road Ph3 Planning Layout Rev P

GL2468 01 - Soft Landscaping Proposals Rev C

H7666-505-01 - Refuse Tracking Rev D

H7666-100-01- ROADS AND SEWERS AFU -ENGINEERING LAYOUT Rev C, received by the Local Planning Authority on 19 December 2025

H7666/250 - Plot 352 Section

H7666-06 - Materials Layout Rev L, received by the Local Planning Authority on 7 January 2026

H7666 - Sample Panel Details Rev A, received by the Local Planning Authority on 23 January 2026

(For the avoidance of doubt).

NOTES FOR APPLICANT

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:
 - (a) a Biodiversity Gain Plan and Metric have been submitted to the planning authority,
and
 - (b) the planning authority has approved the plan and metric.Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.
2. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and pre-application).

The decision 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 is considered to be a positive outcome of these discussions.
3. A Badger Licence will be required from Natural England to temporarily close the Badger Sett prior to the commencement of works, to ensure that works are undertaken lawfully. A copy of this should be provided to the Local Planning Authority prior to the commencement of works.
4. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at: <https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>
5. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 PRIOR to undertaking any works on or in the highway:

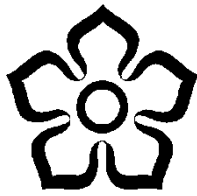
- For new road construction which will be offered for adoption as highway maintainable at public expense, the applicant must enter into an Agreement with the Highway Authority under Section 38 of the Highways Act 1980. Where these are expected to be new residential roads they shall be designed not only to be consistent with a 20mph speed limit, but shall also be controlled by a 20mph speed limit or 20mph zone by the introduction of a Speed Limit Order (SLO).
- For alterations to the existing highway, including temporary construction accesses, the applicant must enter into an Agreement with the Highway Authority under Section 278 of the Highways Act 1980. The costs associated with any temporary traffic management, licences and Temporary Traffic Regulation Orders (TTROs) which may be required to facilitate works during construction will need to be covered by the applicant.
- In all of the above, where SLOs and/or Traffic Regulation Orders (TROs) need to be introduced or changed, these shall be funded by the Applicant. The average cost of a SLO is currently in the region of £5,000, and a TRO scheme in the region of £6,500, but these costs can vary depending on the scope and complexity.

The Applicant is advised to contact highwaysdc@leicester.gov.uk for information regarding obtaining approvals, setting up Agreements and/or to discuss the requirements to enable the processing of SLOs and TROs.

6. With regards to the Travel Pack the contents of the pack are intended to raise the awareness and promote sustainable travel, in particularly for trips covering local amenities. The applicant should contact highwaysdc@leicester.gov.uk for advice.
7. Please note it is a criminal offence to kill, injure or disturb protected species and their habitat in accordance with the Wildlife and Countryside Act (1981) as amended and The Habitat & Species Regulations (2010). If during the demolition a protected species is found, work must cease immediately and a suitably qualified ecologist or Natural England be contacted.

7 Any Other Urgent Business

There being no other urgent business the meeting closed at 18.57pm.



Leicester
City Council

Wards:
See individual reports.

Planning & Development Control Committee

Date: 15 April 2026

REPORTS ON APPLICATIONS, CONTRAVENTIONS AND APPEALS

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.

- 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.

- 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. Other reasonable arrangements for inspecting application documents can be made on request by e-mailing 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).

Item 4a

COMMITTEE REPORT

20242042	122a - 182 Western Road	
Proposal:	Construction of four and six storey block of 46 apartments (29 x 1bed, 17 x 2bed) (Class C3) (amended plans)	
Applicant:	Mr Mitchell	
App type:	Operational development - full application	
Status:	Smallscale Major Development	
Expiry Date:	5 March 2026	
WJJ	TEAM: PM	WARD: Westcotes



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Summary

- The application is to be determined by the planning committee due to the number of objections received.
- A total of 18 objections have been received.
- The objections raise concern regarding residential amenity, character and appearance, precedent for similar development, highways and parking matters, ecology and anti-social behaviour.
- The main issues are: the character and appearance of the area, the impact on the residential amenity of neighbours, the residential amenity of residents, and the impact on highway safety and parking.
- The application is recommended for approval subject to conditions.

The Site

The site is within an urban area characterised by terraced house and blocks of flats.

The site is within an area with an Article 4 Direction. This removes the Permitted Development Right to convert a dwelling (Class C3) to a HiMO (Class C4).

There are trees just outside the site to the north on a piece of land between the site and the Upperton Road and also to the east of the site, along the Great Central Way.

The site is within an area with a Regulation 7 Direction. This restricts signs such as estate agent 'for sale' & 'for rent' signs.

To the west along Upperton Road is the Grade II Listed former Narborough Road School. To the east are some structures on the Local Heritage Asset Register (LHAR); 2 Upperton Road (The Old Railway Shed) and two former Great Central Railway bridges over the River Soar.

The site is next to a Local Wildlife Site along the Great Central Way.

With regards to flooding from Main River (MR), Ordinary Watercourse (OW) and Surface Water (SW) sources, the site is mostly in Flood Zones 1 (less than 1 in 1000 year risk) and so has a very low risk of flooding from these sources. A small part of the site and part of the pavement and carriageway of Western Road are within SW Flood Zone 2 with an estimated risk of flooding from SW sources of between 1 in 100 and 1 in 1000 year. That area is therefore at a moderate risk of flooding from surface water.

The site is next to an Air Quality Management Area (AQMA).

Background

122a Western Road

20121228 – Change of use from light industrial (Class B1) to martial arts studio (Class D2) – Approved.

122a-182 Western Road

There is a lengthy planning history for this site. Unfortunately, for most applications, limited file information is retained. It is therefore difficult to ascertain exactly when each of the three buildings on the site were permitted and built. It seems most likely they were built in the 1970's & 1980's. The existing use is described on the application form as 'B2, B8'.

20241811 - Notification of demolition of three buildings – Approved on 15th December 2025 subject to conditions that addressed: hours of work, the Demolition Method Statement, working practices in relation to protected species, a possible re-survey (if work does not commence before 21st April 2026). The applicant has informed the Local Planning Authority that demolition is due to commence imminently.

Images on Google Maps (September 2018 to August 2023) indicate that in recent times at least some of the buildings on the site have been used as a gym ('The Community Boxing Gym').

The Proposal

The scheme is for the construction of a four and six storey residential apartment building with a total of 46 x 1 & 2 bed flats and 16 car parking spaces. The ground floor comprises 3 x 1 & 2 bed apartments and the car parking area, and the upper floors comprise 43 x 1 & 2 bed apartments and a rooftop garden residents amenity area. Vehicle access and the main pedestrian access is to Western Road. A rooftop garden is proposed for the fourth storey roof. Solar photovoltaic panels are proposed for the roof of the six-storey element.

A total of 46 flats are proposed and their floor spaces range between 38.5 sqm and 67.5 sqm. All of the flats would exceed the Nationally Described Space Standards in terms of their floorspace. None of the flats have private balconies but there is a rooftop garden amenity area for residents proposed to the fourth floor with a garden room. This communal space would be approximately 200sqm and would be located to the southern side of the building.

Vehicle parking would be provided at ground floor level in an undercroft space alongside communal bin and cycle storage, accessed from Western Road.

The agent has confirmed that an indicative sign shown on the submitted documents near the top of the building which reads 'Western House' is not part of this application.

The proposal was originally for '*Demolition of existing buildings; construction of four and six storey block of 47 apartments (38 x 1bed, 9x 2bed) (Class C3).*' However following negotiations during the application process the description has been amended to reflect the submitted amended plans. In summary, the amended plans propose: the removal of 1 flat (proposing 46 flats instead of 47); adds in the 16 space ground floor car parking area; and additional detailing in terms of materials and landscaping amongst other things.

The description has also been amended to remove reference to demolition given that the demolition has been subject to approval through the Prior Approval process as referenced in the 'background' section above. Re-consultations have taken place where significant changes have been made which address comments raised by objectors.

Policy Considerations

National Planning Policy Framework (NPPF) December 2024

- Paragraph 2 (Primacy of development plan)
- Paragraph 11 (Sustainable development)
- Paragraph 39 (Decision making)
- Paragraph 40 (Pre-application)
- Paragraph 48 (Determination in accordance with development plan)
- Paragraph 49 (Emerging local plan)
- Paragraph 56 (Planning conditions and obligations)
- Paragraph 57 (Planning conditions)
- Paragraph 58 (Tests for planning obligations)
- Paragraph 61 (Housing supply)
- Paragraph 64 (Affordable housing)
- Paragraph 73 (Small and medium sized sites)
- Paragraph 96 (Health, inclusive and safe places)

Paragraph 98 (Social, recreation and cultural facilities)
Paragraph 102 (Public safety)
Paragraph 109 (Transport impacts and patterns)
Paragraph 110 (Development in sustainable locations)
Paragraph 115 (Assessing transport issues)
Paragraph 116 (Highways impact)
Paragraph 117 (Highways requirements for development)
Paragraph 118 (Travel plan)
Paragraph 124 (Effective use of land for homes/other uses)
Paragraph 129 (Making efficient use of land)
Paragraph 131 (High quality, beautiful and sustainable buildings)
Paragraph 135 (Good design and amenity)
Paragraph 137 (Design quality)
Paragraph 138 (Design assessment)
Paragraph 139 (Design decisions)
Paragraph 140 (Plans, Materials and Conditions)
Paragraph 161 (Climate impacts)
Paragraph 163 (Mitigate/adapt to climate change)
Paragraph 164 (Climate change and design)
Paragraph 166 (Design and energy)
Paragraph 167 (Sustainable heating)
Paragraph 181 (Flood risk considerations and SuDS)
Paragraph 182 (Incorporating SuDS)
Paragraph 187 (Natural environment considerations)
Paragraph 193 (Biodiversity enhancement)
Paragraphs 196 & 197 (Land contamination)
Paragraph 198 (Effects) of pollution on health)
Paragraph 199 (Air quality)

Development Plan

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

Other planning and material considerations

Supplementary Planning Document – Residential Amenity

Supplementary Planning Document – Green Space

City of Leicester Local Plan (2006). Saved policies. Appendix 1: Parking Standards

Leicester Street Design Guide (First Edition)

Leicester City Council Waste Management guidance notes for residential properties

Technical housing standards – Nationally Described Space Standards – March 2015 (NDSS).

National Design Guide, January 2021 (Ministry of Housing, Communities & Local Government)

Leicester City Corporate Guidance – Achieving Well Designed Homes 2019

On 26th March 2026, the Council approved the new Local Plan for adoption. The adoption of the emerging Local Plan is intended to take place in May 2026.

In accordance with paragraph 49 of the NPPF, weight can be given to the emerging Local Plan and as it progresses, more weight can be afforded to the policies in the emerging Local Plan. I consider that the emerging local plan can be afforded significant weight in relation to this application.

The following policies from the emerging Local Plan are relevant to this application:

Policy VL01. Presumption in Favour of Sustainable Development
Policy Ho01. Housing Allocations
Policy Ho02. Housing Development on Unallocated Sites
Policy Ho03. Housing Mix
Policy Ho04. Affordable Housing
Policy Ho05. Housing Densities
Policy Ho07. Internal Space Standards
Policy CCFR01. Sustainable Design and Construction
Policy CCFR02. Energy Statement
Policy CCFR03. Low Carbon Heating and Cooling
Policy CCFR04. Delivering Renewable and Low Carbon Energy Projects
Policy CCFR05. Managing Flood Risk and Sustainable Drainage Systems (SuDS)
Policy DQP01. Design Principles
Policy DQP02. Tall Development
Policy DQP03. Inclusive Design
Policy DQP04. Landscape Design
Policy DQP06. Residential Amenity
Policy DQP07. Recycling and Refuse Storage
Policy NE01. Protecting designated sites, legally protected and priority species, and priority habitats
Policy NE02. Biodiversity Gain
Policy NE03. Green and Blue Infrastructure
Policy T01. Sustainable Transport Network
Policy T02. Climate Change and Air Quality
Policy T03. Accessibility and Development
Policy T07 Car Parking Policy
DI01. Developer Contributions and Infrastructure
Policy DI02. Electronic Communications

Consultations

Local Highway Authority (LHA)

There are three commercial/industrial units on the site comprising of an existing gym and industrial units. The existing floor area schedule is as follows: Unit 1 – 220sqm, Unit 2 – 31sqm, Unit 3 – 217sqm. The units are served by an existing access serving a central courtyard/loading area and there appears to be no formal car parking currently set out within the site.

Western Road and other surrounding residential streets fall within a designated 20mph zone. The road is subject to a system of street lighting. The road caters for two-way traffic movements although the main carriageway width between parking bays on either side is typically 3.50m wide. The road has separate footways to each side of the carriageway.

Vehicle Access

The current access location will be retained to provide access to 16 car parking spaces. The design of the proposed access has been amended with the provision of a sliding entrance gate that will not open outwards. This is now acceptable. This is subject to the treatment either side of the proposed sliding gates being agreed, to enable drivers to see pedestrians.

Vehicle Parking

Demand for parking permits in this resident's parking zone (RPZ) is already high, and it is highly likely that this development would be deemed ineligible for residents parking permits.

In City of Leicester Local Plan (2006), Saved policies, Appendix 1: Parking Standards, the site is located in a Zone 3 where the following applies: 1 space per 1-bedroom dwelling, 2 spaces for 2-bedroom dwellings. Accordingly, the SPG guidance would require the provision of 63 spaces to be provided on-site, as opposed to the 16 proposed.

With only 16 vehicle parking spaces being provided, the LHA object to this low level.

Construction Traffic Management

A Construction Management Plan is needed to ensure development is carried out in a way that is not harmful to the safe operation of the highway.

Pedestrians and Cyclists

The City of Leicester Local Plan (2006), Saved policies, Appendix 1: Parking Standards, specifies cycle parking for flats and recommends the following safe and secure cycle parking provision: 1 space per 2 bedspaces, plus 1 additional space per 20 bedspaces for visitors.

The LHA have calculated the number of bedspaces using the beds shown on the floorplans. These show two bedspaces (one double bed) for the one-bedroomed flats and four bedspaces (two double beds) for the two-bedroomed flats.

$17 \times 4 = 68$ bed spaces = 34 cycle spaces.

$29 \times 2 = 58$ bed spaces = 29 cycle spaces.

1 cycle space per 20 bed spaces = 6 cycle spaces.

Total = 69 cycle spaces are needed.

The amended ground floor plan shows 44 secure and safe cycle parking spaces and therefore the scheme would be contrary to the aims set out in the SPG for Vehicle Parking Standards.

With only 44 cycle parking spaces being provided, the LHA object to this low level.

Off-site works

The development works would inevitably result in damage to the footways fronting the site due to construction works and the need to upgrade utility service access to the site. A scheme to address this needs to be secured.

Air Quality

The site is adjacent to the Air Quality Management Area (AQMA) which is declared for Nitrogen Dioxide (NO₂). It is located down a residential side street, but is adjacent to Upperton Road, a main road out of the city centre with relatively high traffic flow. The area is primarily residential, with a superstore close by.

An Air Quality Assessment (AQA) has been submitted with the application, provided by Miller Goodall. The assessment concluded that the development will not have significant impacts on local air quality. However, this is subject to mitigation measures being implemented during the construction phase.

The construction phase of the development involves both demolition and construction and was assessed to have an overall 'Medium' risk of dust soiling for both of these processes. Construction and demolition can give rise to elevated concentrations of dust and Particulate Matter (PM₁₀ and PM_{2.5}) which are associated with adverse human health effects. The AQA provides suitable mitigation measures in Appendix D, which are appropriate for a Medium Risk site, and should be followed when appropriate.

The AQA recommends submission of a Dust Management Plan (DMP) which I agree with. This should be secured.

The operational phase of the development is not likely to make a significant negative contribution to the local air quality. Even though it is likely that there will be associated trips with the development, these are unlikely to significantly harm air quality.

Severn Trent Water (STW)

No comments have been received.

Better Buildings

Passive Energy Efficiency Design Measures

The block has a relatively compact form. This minimises heat loss from the apartments.

The green roof proposed for the six-storey part of the development will contribute to reducing heat loss as well as managing rainwater runoff. It is welcomed.

The main living spaces in the apartments generally benefit from a good level of natural daylight, and the design also provides some daylight to the corridors.

In addition to passive means (window reveals, the thermal mass of the floor slabs, internal blinds), mechanical ventilation will be required to ensure residents are not subject to excessive heat. Full details of this need to be secured.

Building Fabric and Airtightness

The strategy proposed in the Energy & Sustainability Statement includes a strong emphasis on an energy efficient fabric. The proposed u-values for the fabric elements and air-permeability value for this development are an improvement on the notional building and the limiting parameters under the Building Regulations.

Heating, Cooling, Ventilation and Lighting Energy Efficiency

The zero fossil fuels/all electric strategy for the heating and hot water supply is acceptable as the site is not near to a suitable low carbon heat network.

Electric storage heaters and electric instant hot water will avoid heat loss from hot water cylinders and pipework running through the building. It is also pragmatic, given the limited roof space for the outdoor units that is needed for air source heat pumps.

The proposed LED lighting and provision of appropriate controls is consistent with the best practice energy efficiency requirement in Core Strategy Policy CS02. The details of the above measures will need to be secured.

Renewable/Low Carbon Technology & Energy Supply

A 22.8kWp PV array is proposed for the roof of the six-storey element, combined with a green roof on the four-storey element. This meets the renewable energy supply requirements of Policy CS02. Details will need to be secured.

Construction Materials and Waste Management

The commitments made in the strategy to the use of BRE 'A-C' rated materials and FSC certified timber are welcomed and need to be secured.

Carbon Emissions

A 55% carbon reduction compared to the baseline (assumed to be the TER) will be achieved and is welcomed.

Lead Local Flood Authority (LLFA)

A formal drainage strategy statement is provided within the Flood Risk Assessment. Surface water will be managed using green sedum roofs, a SuDS planter and attenuation tank (16.53m³), before discharging to the public surface water sewer at Upperton Road at 6l/s discharge rate controlled using a flood control device. This will reduce the rate of surface water runoff, provide some pollutant removal and some wildlife habitat. The information submitted is sufficient for application stage and the details can be addressed through a condition.

Waste Management

Acceptable waste storage is detailed on the plans, and waste can be collected in an appropriate manner.

Pollution Team

Due to the historic use of the site concerns that the land may be contaminated. The submitted Phase 1 Desk Study by GeoDyne is acceptable and the recommendations supported. A Phase 2 Ground Investigation, and potentially remediation works, need to be secured.

Environmental Services, Noise Team

The acoustic report submitted for this application indicates that with the proposed mitigation (acoustic glazing) the internal guideline noise levels can be achieved.

The report states that open windows cannot be used for ventilation, save for purge ventilation, due to the existing noise levels in this area. As such mechanical ventilation is required. The applicant has confirmed that the external appearance of the building will not be affected, as the ventilation system can be accommodated within the building

as it is proposed, and the vents can terminate into the proposed louvres above each window.

While the roof top garden is welcomed as an efficient use of space and will provide good amenity space for residents, the Council has received noise complaints regarding the way rooftop gardens in other locations are used. I recommend that a noise management plan be secured by condition.

Parks Service

The Parks Service was consulted when the application first came in, and they provided the following comments. The Parks Service were not consulted on the amended plans as it was clear by that time that developer contributions were not going to be pursued due to viability considerations. This is addressed below in the Developer Contributions / Considerations section of this report.

The proposed residential development, within the Westcotes Ward, will result in a net increase in the number of residents within an area which already exhibits a deficiency in green space. Opportunities to create new open space to address the other needs of the new residents are limited. Therefore, we seek to make quality improvements to existing open space provision to minimise the impact of this development.

Based on the formula from the Green Space SPD, a contribution of £34,627.00 is sought for this scheme. This would be used towards the following open space improvements:

- For landscape and seating improvements to the two areas of existing green space either side of Upperton Road.
- For improvements to the existing obstacle course equipment adjacent to the Great Central Way.

Education

There is a surplus of spaces in both Primary and Secondary schools in the area. As such, no developer contribution is sought.

Leicester, Leicestershire & Rutland Integrated Care Board (LLRICB)

The LLRICB was consulted when the application first came in, and they provided the following comments. The LLRICB were not consulted on the amended plans as it was clear by that time that developer contributions were not going to be pursued. This is addressed below in the Developer Contributions / Considerations section of this report, below.

A contribution of £31,512 is sought to improve local healthcare provision.

Housing

The Housing Service was consulted when the application was received and they provided the following comments. The Housing Service were not consulted on the amended plans as it was clear by that time that developer contributions were not going to be pursued.

This is addressed below in the Developer Contributions / Considerations section of this report, below.

Mix and type of housing:

In line with Policy CS06, applicants are required to provide an appropriate mix of housing types, sizes and tenures to meet the needs of existing and future households within the city.

I note that this is a proposal to provide a mix of 1-bed/2-person, 2-bed/3-person and 2-bed/4-person flats. This proposed development will meet some of the current identified housing needs within the city.

Policy CS06 states that all new housing units should, where feasible, be designed to Lifetime Homes Standards with an appropriate proportion to wheelchair access standard.

Lifetime Homes standards are now obsolete but given the introduction of the Building Regs 2010 – access to and use of dwellings – Approved Document M Volume 1: 2015 edition; all new homes, where feasible, should now meet the national accessible and adaptable standard M4(2) and an appropriate proportion should be to the national wheelchair accessible standard M4(3)(2)(b).

- 1 x 1 bed/2 person flats to National Accessible Standard M4(2).
- 1 x 1 bed/2 person flat to National Accessible Standard M4(3)(2)(b), located on the ground floor.
- 3 x 2 bed/4 person flats to National Accessible Standard M4(2).
- 2 x 3 bed/ 5 person flats to National Accessible Standard M4(2).

Affordable Housing:

This scheme is a build to rent proposal. Government guidance states that affordable housing on build to rent schemes should be provided in the form of 15% of the dwellings being for affordable private rent and that the affordable private rent and private market rent units within a development should be managed collectively by a single build to rent landlord. Based on the original proposal to provide a total of 47 dwellings (subsequently amended to 46 flats), the policy required affordable housing is therefore 7 Affordable Private Rent dwellings.

In line with the Policy CS07 and the SPD on Affordable Housing, the mix of affordable dwellings required at this site for 7 new affordable dwellings is as follows:

All Affordable Private Rent: total 7 units:

- 1 x 1 bed/2 person flats to National Accessible Standard M4(2)
- 1 x 1 bed/2 person flat to National Accessible Standard M4(3)(2)(b), located on the ground floor
- 3 x 2 bed/4 person flats to National Accessible Standard M4(2)
- 2 x 3 bed/ 5 person flats to National Accessible Standard M4(2)

Representations

Representations have been made by 18 people from separate City addresses.

First publicity

The following concerns were raised in 17 letters when the first set of plans for this application were publicised.

Concerns raised:

- Existing buildings (Code student block and extension, removal of the bridge over Western Road, subsequent developments on Upperton Road) have already caused a lot of harm. Further high-rise buildings will further block light and box one in (the terraced houses already receive little light).
- Many houses will be overlooked.
- Anti-social behaviour, mess and noise from tenants of building.
- Will set a precedent so that the neighbouring 184 Western Road will be converted into even more flats.
- Construction noise.
- If students live in this development, then this may cause problems.
- The area is already overcrowded, and this scheme will make it worse.
- Parking problems.
- Increase in traffic and associated congestion, noise and air pollution.
- If permitted, residents should not be able to apply for permits to park on Western Road as parking there is already challenging.
- Poor storage of waste, fly tipping and litter is a problem in the area, and this scheme may make it worse. This will put a greater burden onto the Council cleansing dept.
- The scale of the building is not acceptable in the context of domestic dwellings.
- The proposed building has a poor appearance and is not in keeping with the terraced houses which it is adjacent to.
- When combined with existing buildings, the development will turn the Great Central Way into a dark airless tunnel (the people of Westcotes have little open space as it is). This is a wildlife corridor. The scheme will affect birds and wildlife.
- The building is not in keeping with the lovely Victorian terrace neighbourhood around it.
- The building will be super high density in a neighbourhood of already high-density housing.
- Bede Park, the nearest green space, will be overused.
- Heating the building by gas will mean that the building will need to be retrofitted with heat pumps quite soon and I see nowhere to put them.
- As with any super high-density housing litter and mess will increase putting a greater burden onto the council cleansing dept, will this firm compensate the council?

Second publicity

The following concerns were raised in 2 letters when the second set of plans for this application were publicised. 1 of the 2 letters was by one of the people who made a representation regarding the first set of plans.

- The 16 car parking spaces in the scheme is not sufficient for the 46 proposed flats. Parking and congestion problems in the area will become worse.
- Pavement parking is likely to increase after the scheme is built, and this will make it difficult for pedestrians to use the pavements.
- The scheme will lead to the generation of pollution. Will this be mitigated with planting?

Consideration

Principle of Development

The site is within the Strategic Regeneration Area, which is intended to be the focus of major housing development (Core Strategy (2014) Policy CS4 'Strategic Regeneration Area'). As the site is within the Riverside Special Policy Area, Policy SPA09 'Riverside Development' is applicable. The policy states that 'Development within the Riverside policy area ... will be permitted if it helps to sustain, enhance, and regenerate the Riverside'. The existing buildings on the site are currently underutilised. The uses of them have been industrial and a gym, which are non-conforming uses within the context of a primarily residential area. The proposed development would bring a conforming residential use to the site, therefore helping to meet the objectives of Policies CS4 and SPA09. Accordingly, the principle of the proposed development for dwellings is supported by planning policy.

With respect of the emerging Local Plan, the proposed development is on a brownfield site within a sustainable location. The introduction of residential use on this site in the form of 46 flats would make a contribution towards our housing land supply and the proposal therefore would also be in broad accordance with the emerging Local Plan.

Character & appearance

Active frontage

It is desirable for scheme to provide an active frontage (windows & doors) to streets and open spaces.

- The scheme will provide a strong active frontage to the north of the site towards Upperton Road with windows to flats on all floors.
- To the east the opportunity is limited as the site is on top of a bank and woodland belt that leads down into the cutting of the Great Central Way. The scheme will not provide much of an active frontage to the Great Central Way and I consider this is acceptable given the circumstances.
- To the west the site will provide a reasonable active frontage to Western Way, with a flat window, the main pedestrian entrance and the vehicle access on the ground floor, and windows to flats on the upper floors.

The opportunity to present active frontages has been taken and is acceptable.

Height and form

To the south and west of the site are mostly two-storey Victorian & Edwardian terraced houses. The site is at the end of the continuous line of buildings on this part of Western Road. At this point, there is a gap for some open space and the Upperton Road, before the built form continues to the north. On Western Road, the other/northern side of Upperton Road are blocks of flats of four storeys high (with pitched roof on top – Albion Court) and six storeys (with flat roof – Westdale Court). On the other side of the Great Central Way is 2a Upperton Road which is seven storeys high (next to Upperton Road) and falls to five storeys high as one goes south, away from Upperton Road.

As such, the context of this site is at a point of change from low two storey terraces in a continuous built form, to much higher blocks of flats of four to seven storeys that sit at nodes where Western Road, Upperton Road and the Great Central Way meet.

I consider that the design of the scheme has addressed this context. Next to the existing low buildings to the south, the proposed building steps down to four storeys high. Bear in mind that as a modern block of flats the floor to ceiling height is lower than that of the Victorian & Edwardian terraced houses. With a flat roof in contrast to the relatively steep pitch of the terraced houses, the height difference is further minimised. As can be seen in the street scene drawing, the ceiling height of the third storey (the second floor) will be about the same height as the pitch of the roof of the terraced houses.

Towards the Upperton Road, the proposed building rises to six storeys. I consider that the building provides an appropriate transition from the low terraced houses to a building that is appropriate for a node where significant city streets meet.

Appearance

The windows and brick pillars present a regular form. There is significant depth in the façade with bricks recessed between the pillars and then the windows recessed further.

I consider that the building is of an appropriate design. It is not seeking to be a landmark and the treatment is appropriate for a building of this size and location. It would be a significant visual improvement on the existing buildings on the site.

Most of the walls will be faced with an orange/red Vandersanden Old Windsor brick. For the top floor, where it is set back, a dark grey/black brick has been chosen (Morvan with tone on tone, matching black, mortar). These are acceptable and I recommend the final materials schedule be secured by condition.

In order to ensure the detailed design around the windows and openings to the car park are acceptable, I recommend that sample panels be built and inspected. This can be secured by condition.

Concern has been raised by an objector that the proposed building is not in keeping with the Victorian terraces around it. The building is certainly of a different style to the Victorian terraces. However, I consider that buildings of differing styles can often sit comfortably beside each other subject to careful consideration of proportion, materials and articulation, and the variety of styles can add interest to an area. The appearance of the building is acceptable.

Trees

An Arboricultural Implication Study has been submitted with this application. It proposes to shape back, by approximately 1m, Council owned and maintained trees growing to the north and east of the site, adjacent to the site boundary. This is acceptable.

Heritage assets

To the west along Upperton Road, is the Grade II Listed former Narborough Road School. To the east of the site are some structures on the Local Heritage Asset Register (LHAR); 2 Upperton Road (The Old Railway Shed) and two former Great Central Railway bridges over the River Soar. The scheme will not affect views of these buildings. As such, I have no concerns about the impact on heritage assets.

Sign

The agent has confirmed that the sign near the top of the building which reads 'Western House' is not part of the building. It is a sign which is not part of this application. I recommend a note be attached the permission to make this clear.

Residential amenity

Of neighbours

Shadow

It is clear that the new building will increase shadow as it is taller than the existing buildings on the site. A shadow diagram has been provided with this application. It plots the shadow of the existing building and the proposal for 0800, 1000, 1200, 1400, 1600, 1800 & 2000 for the 20th of March, the 21st of June, and the 21st of December.

To the north, on the far side of Upperton Road, are Albion Court and Westdale Court. They are a minimum of some 38m from the scheme. As Albion Court and Westdale Court are to the north of the application site, they are most likely to be affected during the middle of the day.

The shadow diagram plots the shadow as far as the pavement on the southern side of the Upperton Road. Albion Court and Westdale Court are just outside of the plotted area. There are some parts of the day which see some overshadowing; however this would not be for any prolonged period of time to warrant refusal for this reason.

To the east, on the far side of the Great Central Way, is 2a Upperton Road. At the Upperton Road end, this is seven storeys high. It falls to five storeys as one moves away from the road. At its closest, the building at 2a Upperton Road is about 24m from the proposed building. As 2a Upperton Road is to the east of the application site, they are most likely to be affected during afternoon. Any overshadowing again would be limited to only a small part of the later afternoon which is considered acceptable.

The sites to the south (184 Western Road and then the terraced houses) will not be significantly affected by shadow from the scheme.

To the west, on the other side of Western Road, are terraced houses. These will be in shadow in the early morning. Given they will continue to not be in shadow for the rest of the day, I consider that the impact on them is acceptable.

Privacy and overbearing

Appendix G of the SPD for Residential Amenity recommends that where windows face each other, they should be a minimum of 21m apart. This falls to 18m, where windows face each other obliquely. However, the focus of these standards are towards suburban locations that do not have the density of development found in locations in and around the city centre. They must therefore be used judiciously for schemes such as this.

- The nearest windows on the proposed scheme will be about 38m from the nearest windows at Albion Court and Westdale Court (to the north).
- The nearest windows on the proposed scheme will be about 24m from the nearest windows at 2a Upperton Road (to the east).
- The terraced houses to the south along Western Road will largely be shielded from any overlooking by the buildings at 184 Western Road, whose planning history indicates it has been used for industrial purposes.

- The front windows of the terraced houses to the west on the other side of Western Road will be about 12m from the nearest windows in the new scheme. While this is close, it is normal for terraced areas in Leicester.

I consider that these distances will provide those dwellings with an acceptable level of privacy.

Noise

While the rooftop garden is welcomed as an efficient use of space and will provide good amenity space for residents, the Council has received noise complaints regarding the way rooftop gardens in other locations are used. I recommend that a noise management plan be secured by condition to adequately control any future concerns if they arise.

Of residents

Communal spaces

The SPD for Residential Amenity indicates that one-bedroomed flats should have outdoor amenity space that equates to 1.5sqm per flat and two-bedroomed flats should have outdoor amenity space that equates to 2sqm per flat. For 29 x 1bed & 17 x 2bed flats this comes to a total of 77.5sqm.

A rooftop garden is proposed for the roof of the third floor by the southern and western sides of the site. This is 203sqm. The rooftop garden is approximately square in shape and is on the southern side of the building. As such, it will provide an amount of space that is significantly above that recommended in the SPD, and a very useable and sunny space. It will provide residents with a good level of amenity.

The rooftop garden is further enhanced by a garden room of just under 20sqm that looks over it and has large floor to ceiling glazed south facing windows. This will enable residents to enjoy looking out over the garden while staying warm when it is uncomfortably cold to sit outside.

The applicant has confirmed that an outside tap will be provided for the rooftop garden. This will aid maintenance.

The scheme has a communal entrance lobby from Western Road. It is 3m wide and leads to the lift, stairs, and communal corridors. The lobby will provide plenty of space for post boxes and storage containers and will allow residents to pass each other without awkwardness. Much of the entrance door and its surround will be glazed. The door is set back from the pavement to create a recessed porch which will make access more pleasant during inclement weather. I consider that the pedestrian communal entrance lobby is acceptable.

The residents bin store is accessed directly from Western Road and from the communal lobby. This is a good design that will avoid bins being taken through communal corridors, while allowing access to them from inside the building. I consider this to be a strength of the scheme.

The residents cycle store is accessed on foot from the communal corridors and with a cycle from the on-site car parking area, which in turn is accessed from a vehicular access to Western Road. This is a good design that will avoid cycles being taken through communal corridors, while allowing access to them from inside the building. I consider this to be a strength of the scheme.

Accessibility

Core Strategy policy CS06 states that in order to meet the needs of specific groups residential schemes should:

- have an appropriate proportion of new housing units designed to meet wheelchair access standards and
- that all new housing units are, where feasible, designed to 'Lifetime Homes' standards so that they are adaptable enough to match lifetime's changing needs.

To comply with the first, some flats should comply with Category M4(3) in the Building Regulations. To comply with the second, all new build flats should comply with Category M4(2) in the Building Regulations, following their introduction in the Building Regs 2010, as a standard to be used as the closest alternative to the now obsolete Lifetime Home Standards. Drawing P16 Rev B indicates that all of the one-bedroomed flats will comply with M4(2), and all of the two-bedroomed flats will comply with M4(3). This is welcomed and I recommend it is secured by condition.

Noise & ventilation

The acoustic report submitted for this application indicates that with the proposed mitigation (acoustic glazing) the internal guideline noise levels can be achieved. I recommend this is secured by condition.

The report states that open windows cannot be used for ventilation, save for purge ventilation, due to the existing noise levels in this area. As such mechanical ventilation is required. The applicant has confirmed that the external appearance of the building will not be affected, as the ventilation system can be accommodated within the building as it is proposed, and the vents can terminate into the proposed louvres above each window. I recommend this is secured by condition.

Amenity of each flat – space, outlook & light

The flats range in size from 38.5sqm to 67.5sqm and many are in between these sizes. The National Space Standards for a one-bedroomed flat is a minimum of 37sqm, and 61sqm for a two bedroomed flat. All of the flats comply with this. The flats have relatively regular shapes, so they will have a good level of useability. I consider the size and layout of the flats to be acceptable.

Twenty-two of the proposed flats have a single aspect. Seven flats are on corners and have windows at right angles to each other. No flats are dual aspect with windows opposite each other. Given the site's constraints this is considered acceptable.

The proposed flats will have outlook north over the open space next to Upperton Road, east over the Great Central Way, south over the parking area within the site, and west over Western Road.

- The nearest windows on the proposed scheme will be about 38m from the nearest windows at Albion Court and Westdale Court (to the north). Those flats will have a good level of outlook and privacy.
- The nearest windows on the proposed scheme will be about 24m from the nearest windows at 2a Upperton Road (to the east). Those flats will have a good level of outlook and privacy.

- The flats looking south over the parking area within the site will have a separation distance from the industrial buildings of 184 Western Road of about 18m. This accords with the SPD for Residential Amenity that indicates that where windows face a blank wall on a neighbouring property the distance should be a minimum of 15m.
- It is unfortunate that the flats do not have balconies. However, I consider that this is compensated by the rooftop garden and garden room. On balance, residents will have a good level of outdoor amenity space.

The flats all have good sized, floor to ceiling windows. The flats will have good levels of natural light.

The houses along this part of Western Road abut the pavement. The proposed building will do likewise. Most of the ground floor that abuts Western Road is for the access & parking, the bin store and the pedestrian entrance. One window for one flat (Flat 3) will abut the pavement of Western Road. A separation strip between pavements and windows of flats is encouraged. However, given that the houses along this part of Western Road abut the pavement and that this is only one window to a flat that has three (the other two face Upperton Road), I consider this is acceptable on balance. It is considered that the proposed development would provide an acceptable living environment for future residents and would not adversely affect the amenity of nearby residents in accordance with saved policies PS10 and H07 of the saved Local Plan and Core Strategy policy CS03.

Highway & parking matters

Vehicle parking

Demand for parking permits in this residents parking zone (RPZ) is already high, and it is highly likely that this development would be deemed ineligible for residents parking permits.

In City of Leicester Local Plan (2006), Saved policies, Appendix 1: Parking Standards, the site is located in a Zone 3 where the following applies: 1 space per 1-bedroom dwelling, 2 spaces for 2-bedroom dwellings. Accordingly, the SPG guidance would require the provision of sixty-three spaces to be provided on-site, as opposed to the sixteen proposed. With only sixteen vehicle parking spaces being provided, the LHA object to this low level.

However, I consider that the negotiation of 16 spaces to be added into the scheme (originally submitted with no provision) mitigates the position as far as can be reasonably expected in a constrained inner city brownfield site location

The site is within a sustainable location in the Victorian/Edwardian ring of housing that surrounds the city centre. With easy access to amenities by foot, cycle and public transport, it is possible to live here without needing a car. With this in mind, I consider that the 16 on-site vehicle parking spaces provided, is acceptable.

Highway network

Objectors have raised concerns regarding an increase in traffic and associated congestion, noise and air pollution.

Paragraph 116 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the*

residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'

I believe there is no evidence to indicate this would be the case following the implementation of this scheme and a shortfall in parking provision would not comprise a situation which could be defended at appeal as leading to unacceptable highway safety or 'severe impacts' on the highway network.

As detailed above, our Air Quality Officer has not raised concerns about air pollution from vehicles and our Noise Team have not raised concerns about noise from vehicles.

Vehicle Access

The current vehicle access location will be retained. The design of the proposed access has been amended with the provision of a sliding entrance gate that will not open outwards. This is now acceptable. This is subject to the treatment either side of the proposed sliding gates being agreed, to enable drivers to see pedestrians. I recommend this is secured by condition.

Construction Traffic Management

A Construction Management Plan is needed to ensure development is carried out in a way that is not harmful to the safe operation of the highway. I recommend this is secured by condition.

Pedestrians and Cyclists

The City of Leicester Local Plan (2006), Saved policies, Appendix 1: Parking Standards, specifies cycle parking for flats and recommends the following safe and secure cycle parking provision: 1 space per 2 bedspaces, plus 1 additional space per 20 bedspaces for visitors.

The LHA have calculated the number of bedspaces using the beds shown on the floorplans. These show two bedspaces (one double bed) for the one-bedroomed flats and four bedspaces (two double beds) for the two-bedroomed flats.

$17 \times 4 = 68$ bed spaces = 34 cycle spaces.

$29 \times 2 = 58$ bed spaces = 29 cycle spaces.

1 cycle space per 20 bed spaces = 6 cycle spaces.

Total = 69 cycle spaces are needed.

The amended ground floor plan shows 44 secure and safe cycle parking spaces and therefore the scheme would be contrary to the aims set out in the SPG for Vehicle Parking Standards.

With only 44 cycle parking spaces being provided, the LHA object to this low level.

The formula for determining bedspace provision could be applied in different ways, for example using the NDSS bedspace provision which would indicate 44 sheltered and secure cycle spaces would be an acceptable provision.

The dedicated cycle store on the ground floor, accessed from the vehicle access and car park (for cycles) and from within the building (for pedestrians) is considered acceptable and I do not consider it would be reasonable to withhold consent on the basis of the shortfall.

Off-site works

The development works would inevitably result in damage to the footways fronting the site due to construction works and the need to upgrade utility service access to the site. I recommend a scheme to address this be secured by condition.

Waste management

Acceptable waste storage will be provided, and waste can be collected in an appropriate manner. I recommend the waste storage area is secured by condition.

Air quality

The site is adjacent to the Air Quality Management Area (AQMA) which is declared for Nitrogen Dioxide (NO₂).

An Air Quality Assessment (AQA) has been submitted with the application, provided by Miller Goodall. The assessment concluded that the development will not have significant impacts on local air quality. However, this is subject to mitigation measures being implemented during the construction phase.

The construction phase of the development was assessed to have an overall 'Medium' risk of dust soiling for construction as it can give rise to elevated concentrations of dust and Particulate Matter (PM₁₀ and PM_{2.5}) which are associated with adverse human health effects. The AQA provides suitable mitigation measures in Appendix D, which are appropriate for a Medium Risk site, and should be followed when appropriate.

Whilst the AQA recommends submission of a Dust Management Plan (DMP) this would usually be linked with demolition works. I consider in this instance measure to control dust can be included within a Construction Management Statement. This should be secured.

The operational phase of the development is not likely to make a significant negative contribution to the local air quality. Even though it is likely that there will be associated trips with the development, these are unlikely to significantly harm air quality.

Energy

In line with the requirements of Core Strategy policy CS02, the applicant has submitted a revised Energy Statement, the details of which are acceptable. In summary, the following are welcomed:

- The block has a relatively compact form, which will contribute to reducing heat loss from the apartments.
- The green roof proposed for the six-storey part of the development will contribute to reducing heat loss as well as reducing the rate of rainwater runoff.
- The main living spaces in the apartments benefit from a good level of natural daylight and the design also provides some daylight to the corridors.

In addition to passive means (window reveals, the thermal mass of the floor slabs, internal blinds), mechanical ventilation will be required to ensure residents are not subject to excessive heat. Full details of this need to be secured. The applicant has confirmed that the external appearance of the building will not be affected, as the

ventilation system can be accommodated within the building as it is proposed, and the vents can terminate into the proposed louvres above each window.

The strategy proposed in the Energy & Sustainability Statement includes a strong emphasis on an energy efficient fabric. I recommend the measures it proposes be secured by condition.

Further details of the LED lighting and appropriate controls are needed, and I recommend they be secured by condition.

The zero fossil fuels/all electric strategy for the heating and hot water supply is acceptable given that the site is not near to a suitable low carbon heat network. Electric storage heaters and electric instant hot water is acceptable (which avoids heat loss from pipework running through the building or from hot water cylinders). It is also pragmatic, given the limited roof space for the outdoor units needed for air source heat pumps. To ensure that the energy cost reduction and demand side decarbonisation benefits of storage heaters are able to be fully realised, I would like to see further details, including the proposed content of the user guide.

An objector raises the concern that heating the building by gas will mean that the building will need to be retrofitted with heat pumps quite soon and they see nowhere to put them. The energy system for this proposal complies with the Development Plan at this point in time. It is not reasonable to assess a planning application on the basis of what policy may be in future.

The proposal would meet the requirements of Core Strategy policy CS02.

Water environment

A formal drainage strategy statement is provided within the Flood Risk Assessment. Surface water will be managed using green sedum roofs, a SuDS planter and attenuation tank (16.53m³), before discharging to the public surface water sewer at Upperton Road at 6l/s discharge rate controlled using a flood control device. This will reduce the rate of surface water runoff, provide some pollutant removal and some wildlife habitat. The information submitted is sufficient for application stage. I recommend that details be addressed through a condition.

Wildlife

Biodiversity Net Gain BNG

The scheme is subject to the de minimis exemption and therefore is exempt from the requirement to provide a Biodiversity Net Gain (BNG). This is evidenced in the Biodiversity Net Gain (BNG) Strategy Report (JM Ecology, December 2024) and Statutory Metric which state that the baseline habitat score is 0.

Ecology

In order to take the opportunity to provide wildlife habitat 4 x integrated bat boxes and 2 x sparrow terraces need to be provided on the proposed building. I recommend these be secured by a condition.

The rooftop garden may provide a modest amount of wildlife habitat and is welcomed.

In order to avoid the disturbance of wildlife by lighting, I recommend that a condition be attached to ensure any lighting is designed in a way that has been informed by a lux lighting contour plan ('isolux plot' - in line with Guidance Note 8 - Bats and Artificial Lighting).

Concerns have been made by objectors that, when combined with existing buildings, the development will turn the Great Central Way, which is a wildlife corridor, into a dark airless tunnel. By doing so, the scheme will be harmful to wildlife. While the scheme will certainly cast a larger shadow than the existing building, I have no evidence to suggest this will be significantly harmful to wildlife. With a rooftop garden, bat boxes and sparrow terraces, the scheme may on balance be beneficial to wildlife.

Land contamination

I have concerns that the land may be contaminated. The submitted study is acceptable, and I agree with the recommendations. I recommend that a Phase 2 Ground Investigation be secured by condition.

Developer Contributions

The applicant has submitted a viability appraisal for the scheme. This indicates that the scheme will not be viable if any developer contributions are insisted upon. I consider that the scheme will make a positive contribution to the city and will be a significant improvement over the existing buildings on the site. As such, on planning balance, I consider it is desirable for the scheme to go ahead, and I recommend that the Council does not insist that the developer contributions (towards green space, healthcare and affordable housing) that have been sought are made.

Concerns have been raised by objectors that Bede Park, the nearest green space, will be overused. The overuse of existing green space is certainly a concern for new residential development. It is the reason that developer contributions are sought to provide new green space and to improve existing green space. However, as the viability appraisal for this scheme indicates that the scheme will not be viable if any developer contributions are insisted upon, the Council needs to decide whether to see the scheme proceed without developer contributions or to seek to resist the scheme. As the scheme will bring many benefits (as detailed elsewhere in this report), I consider that on planning balance, the desirability of seeing this scheme proceed far outweighs concerns relating to an absence of developer contributions. I consider it would be difficult to uphold at appeal a refusal of planning permission on this ground.

Other matters

Some objectors have raised concerns about possible anti-social behaviour, mess and noise from tenants and by student tenants in the proposed building. The scheme is for flats that fall within the C3 use class. As such, the flats are not restricted to particular groups of people. I see no reason why residents in the proposed building are likely to behave in a manner that is specifically different from residents elsewhere.

Concerns have been raised about poor storage of waste, fly tipping and litter is a problem in the area and how it will put a greater burden onto the Council cleansing department. As detailed earlier in this report, the bin storage for this scheme is of an acceptable design. I see no reason why poor storage of waste, fly tipping and litter, would be specifically affected by the implementation of this scheme. As with other dwellings, residents of the flats will be charged Council Tax, and I see no reason why there would be a significant problem for the Council cleansing department.

One representation raises the concern that the scheme will set a precedent and neighbouring 184 Western Road will be converted into flats. Should a proposal be put forward for 184 Western Road, it will be considered on its merits.

Concerns about construction noise have been raised. This is addressed through a condition to restrict the hours of work. If noise is created that is harmful to residents, then this is addressed by Environmental Health legislation and the Council's Noise Team.

One objector has raised concerns that the scheme will lead to the generation of pollution. They ask whether this will be mitigated with planting. The communal garden may provide some planting. There is no provision in policy to secure planting to mitigate any pollution that a scheme may produce.

Conclusion

The scheme takes the opportunities to:

- Improve the character and appearance of the area by replacing under-used buildings of little architectural merit with a block of residential flats that will make a positive contribution.
- Replace a non-conforming use with a use that is acceptable in this location.
- Make a modest contribution to the city's housing need with dwellings that will provide an acceptable standard of accommodation and level of amenity for residents.
- Provide an active frontage to the streets.
- Make use of renewable energy, be energy efficient, provide a sustainable drainage system, and wildlife habitat.

Notwithstanding the concerns of highway matters, I consider that the proposed development complies with the NPPF and relevant Core Strategy and saved Local Plan policies.

The scheme will make a positive contribution to the city and the housing supply, which in the context of a lack of current 5 year land supply is a factor which should be given significant weight in decision taking due to the 'tilted balance'.

In relation to this application, taking into account the relevant policies, I consider that the emerging Local Plan can be afforded significant weight. None of the policies in the emerging Local Plan indicate this scheme is unacceptable.

I therefore recommend that this application is APPROVED 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. No work shall take place outside of the hours of 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday or at any time on Sundays or Bank Holidays. (In the interests of the amenities of nearby occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)
3. Prior to the commencement of development, a Construction Method Statement (CMS), with consideration being given to highway management and safety, the water environment and flood risk management, shall be submitted to and approved in writing

by the Local Planning Authority. The approved CMS shall be adhered to throughout the construction period. The CMS shall provide for: (i) the vehicle and pedestrian temporary access arrangements including the parking of vehicles of site operatives and visitors, (ii) the loading and unloading of plant and materials, (iii) the storage of plant and materials used in the development, (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, (v) wheel washing facilities, (vi) measures to control the emission of dust and dirt during construction, (vii) a scheme for storage and management of waste resulting from excavation works, (viii) the proposed phasing of development and a detailed description of the works in each phase, (ix) the temporary access arrangement to the construction site, (x) procedures to ensure flood risk is managed on site during the period of works for personnel, plant and members of the public, (xi) the procedures to ensure flood risk is not increased anywhere outside of the site for the duration of the works, (xii) the procedures to ensure pollution and sedimentation is minimised to any adjacent watercourse and the procedure to be used in case of a pollution incident, (xiii) the measures that will be undertaken to ensure the structure of any adjacent watercourse is not impacted by the proposed development. (To ensure the satisfactory development of the site, and in accordance with saved policies AM01, PS10, PS11 and UD06 of the City of Leicester Local Plan and policies CS02, CS03 and CS14 of the Core Strategy.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

4. Prior to the commencement of development, the site shall be investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme shall be implemented, and a completion report shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwelling. Any parts of the site where contamination was previously unidentified and found during the development process, shall be subject to remediation works carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority, prior to the occupation of any flat. The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11". (To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy PS11 of the City of Leicester Local Plan.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

5. Prior any works above ground level, details of the ventilation system (to ensure flats receive air of acceptable temperature and quality) that will be accommodated

within the building as it is proposed, and that the vents terminate into the proposed louvres above each window, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any flat, the ventilation system shall be installed in accordance with the details approved. It shall be retained and acceptably maintained thereafter. (To ensure that residents have acceptable air quality and temperature in accordance with saved policy PS10 in the 2006 City of Leicester Local Plan.)

6. Prior to the occupation of any flat, the measures to protect residents from excessive noise (as detailed in the Environmental Noise Assessment (ref NA103249) of the 12th of February 2025) shall be implemented in full. They shall be retained thereafter. (To protect residents from excessive levels of noise in accordance with saved policy PS10 in the 2006 City of Leicester Local Plan.)

7. Prior to the commencement of above ground development, details of the photovoltaic panel system, electric storage heaters, LED lighting and provision of appropriate controls, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any flat, the storage heaters, lighting and controls shall be installed in accordance with the approved details and a user guide shall be prepared for occupants, explaining how to operate the heaters and other systems efficiently and cost-effectively. Prior to the occupation of any flat, proof of installation and operation shall be submitted to and approved in writing by the Local Planning Authority. They shall be retained thereafter. (In the interests of energy efficiency and minimising carbon emissions and in accordance with policy CS02 in the Core Strategy.)

8. Prior to the occupation of any flat, the measures detailed in the Energy & Sustainability Statement (of the 18th of January 2026) (such as BRE 'A-C' rated materials and FSC certified timber) shall be implemented in full. Prior to the occupation of any flat, proof of installation and operation shall be submitted to and approved in writing by the Local Planning Authority. They shall be retained thereafter. (In the interests of energy efficiency and minimizing carbon emissions in accordance with policy CS02 of the Core Strategy.)

9. Prior to the occupation of any flat, the rooftop garden and garden room shall be made available for all residents of this scheme. It shall be maintained and kept available for all residents of the scheme at all times. (To provide residents with an acceptable level of amenity in accordance with policy CS03 in the Core Strategy and saved policy PS10 of the City of Leicester Local Plan.)

10. Prior to the occupation of any flat, a noise management plan for the rooftop garden shall be implemented in accordance with details first submitted to and approved in writing by the Local Planning Authority. (To protect the amenity enjoyed by the residents of neighbouring dwellings in accordance with saved policy PS10 in the 2006 City of Leicester Local Plan.)

11. Prior to the occupation of any flat, the powder coated metal railings (RAL 7016) (Drawing P14, Revision C) shall be installed along the full length of the boundary of the site with the Great Central Way. (In order to ensure the site is reasonably secure

and to ensure it has a visually acceptable appearance from the Great Central Way in accordance with Core Strategy policy CS03.)

12. Prior to the commencement of development, full details of the Sustainable Drainage System (SuDS) (including green roof to six-storey element and rooftop garden to four-storey element) together with implementation, long term maintenance and management of the system shall be submitted to and approved in writing by the Local Planning Authority. No flat shall be occupied, until the system has been implemented in full. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

13. Prior to the commencement of development, details of drainage shall be submitted to and approved in writing by the Local Planning Authority. No flat shall be occupied, until the drainage has been installed, in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

14. Prior to the occupation of any flat, the waste storage area (shown on plan reference 1725 P02 rev C) shall be provided. It shall be retained for waste storage purposes at all times. (To ensure the scheme has acceptable waste storage facilities in accordance with Core Strategy policy CS03.)

15. Prior to the commencement of above ground development, details of the vehicular access and the treatment of the walls to each side (including pedestrian visibility splays) shall be submitted to and approved in writing by the Local Planning Authority. The gates to the vehicle access shall not open out onto the public highway (they shall be sliding or inward opening). (In the interests of highway safety so that drivers have an acceptable view of pedestrians, and in accordance with saved policy AM01 in the 2006 City of Leicester Local Plan and policy CS03 in the Core Strategy.)

16. Prior to the occupation of any flat, the vehicle parking shall be provided in accordance with the approved details. It shall be retained thereafter. (To meet the vehicle parking needs of residents in accordance with saved policy AM12 of the City of Leicester Local Plan.)

17. Prior to the occupation of any flat, the cycle parking shall be provided in accordance with the approved details. It shall be retained thereafter. (To meet the cycle parking needs of residents and to promote the use of sustainable means of transport in accordance with saved policies AM02 and H07 of the City of Leicester Local Plan.)

18. Prior to the commencement of development, details of all street works (including alterations to the footway crossings, kerbs, repairs), shall be submitted to and approved in writing by the Local Planning Authority along with a timescale for when these works will be carried out. Prior to the occupation of any flat, all street works must be implemented in accordance with the agreed details. (To achieve a satisfactory form of development, and in accordance with saved policy AM01 of the City of Leicester Local Plan and policy CS03 of the Core Strategy.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

19. Prior to the occupation of any flat, a Travel Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. It shall be implemented in accordance with a timetable contained within the Travel Plan. The Plan shall: (a) assess the site in terms of transport choice for maintenance workers, users of services, visitors and deliveries; (b) consider pre-trip mode choice, measures to promote more sustainable modes of transport such as walking, cycling, car share and public transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site as single occupancy vehicle users, so that all users have awareness of sustainable travel options; (c) identify marketing, promotion and reward schemes to promote sustainable travel and look at a parking management scheme to discourage off-site parking; (d) include provision for monitoring travel modes (including travel surveys) of all users at regular intervals, for a minimum of 5 years from the first occupation of the development. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM12 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy.)

20. Prior to the first occupation of each flat, the occupiers shall be provided with a 'Residents Travel Pack', details of which shall be submitted to and approved in writing by the Local Planning Authority in advance. The contents of the Travel Pack shall consist of: information promoting the use of sustainable personal journey planners, walking and cycle maps, bus maps, the latest bus timetables applicable to the proposed development, and bus fare discount information. (In the interest of promoting sustainable development, and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy.)

21. Prior to the commencement of above ground development, details of 4 x integrated bat boxes and 2 x Sparrow terraces to be installed shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any flat, the bat boxes and Sparrow terraces shall be installed in accordance with the approved details. They shall be retained thereafter. (To take the opportunity to provide wildlife habitat and in accordance with Core Strategy policy CS17.)

22. Prior to the occupation of any flat, details of external lighting (whose design has been informed by an isolux plot - in line with Guidance Note 8 - Bats and Artificial Lighting) shall be submitted to and approved in writing by the Local Planning Authority.

Only lighting that accords with the approved details shall be installed. (To avoid the disturbance of wildlife and in accordance with Core Strategy policy CS17.)

23. Prior to the commencement of above ground development, a 1:20 detailed drawing of three sample panels (railing used for the car park frontage, second and third floor windows and surrounds on four storey element) and a full material schedule, shall be submitted to and approved in writing by the Local Planning Authority.

Once the design details of the sample panel have been approved, the panel shall be constructed on the site and photos of the constructed panels shall be submitted to and approved in writing by the Local Planning Authority.

Once the photos have been approved, the three panels shall be made available for inspection and approval in writing by the Local Planning Authority.

Once approved, above ground development can proceed in accordance with the details approved.

(To maintain the character and appearance of the area and in accordance with Core Strategy policy CS03.)

24. In accordance with approved drawing P16 Rev B:

- All of the one-bedroomed dwellings and their associated parking and approach, shall be constructed in accordance with 'Category 2: Accessible and adaptable dwellings M4(2) Optional Requirement of the Building Regulations.

- All of the two-bedroomed dwellings and their associated parking and approach, shall be constructed in accordance with 'Category 3: Wheelchair adaptable dwellings M4(3)(a) Optional Requirement of the Building Regulations.

On completion of the scheme and prior to the occupation of each dwelling, a completion certificate signed by the relevant inspecting Building Control Body, shall be submitted to and approved in writing by the Local Planning Authority, certifying compliance with the above standards. (To ensure the dwellings are adaptable enough to match a lifetime of changing needs, and to provide for those who currently use or may in future use wheelchairs, in accordance with Core Strategy policy CS06.)

27. Development shall be carried out in full accordance with the following approved plans:

- Site Location, Drawing LOC, received on the 18th of November 2025
- Proposed Site Plan, Drawing P02, Rev C, received on the 15th of January 2026

- Ground, First and Second Floor Plan, Drawing P03, Rev D, received on the 15th of January 2026

- Third and Fourth Floor Plan, Drawing P04, Rev C, received on the 5th of November 2025

- Fifth Floor and Roof Plan, Drawing P05, Rev C, received on the 5th of November 2025

- Proposed Elevations 1-2, Drawing P06, Rev C, received on the 24th March 2026

- Proposed Elevations 3-4, Drawing P07, Rev C, received on the 24th March 2026

- Proposed Material Details, Drawing P08, Rev C, received on the 24th March 2026

- Proposed Street Sections, Drawing P09, Rev B, received on the 21st of October 2025

- Location Plan and Survey, Drawing P01, Revision D, received on the 11th of November 2024
- Flat Types - Demonstration of NDSS and M4(2)/(3) compliance, Drawing P16, Rev B, received on the 5th of November 2025
(In order to ensure compliance with the approved plans.)

NOTES FOR APPLICANT

1. It is recommended that all residents and building operators sign up for the Environment Agency Flood Warning service and Met Office severe weather warnings email alert service.
2. No consent is granted or implied for the advertisement shown on the submitted plans (the sign near the top of the building which reads 'Western House'), for which a separate application may be necessary.
3. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at:
<https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>
As this is a new document it will be kept under review. We therefore invite comments from users to assist us in the ongoing development of the guide.
4. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway.
For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.
As the existing building to be demolished abuts the highway boundary, any barriers, scaffolding, hoarding, footway closure etc. required for the demolition works to be undertaken will require a licence. This should be applied for by emailing Licensing@leicester.gov.uk.
5. The foundations of the walls of the building which abut the highway footways on the frontage to Western Road must be designed and implemented so that they do not encroach onto the highway.
6. With regards to the Travel Pack, the contents of the pack are intended to raise the awareness and promote sustainable travel, in particularly for trips covering local amenities. The applicant should seek advice from Bal Minhas (Leicester City Council's Travel Plan Officer - 0116 454 2849).
7. The City Council, as Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may

have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process and pre-application process. The decision 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 is considered to be a positive outcome of these discussions.

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_H07 Criteria for the development of new flats and the conversion of existing buildings to self-contained flats.
- 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'.
- 2014_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.
- 2014_CS13 The Council will seek to maintain and enhance the quality of the green network so that residents and visitors have easy access to good quality green space, sport and recreation provision that meets the needs of local people.
- 2014_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.
- 2014_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.
- 2014_CS17 The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.
- 2014_CS18 The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.
- 2014_CS19 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.

Item 4b

Recommendation: Conditional approval	
20252035	83 Laverton Road
Proposal:	Change of use from dwellinghouse (Class C3) to children's residential care home (max 3 children) (Class C2)
Applicant:	Mr Neil Smith
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20252035
Expiry Date:	16 March 2026
CY1	WARD: Humberstone & Hamilton



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Summary

- The application has been brought to committee due to there being objections received from 10 separate addresses in the Local Authority Area.
- The application is for the change of use from a family home to a care home
- The main issues are principle of development, impact on neighbouring amenity, and impact on highways functioning.
- The application is recommended for conditional approval.

The Site

The application relates to a 4-bed detached property situated within a residential area consisting of similar large family dwellings.

Background

Permission was granted for the housing estate under applications 20120779 (outline) and 20130582 (reserved matters), then varied under application 20131750 (reserved

matters). A number of conditions were discharged under several applications, however under an application (20202026) in 2020 to determine whether all conditions had been discharged it was determined details under conditions 4, 5, 6, 9, 10, 11, and 13 of applications 20130582 and 20131750 remain outstanding.

There is no other planning history associated with this property specifically.

The Proposal

The application seeks permission for the change of use from a family home with 4 bedrooms (Class C3) to a children's care home for three children (Class C2). The dwelling external and internal layout would remain the same with the ground floor study being proposed as a carers office, and the fourth bedroom upstairs being used as a staff bedroom, with the others for the three children in care.

A planning statement has been submitted which states: *"The house will provide a full-time residence for 3 children between the age of 5-17, with up to 2 adult carers who will occupy the property at all times, operating on a shift pattern. Allowance is also made for a home manager, who will be a regular visitor to the home for administrative and supervision purposes... The shift pattern for carers will be 24hr shifts with changeover arranged for 8am with a duration of 30 minutes. The changeovers will be managed to limit disturbance to neighbours during busy hours. The manager will be on site during daytime only within key times between 9am-5pm, unless required out of hours in emergency."*

A property management plan was received on the 18th February providing details of the proposed managers, visitors, regulation of the home, noting 2 other homes under the same management in the authority, and complaints procedure for neighbouring residents should any concerns arise from the proposed use. This states that changeovers would take place around 10:30.

Policy Considerations

National Planning Policy Framework 2024

Paragraph 2 (Primacy of development plan)

Paragraph 11 (Sustainable development)

Paragraph 39 (Early engagement)

Paragraph 44 (Right information crucial)

Paragraph 57 (Six tests for planning conditions)

Paragraph 61 (Housing supply)

Paragraph 63 (Housing size, type and tenure)

Paragraph 109 (Transport impacts and patterns)

Paragraph 115 (Assessing transport issues)

Paragraph 116 (Unacceptable highways impact)

Paragraph 117 (Highways requirements for development)

Paragraph 135 (Good design and amenity)

Paragraph 198 (Noise and light pollution)

Paragraph 201 (Planning decisions separate from other regimes)

Core Strategy 2014 and Local Plan 2006

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

Emerging Local Plan

On 26.03.26 the City Council resolved to adopt the Leicester Local Plan 2026. As such, the formal adoption of the Leicester Local Plan 2026 is imminent.

In accordance with paragraph 49 of the NPPF, weight can be given to the emerging Local Plan and as it progresses, more weight can be afforded to the policies in the emerging Local Plan. The following policies from that plan are given significant weight in this decision:

- Policy Ho03. Housing Mix
- Policy Ho10. Retention of Family Housing
- Policy DQP06. Residential Amenity
- Policy T01. Sustainable Transport Network
- Policy T02. Climate Change and Air Quality
- Policy T03. Accessibility and Development
- Policy T07 Car Parking

Further Relevant Documents

Residential Amenity SPD 2008

Local Housing Needs Assessment (LHNA) 2022

Leicester City Council – Leicester Street Design Guide 2020

Local Plan Appendix 001 – Vehicle Parking Standards

GOV.UK Planning Practice Guidance – Noise <https://www.gov.uk/guidance/noise--2>

Consultations

Social Care – support the proposal. Full comments below:

The Social Care and Education department of Leicester City Council have been asked to provide comment on the planning application for 83 Laverton Road for a change of use to a residential children's home. Ultimately, any decision to change the registration and / or statement of purpose of such a provision rests with Ofsted.

Ofsted clarified their expectations around residential home registration in December 2025. They expect that before a home is opened, we expect providers to engage with the local authority to confirm that:

- there is a need for a home in the area;
- essential services are available (e.g. CAMHS, schools, dentists); and
- the location is safe and suitable

We have received communication from the applicant in respect of these matters and note that the applicant is an experienced provider and is proposing to provide care for young people with a range of complex needs with Social Emotional and Mental Health needs. The scope of the home's proposed statement of purpose has been discussed with local authority commissioners.

Is there a need for a children's home in this area?

There is no volume need for children's homes in Leicester City but there is a need for experienced providers for the most challenging children. Leicester City Council currently has had a need for 100 children bed spaces on a continuous basis over the past few years. Having regard to discussions with ourselves and Ofsted in January 2026, there are 122 registered beds within the Local Authority area. It is expected over the next five years the need for residential beds will reduce and the local authority will increase its directly run provision.

However, there is a need for experienced providers in the city as not all registered beds are of the quality required by the local authority. Treasure Nest Ltd are a contracted provider to Leicester City Council with two homes in the county rated "good" and "outstanding". Therefore, we believe that this proposed home will be of potential benefit to children from Leicester City.

Are essential services suitably available?

There are significant pressure on health (primary care, dentistry, paediatrics, CAMHS), education places (particularly for those children with additional needs) and policing in the city. The proposed home is likely to be used by Leicester City Council for local children and as such we would expect local children to be placed who already in contact with relevant service so would not add new pressures.

Is the location safe and suitable?

The proposed provider has provided the methodology to be used to assess location risk and the provider has demonstrated a solid knowledge of managing risks inherent in providing children's residential care. This will need to be fully completed if the local authority is to support Ofsted registration. Local knowledge does not suggest any particular risk in the proposed location at the current time.

Further comments

Staffing provisions described by the applicant are in line with the minimum staffing numbers that would be required by Ofsted. There is potential need for car parking etc at shift handovers for staff as described in the planning statement. The applicant proposes three residents. The Highways considerations also need to take account of additional regular professional and family visitors to the home.

In respect of the proposed operator, I recommend the benefit of the permission be restricted through a personal consent condition to Treasure Nest Ltd.

Conclusion

Having regard to the above, the Social Care department would support registration of the proposed care home with Ofsted once a formal location risk assessment has been completed. The proposal would desirably add to children's care provision in Leicester. I support the application.

Representations

Objections have been received from 10 addresses within the local authority boundary raising the following concerns:

Principle of development

Notes a need for care homes but considers this location inappropriate.

Notes other care homes are in the area and additional home could cause an imbalance

Residential area consists mostly of family homes and has a peaceful living environment. A commercial/ institutional-style care operation would alter the nature of the area and risks eroding the existing sense of community cohesion and security.

Residential Amenity

Residential area consists mostly of family homes and has a peaceful living environment. A commercial/ institutional-style care operation/more intensive use with more complex operations than a family dwelling would undermine the residential amenity and safety.

Additional staff patterns, regular vehicle movements at all hours, visitors, and potential emergency service attendance would lead to increased noise and disturbance.

Weekly or monthly fire alarm tests would be disruptive.

Highway impact and parking

Staff and visitors would result in traffic within a road network that was designed purely for residential use.

There is an existing lack of on-street parking and the proposal could lead to congestion, obstruction, and reduced safety for pedestrians, particularly children and elderly residents.

The application does not demonstrate how this increased demand would be accommodated without exacerbating congestion and creating highway safety concerns.

Other matters

Property is not large enough to facilitate 2-3 adults and 3 children.

Questions regarding publicity conducted and who was notified of the development

Existing graffiti, noise and maintenance of the park is not acceptable

Development would set an undesirable precedent for further non-residential uses in the area.

Without a clear management plan or behavioural management policies, it is not possible to properly assess the impact on neighbouring properties or ensure the protection of residential amenity.

Questions of whether the council will take responsibility for any anti-social behaviour resulting from the change of use if approved.

Impact property values

Consideration

Principle of Development

Core Strategy policies CS06 and CS08 state new housing developments will be required to provide an appropriate mix of housing types, sizes and tenures to meet the needs of existing and future households. This trajectory is maintained in the emerging Local Plan policies Ho03 and Ho10.

The proposal would change the use of the site away from a residential dwelling (Class C3). The Local Housing Needs Assessment published in 2022 identifies the need for different sizes of family (C3) dwellings across the city. Table 2 in the 2026 Local Plan states there is a need for 3,792 4+ bedroom homes over the plan period. Therefore, the proposal would run contrary to the need for large family housing.

As confirmed by the Children's Social Care Team, the rolling need for children's care homes is 100 bed spaces, with the Council currently benefitting from 122 bed spaces as of January 2026. However, whilst the volume need of children's care homes for Leicester City Council children is being met, the Social Care Team note that there is a need for experienced and resilient providers with a proven record of effectively maintain long term placements for children with the most complex needs. The applicant for this application has two existing properties in the authority boundary which are rated 'outstanding' and 'good' and is considered to meet a qualitative need that Leicester City Council has.

Conditions could be attached to ensure that the home is only run by the applicant and no other operators, and to confirm that the property would be converted back to a family dwelling if/when the applicant's ceases to continue the C2 use. Noting this I consider the loss of a family house would not necessarily be a permanent/long-term situation and the impact of this would be outweighed in this instance by the Council's need for good quality children's homes managed in a way to mee the specific demands of the City. As such I consider the change of use from a family home to a children's home is acceptable in principle.

I have also reviewed the planning history for small children's homes in the nearby area and note that a site within close proximity to the application site was granted permission for a children's home with 3 children: 69 Bryony Road, (over 50m away/1min walk) and an additional home at 13 Farnley Road, (over 300m away/6min walk). It is understood not clear whether this property has secured a licence from Ofsted or whether the use has commenced and I will provide an update at the Committee meeting on this. Regarding concerns about the use impacting a residential area, the proposal is not considered to be a commercial use and is ultimately residential in nature. The number of occupants is not dissimilar to the number of residents expected to reside within a family home of the same size. I do not consider that this use individually or taken cumulatively with others in the vicinity would result in a disproportionate number of children's home or an impact on the character of the area that would be unacceptable in principle.



Map showing existing children's care homes in yellow within a 400m radius and application site in red

Residential amenity (neighbouring properties)

Taken together, NPPF paragraph 135f, and Local Plan saved policies PS10 and PS11 require a good standard amenity to be retained for neighbouring residents.

As no external alterations are being completed on the property, there would be no impact to the levels of outlook, light or privacy to neighbouring properties.

With regards to noise, the property is a detached property. As such there would not be significant noise impacts from internal use of the property to neighbouring dwellings. The proposal is to provide managed care for three young people with carers always present for professional oversight and supervision. Whilst there would be potential for there to be more people present in the house regularly during daytimes, there would not be likely to be any inherently noisy uses or activities that would be out of character for a residential area. Whilst neighbours may experience different character of activities such as staff changes and, possibly, more transient occupiers over the longer term, it is considered that these differences do not necessarily equate to harm. It is also not considered that the use of the rear garden by staff and occupiers of the home, nor general comings and goings associated with the property, are likely to give rise to noise impacts that would be very significantly

different from the existing four-bedroomed dwelling or unacceptably impact amenity at any neighbouring properties.

Therefore, the proposal would not conflict with NPPF paragraph 135f, and Local Plan saved policies PS10 and PS11, and the emerging 2026 Local Plan policy DQP06 and the proposal would be acceptable in terms of impact upon amenity.

It should also be noted that regardless of this decision, the granting of any planning permission does not indemnify against statutory nuisance action being taken should substantiated noise complaints be received but there would be no planning justification to withhold permission on this basis. NPPF paragraph 201 states that: 'The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.' As the proposal would be an acceptable use of land and given the suitable separation between the application site and the neighbour, there is no planning reason to require a noise management plan on the grounds of noise/disturbance/anti-social behaviour which again, could be dealt with by noise pollution control, the police or Ofsted. It is also considered that a noise management plan for this type of use would present significant technical enforcement challenges and as such would not be appropriate to impose.

Regarding concerns about fire alarm testing specifically, the Planning Statement states fire alarms could be tested on a monthly basis if weekly tests are found disruptive by residents. I do not consider 12 fire alarm tests a year to equate to significant harm.

I conclude that the proposal would comply with policy CS03 of the Core Strategy (2014), saved policy PS10 of the Local Plan (2006), 2026 Local Plan policy DQP06, and paragraph 135 of the NPPF, and is acceptable in terms of amenity to neighbouring properties.

Living Conditions

The dwelling is to be occupied by up to 3 children.

The house would provide reasonable levels of light, outlook, and privacy as the current occupants do, and would benefit from ample sized bedrooms and communal areas with over 130m² of rear private garden space.

I therefore consider that the proposal provides a sufficient quality of living space for future occupants as a care home for 3 children, and the works are in accordance with Policy CS03 of the adopted Core Strategy. I consider a condition is secured to ensure there would be no more than 3 children in care at any given time.

Highways and Parking

Policy Context

Local Plan saved policies AM01 and AM02, 2026 Local Plan policies T01 and T07 and NPPF paragraphs 109 and require developments to provide suitable facilities for traffic and parking. Appendix 01 from the saved Local Plan provides maximum

parking requirements for each type of use, for family housing this is 2 spaces per dwelling, and for Class C2 residential institutions this is 1 car parking space per 4 bedspaces.

NPPF paragraph 116 states: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.”*

There would be 2-3 staff on site at any given time, with a 30minute period during the day in which staff would change over, there would also be times where visitors would be present. Excluding the 30-minute changeover period this is not dissimilar to a standard family home of this size. The house is relatively new and build to accord with modern day parking expectations. The drive would comfortably fit 2 cars and the garage would provide another exceeding the recommended maximum standards in Appendix 01, and providing space for at least 3 staff members on site. I would not consider that, even in the instance of a modest amount of off-street parking taking place outside of the property for visitors and additional staff during changeover, the proposal would result in significant impacts to highway safety or functioning. Even during busier periods, I do not consider the use would cause an unacceptable or severe impact on highway safety.

Additionally, there is scope to store bikes on site, either to the rear or within the garage, and there is a bus stop 6 and 7 minutes away serviced by the 38, 58, 58a bus which travel from Hamilton to the city centre.

The proposal would be in accordance with the NPPF paragraphs and policies listed above, and the proposal would not warrant refusal on highways grounds.

Other matters

Regarding points raised by the objections, the application was publicised in accordance with statutory publicity requirements.

House prices are not a material planning consideration.

The property is considered large enough to facilitate 2-3 adults and 3 children in planning terms and a separate assessment in terms of capacity and running of the home would be carried out by Ofsted at registration phase.

There is no evidence to suggest that existing issues regarding graffiti, noise and maintenance of the park would be exacerbated by the proposed development.

The development would not set an undesirable precedent for further non-residential uses in the area as each application is determined on its own merits.

Regarding questions and concerns about management plans and behavioural management policies, such details would be assessed by Ofsted who acts as the regulating body for Children’s homes. The property would need to be registered by Ofsted in order to act lawfully. As part of this, the Council’s social care team would also review the acceptability of the proposed care plans.

There is no evidence to suggest that the new use would result in an increase in crime or antisocial behaviour. Any illegal activities should be reported to the police for investigation.

Conclusion

I therefore recommend that the application be APPROVED 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 use hereby permitted shall be carried on only by Treasure Nest Ltd (company number 12602940). When the premises cease to be operated by Treasure Nest Ltd, the use hereby permitted shall cease and the property reverted back to a family house (Class C3). (To ensure the use addresses the qualitative need evidenced by the Social Care Team and Local Housing Needs Assessment and is in accordance with Core Strategy policies CS06 and CS08 and 2026 Local Plan policy Ho03).
3. The premises shall not accommodate any more than 3 residents in care at any one time, unless otherwise approved in writing by the local planning authority. (To enable consideration of the amenity of residents and parking impacts of a more intensive use, in accordance with Policy CS14 of the Leicester Core Strategy, saved Policy PS10 of the Local Plan, and 2026 Local Plan policy DQP06.
4. Development shall be carried out in full accordance with the following approved plans:
 - LUX_054-20 70 01, Proposed Elevations, Revision P01, Received 12 January 2026
 - LUX_054-20 00 01, Proposed Floor Plans, Revision P01, Received 12 January 2026
 - LUX_054-00 00 02, Proposed Site Plan, Revision P01, Received 19 January 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 below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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_PS11	Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.
2014_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.
2014_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.
2014_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.
2014_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.

Item 4c

Recommendation: Conditional approval	
20251959	4 Burnaston Road
Proposal:	Construction of two storey extension at side and rear; single storey extension to rear of house (Class C3) (amended plans received 12 March 2026)
Applicant:	Mr T Mushambadope
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20251959
Expiry Date:	5 March 2026
JA1	WARD: Aylestone



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Summary

- The application is a householder application for the construction of a two storey extension at the side and rear, and ground floor extension to rear.
- The application is brought to committee as the application has received 7 objections from 6 addresses within the city, including an objection from Councillor Nigel Porter.
- The main considerations are design, neighbouring residential amenity, amenity of occupiers and protected species.
- The recommendation is to grant conditional approval.

The Site

The application site concerns a two-storey semi-detached dwelling within a suburban area of the city. The existing dwelling benefits from a garden of approximately 167sqm.

The site is within a surface flood warning area and a critical drainage area. Part of the site is also within 250 metres of a gas landfill buffer.

Background

The application site has no previous planning application history.

The Proposal

The application is for the construction of a two-storey extension to side and rear, and a ground floor extension to the rear of the dwelling. To the side, the extension would have a width of approximately 2.2 metres, and the first-floor aspect of the side extension would be setback by 1 metre. It would measure 5.1 metres at the eaves and 7.6 metres at the ridge of the roof. The side extension would accommodate a playroom, shower/toilet and utility room on the ground floor. On the first floor of the side extension, a study, ensuite and part of bedroom 3 would be accommodated.

To the rear of dwelling, the ground floor extension would measure 5.5 metres in depth, 7.8 metres in width, 2.5 metres at the eaves and 3.4 metres at the ridge. Whereas the first-floor rear extension would measure 3 metres in depth, 6 metres in width, 5.1 metres at the eaves and 7.1 metres at the ridge. The ground floor would accommodate a large kitchen/dining room area and the first-floor extension would extend bedroom 2 and 3.

The proposed materials would match those of the existing dwelling.

During the application process, a proposed outbuilding was removed from the application.

Policy Considerations

National Planning Policy Framework 2024

Paragraph 2 (Primacy of development plan)

Paragraph 11 (Sustainable development)

Paragraph 44 (Sufficient Information for good decision making)

Paragraph 57 (Six tests for planning conditions)

Paragraph 135 (Good Design and Amenity)

Paragraph 136 (Trees)

Paragraph 139 (Design Decisions)

Paragraph 140 (Clear and accurate Plans)

Paragraph 181 (Flood risk considerations and SuDS)

Paragraph 193 (Biodiversity in planning decisions)

Local Policies

Core Strategy Policy CS02 (Climate-change and drainage)

Core Strategy Policy CS03 (Well-designed developments)

Core Strategy Policy CS17 (Nature Conservation)

Local Plan Policy PS10 (amenity of existing or proposed residents)

Supplementary Guidance

Residential Amenity SPD (2008)

Emerging Local Plan

On the 26th of March 2026, the Council approved the new local plan for adoption. The adoption of the emerging Local Plan is intended to take place in May 2026. In accordance with paragraph 49 of the NPPF, weight can be given to the emerging Local Plan and as it progresses, more weight can be afforded to the policies in the emerging Local Plan. I consider that the emerging local plan can be afforded significant weight.

Emerging Policies

Policy DQP01 Design Principles

Policy DQP03 Inclusive Design

Policy DQP04 Landscape Design

Policy DQP06 Residential Amenity

Policy NE01 Protecting designated sites, legally protected and priority species, and priority habitats

Policy T07 Car Parking

Representations

Seven objections were received from 6 separate addresses within the city, including Councillor Porter. They comprised of the following concerns:

Character and Design

- The proposed two storey rear extension would project beyond the established building line across Burnaston Road. As a result, it would appear visually awkward and out of keeping, disrupting the consistent pattern of development and undermine the character of the area.
- The proposed two storey rear extension is excessive in scale in comparison to the host dwelling and surrounding properties.
- The depth and height of the rear projection would mean it no longer appears subordinate to the original house.
- The extension would introduce a visually dominant and intrusive structure into views that are currently open and consistent in character.
- The proposed two storey rear extension would also appear out of keeping with the established rear garden scene, where properties follow a broadly uniform and modest rear building line.
- The original footprint would be almost doubled and will be overbearing to neighbouring properties.
- The proposed extension by reason of its overall massing, scale and length is out of keeping with the character of the surrounding area.
- The size of the rear extension and especially second-floor element would appear excessive when viewed in context of neighbouring properties.
- Residents are concerned that the scale of the proposal goes beyond what is expected for a single residential dwelling and whether the proposal is genuinely proportionate to the site.
- The scale and siting and impact on neighbouring amenity would represent overdevelopment of the plot and would be harmful to the character of the area and living conditions neighbouring residents.
- The proposed two storey rear extension would look visually incongruous when viewed from surrounding properties.

- A two-storey extension to the of the property is not in keeping with other surrounding buildings.

Impact on amenity of neighbouring residents

- The two-storey rear extension would result in an unacceptable loss of daylight and an overbearing impact on neighbouring houses.
- The two-storey rear element would reduce natural light to an existing first floor bathroom window.
- The height and depth of the two-storey rear projection would have an enclosing and dominant effect that would be harmful to residential amenity, and a single storey extension would not have the same level of harm.
- The two-storey rear element would result in the unacceptable loss of privacy to neighbouring properties.
- The first-floor windows would enable direct overlooking into rear gardens and the level of overlooking would not arise from only being single storey.
- The two-storey extension to the side will restrict the light to the windows within the side elevation of 6 Burnaston Road and impact privacy to a landing window.
- The height and mass of the second storey rear element would have a significant and harmful impact on outlook.

Parking and Highways Concerns:

- There is no provision for any extra parking for a property this size and parking is already constrained.

Councillor Nigel Porter's Objection:

- The proposed extension by reason of its overall massing, scale and length is out of keeping with the character of the surrounding area.
- The size of the rear extension and especially second-floor element would appear excessive when viewed in context of neighbouring properties.
- Residents have expressed specific concerns about the proximity of the second-floor extension to their boundary. It would result in the substantial loss of outlook from their bedroom window.
- The extension would lead to a significant increase in overshadowing, leaving the bathroom in near permanent shade, affecting their amenity.
- The residents are concerned that the scale of the proposal goes beyond what is expected for a single residential dwelling and whether the proposal is genuinely proportionate to the site.
- The scale and siting and impact on neighbouring amenity would represent overdevelopment of the plot and would be harmful to the character of the area and living conditions neighbouring residents.

Councillor Porter's concerns are addressed in the relevant planning consideration sections of the main body of the report.

Concerns were received regarding a proposed outbuilding. However, this element of the proposal has now been removed from the application.

Consultations

No consultations were undertaken.

Considerations

Principle of development

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

Design and Character Considerations

NPPF paragraph 135 and Core Strategy policy CS03 require well-designed developments that do not detract from the 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.

Within the objections, there are several residents who have raised concern over the scale of the rear extension. It has been stated that the rear extension would project beyond the established building line of Burnaston Road; it would be excessive in scale, massing and length, resulting in a proposal that would not be subordinate to the original house. The objections also stated there would be harm as a result of the two-storey element appearing out of the keeping with the local area, being visually dominant and awkward, and harming views from the gardens of neighbouring dwellings. The proposed rear extension would be two storeys in scale. Whilst the two storey element of the rear extension would introduce a new type of development within the surrounding area, I consider its harm on the character and design of the dwelling and locality would be very limited. The rear extension would not be visible from the public realm, significantly limiting its harm on the surrounding area and therefore not disrupting the established building line to the front. In addition, the proposal's scale and massing would be proportionate to the original dwelling. This is evidenced by the drop in the ridge height of the extension's roof, the depth of the rear first floor element being limited to three metres, and the rear extension also having a reduced width in comparison to the ground floor element. As a result, I do not consider the proposed first floor rear extension would appear visually awkward. Instead, the proposal would appear as a subordinate addition, ensuring it does not cause adverse harm to the design of the original dwelling.

Furthermore, there is also concern that the scale of the overall proposal would represent overdevelopment of the site, as the scale of the proposal would exceed what is expected for a single residential dwelling. It was also stated that the original footprint of the house will be almost doubled. However, the existing footprint of the house is approximately 78msq and the proposed extensions would increase the footprint to approximately 108msq. As the application site is approximately 291msq, I consider the proposal's footprint will be comfortably proportionate to the site and would not exceed what is considered a reasonable development for a plot of this size.

The proposed materials of the development would match those of the existing development. The proposed materials also include the provision of render to part of the first-floor side extension that faces Burnaston Road. In addition, quoins detailing will also be incorporated on the front elevation, replicating an appropriate architectural detailing within the street scene. I consider the addition of render and the incorporation of quoins detailing will help the proposal assimilate with the character of the development within the surrounding area.

Overall, the proposal would have an acceptable impact on the character and design of the existing dwelling and surrounding area. Whilst the proposed first floor rear extension would be visually different to other extensions in the area, as the scale and massing is modest and it is sited to the rear of the dwelling, it would have a very limited impact on the character and design of the locality whilst also having an acceptable impact on the design of the existing dwelling.

Impact on Neighbouring Amenity

NPPF paragraphs 135 & 198 and saved Local Plan policy PS10 require amenity to be protected for neighbouring residents from development.

Within the objections, concerns were raised with the two-storey rear extension's scale and massing having a harmful impact on the outlook and access to natural light of neighbouring houses. Furthermore, some residents also expressed specific concerns regarding the proposed first floor rear extension, stating it would result in the substantial loss of outlook from adjacent bedroom windows. However, the adjacent principal first floor rear windows (serving bedrooms) of 2 Burnaston Road and 6 Burnaston Road would not have their splay intersected by the proposed rear extension. Whilst the proposal would have an impact on these windows, the impact would be considered acceptable because of the proposal complying with the residential amenity SPD, by not intersecting the splay of adjacent principal first floor windows. In addition, specific reference was also made to the harmful impact of the proposal on the adjacent bathroom window of 2 Burnaston Road. The proposal would have an impact on the light and outlook of the bathroom window. However, as the bathroom window serves a non-principal room and is obscure glazed, I do not consider the impact would be significant on the living conditions of the occupants at 2 Burnaston Road.

Furthermore, objections were also received that argued the two-storey extension will restrict light to the windows within the side elevation of 6 Burnaston Road. The windows within the original side elevation of the house, serve either the kitchen or landing space of the dwelling, therefore the impact would be acceptable as the windows do not serve principal rooms. However, the first-floor rear extension would intersect the splay of the windows on the side elevation of the rear extension to 6 Burnaston Road. Nonetheless, on balance I consider the impact would be acceptable, as the rear extension has acceptable access to light and outlook to the rear, therefore the impacted windows would be considered a secondary aspect.

In addition, objector's have also highlighted that the height and depth of the proposal would have an enclosing and dominating impact on neighbouring sites. The first floor extension would be built to the boundary of 6 Burnaston Road and it would measure approximately 5 metres in depth from the start of the rear amenity space within 6 Burnaston Road's garden. As the garden boundary between 4 Burnaston Road and 6 Burnaston Road measures approximately 20 metres, I do not consider the first-floor extension would be significantly dominant or create an enclosure effect, in consideration of the overall context of the site.

Objections were also concerned with the harm that the proposal could cause to neighbouring privacy, referencing the two-storey aspect of the proposal that could enable direct overlooking. Objectors stated that these concerns would not arise if the proposal was single storey in scale. However, I do not consider that the proposal would

lead to an unacceptable impact on neighbouring privacy. All proposed windows within the proposal will directly face onto the street, or the rear garden of 4 Burnaston Road. As the proposed windows will not directly face neighbouring gardens or dwellings; except for the garden of 4 Bretby Road that would have a separation distance of approximately 18 metres, the windows would not cause adverse harm to neighbouring privacy or gardens or adjacent dwellings.

Following the assessment of material planning considerations in the previous paragraphs, I consider the application would have an acceptable impact on the amenity of neighbouring residents.

Living Conditions

The existing site is a semi-detached dwellinghouse. Saved Policy PS10 of the local plan (2010) applies to the amenity of future as well as existing residents.

The proposal would have an acceptable impact on the existing access to natural light, outlook and privacy. In addition, all proposed extensions would have acceptable living conditions with regard to natural light access, outlook and privacy.

Furthermore, following the proposed development, the rear garden amenity space would still exceed the recommended guidelines of 100msq within the residential amenity SPD, ensuring residents of the dwelling would have adequate private space for amenity.

Overall, I consider the proposal's impact would have an acceptable impact on living conditions for all existing and future residents of 4 Burnaston Road.

Parking and Highways Impact

An objection raised concerns with the proposal's impact on existing parking and highways, stating that, 'there is no provision for any extra parking for a property this size and parking is already constrained'. The existing house has 3 bedrooms and the application proposes 4 bedrooms with one study room. In the vehicle parking standards, maximum parking standards recommended that 3+ bedroom houses have 2 parking spaces which is also the number recommended for a 4/5 bedroom house. As the application proposes no alterations that would impact the existing parking provision of 1 space such, I consider the proposal would have an acceptable impact on the existing parking and highways situation of the site and surrounding area.

Nature Conservation

Core Strategy Policy CS17, sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.

As part of the application, a Preliminary Roost Assessment (PRA) was submitted in support of the proposal. The assessment determined that the existing site had no features that are suitable, or likely to be used by roosting bats, therefore the building has negligible suitability for roosting bats. It was recommended that no further surveys will need to be undertaken as a result of the findings of the PRA.

I am satisfied with the findings of the PRA report. However, a condition will be attached to the permission requiring a further PRA to be undertaken, if the work does not commence within 18 months of the original survey date.

Other Matters

Within the objections, concerns were raised about the future use of the premises as a Care Home (C2) or House of Multiple Occupation (Class C4). However, if the site was to be used as a care home (Class C2), a further planning application would be required for a change of use from Class C3. This would require and enable further assessment of material planning considerations that are not relevant to the assessment of this application. Notwithstanding this, the site is not within an area of the city that has an article 4 direction removing the permitted development rights to change from Class C3 to Class C4, therefore a change of use could occur lawfully, without permission. Nonetheless, there is no justification to remove the permitted development rights for C3 to C4 use at 4 Burnaston Road, as there is not considered to be an over-concentration of C4 use in the area.

As the application is within a gas landfill buffer zone, a note to applicant will be attached to the permission outlining that appropriate guidance should be sought to mitigate against the risk of landfill gas during development.

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 CS03.)
3. The proposed render as identified on 'Proposed Elevations' that were received by the local authority on the 12 March 2026, shall be finished in render to match the existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
4. Should the development not commence within 18 months of the date of the last protected species survey (15/12/2025), then a further protected species survey shall be carried out of all buildings by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and agreed in writing with the local planning authority and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey should be repeated every 18 months and any mitigation measures reviewed by the LPA until the development commences. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat & Species Regulations 2017 and CS 17 of the Core Strategy).

5. Development shall be carried out in full accordance with the following approved plans:
DRAWING NUMBER 2025/11/238/A, Page Number 2, received 12 March 2026
DRAWING NUMBER 2025/11/238/A, Page Number 4, received 12 March 2026
DRAWING NUMBER 2025/11/238/A, Page Number 5, received 12 March 2026
DRAWING NUMBER 2025/11/238/A, Page Number 6, received 12 March 2026
DRAWING NUMBER 2025/11/238/A, Page Number 7, received 12 March 2026
DRAWING NUMBER 2025/11/238/A, Page Number 11, received 12 March 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. It is considered that there is a perceptible risk from landfill gas adversely affecting this site. It is therefore recommended that the advice of a suitable consultant should be sought and carried out in the design and development of any building at this site, or underground services associated with them. It is pointed out that it is the developer's responsibility for the safe development and secure occupancy of this site.
3. It is recommended that care is taken during works should any bats or birds or their roosts or nests be discovered on or adjacent to the building or rooftop. In such a case, it is recommended that advice from a qualified ecologist should be sought before proceeding with works, given environmental protection legislation. Bats can roost or be present in roof structures of buildings or in crevices of walls. Further information on bats and the law can be found by searching for Bats: protection and licences - GOV.UK (www.gov.uk). Further information on birds and the law can be found by searching for Wild birds: protection and licences - GOV.UK (www.gov.uk)
4. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations

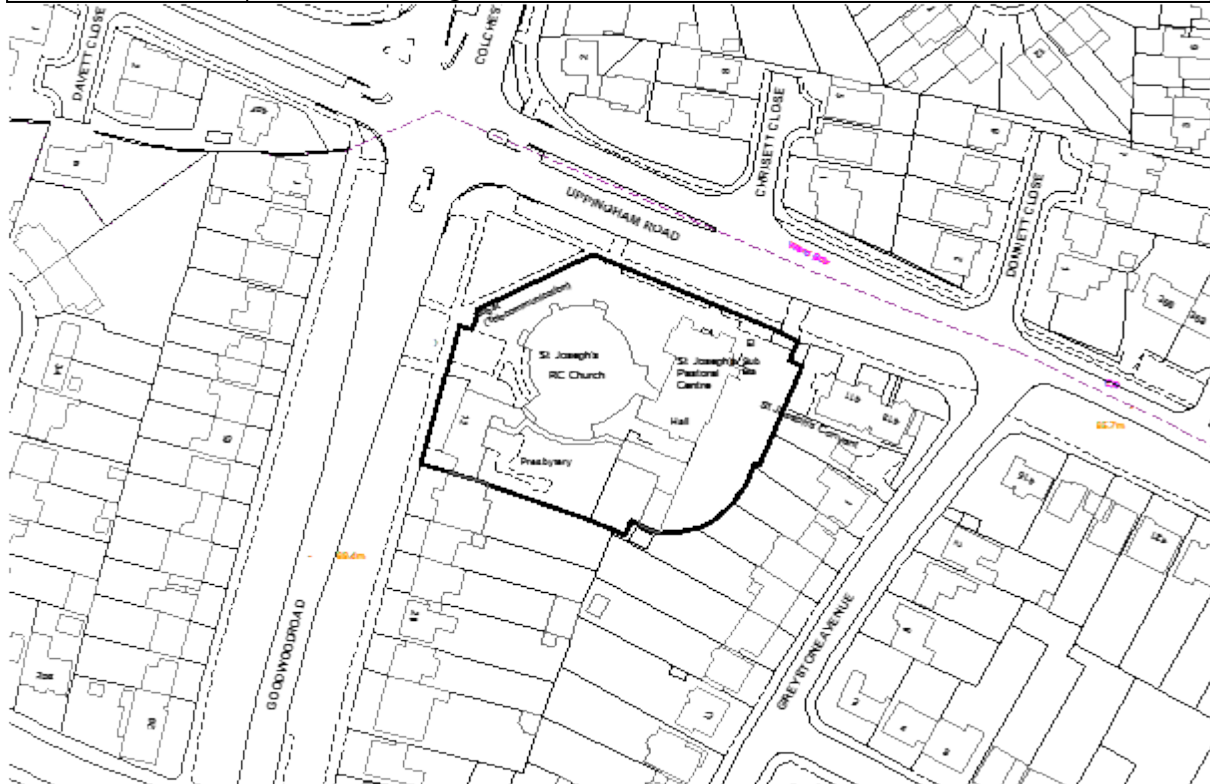
that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process. The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2024 is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

- | | |
|-----------|--|
| 2006_PS10 | Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents. |
| 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'. |
| 2014_CS17 | The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network. |

Item 4d

Recommendation: Conditional approval	
20260077	12 Goodwood Road, St Josephs Church presbytery
Proposal:	Alterations to presbytery ancillary to St Josephs Church (Class F1)
Applicant:	Fr David Cain
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20260077
Expiry Date:	17 April 2026
CY1	WARD: Evington



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Summary

- This application has been brought to the Planning and Development Committee as the agent is related to an elected councillor
- The application is for alterations to a presbytery ancillary to St Josephs Church
- The main considerations are design and the impact on the Grade II Listed Church
- The application is recommended for approval

The Site

The application relates to the presbytery ancillary to St Josephs Church located on the corner of two classified roads: Goodwood Road and Uppingham Road. The church itself is Grade II Listed, but the presbytery is not. The site is also within 250m of a known landfill area.

Background

No recent relevant history is associated with the site.

The Proposal

The application seeks permission for some minor external alterations to the fenestration of the presbytery. This is to convert the inside from living quarters for one member of the clergy (priest) to three members separated into flats. As the dwelling would still provide living quarters solely for members of the clergy (retired priest, priest, and chaplain) the property is considered ancillary to the church and as such permission is not required for any internal subdivisions.

The physical external alterations include an additional door to the elevation facing Uppingham Road and the relocation of a door on the rear (east-facing) elevation.

Policy Considerations

National Planning Policy Framework 2024

Paragraph 2 (Primacy of development plan)

Paragraph 11 (Sustainable development)

Paragraph 39 (Early engagement)

Paragraph 44 (Right information crucial)

Paragraph 57 (Six tests for planning conditions)

Paragraph 131 (High quality, beautiful and sustainable buildings)

Paragraph 135 (Good design and amenity)

Paragraph 136 (Trees)

Paragraph 139 (Design decisions)

Paragraph 140 (Clear and accurate plans)

Paragraph 202 (Heritage as an irreplaceable resource)

Paragraph 207 (Heritage statement)

Paragraph 208 (Considering impact on heritage assets)

Paragraph 210 (Sustaining significance of heritage assets)

Paragraph 212 (Conservation of designated heritage assets)

Paragraph 213 (Clear & convincing justification for heritage impacts)

Paragraph 214 (Substantial harm considerations)

Paragraph 215 (Less than substantial harm)

Paragraph 219 (Positive contribution to heritage assets)

Core Strategy 2014 and Local Plan 2006

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

Emerging Local Plan

On the 26th March the local plan was taken to full council with a resolution recommending adoption of the plan. However, a number of various final documents, maps and legal statements must be carried out before the plan can formally adopted. Leicester City Council are aiming to formally adopt the plan in the 1st Week of May. Up until this time, the current local plan will still remain as the adopted development plan until it is formally revoked on the adoption of the new plan. Two emerging Local Plan policies are directly relevant to this proposal:

HE01. The Historic Environment

DQP01. Design Principles

Representations

None received

Consideration

As permission is only required for the external alterations, the only considerations are the impact on the appearance of presbytery and the Grade II Listed Church. Notwithstanding, for the avoidance of doubt a condition is recommended to ensure the use of the presbytery remains solely for members of the clergy.

The works are minor in nature and would have a neutral impact on the appearance of the building and would have a negligible impact on the setting of the listed building. A condition is recommended to secure materials to be in keeping with those existing.

I conclude that the proposal would comply with policy CS03 and CS18 of the Core Strategy (2014), saved policy PS10 of the Local Plan (2006), Emerging Local Plan Policy DQP01, and NPPF chapters 12 and 16 and is acceptable in terms of the character and appearance of the area including the designated heritage assets.

I therefore recommend that the application be APPROVED 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 doors and infill shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03 and Emerging Local Plan Policy DQP01.)
3. The presbytery shall only be used in conjunction with the main Church, shall be occupied solely by members of the Church's Clergy, and shall not be occupied, let, sold or otherwise disposed of separate to the Church. (Such development would be a material change of use and require further planning permissions and assessments from the Local Planning Authority).
4. Development shall be carried out in full accordance with the following approved plans:
25-12-13 P4, Proposed Ground Floor Plan, Received 22 January 2026
25-12-13 P5, Proposed First Floor plan, Received 22 January 2026
25-12-13 P6, Proposed Elevations, Received 22 January 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 below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
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

- | | |
|-----------|--|
| 2006_PS10 | Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents. |
| 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'. |
| 2014_CS18 | The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. |