

Leicester
City Council

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

DATE: WEDNESDAY, 1 JULY 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 Aldred, Agath, Joel, Karavadra, Kennedy-Lount, Kitterick, Mahesh,
Modhwadia, Mohammed and O'Neill

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

For Monitoring Officer

Officer contact:

**Jessica Skidmore, Governance Services Officer, email: jessica.skidmore@leicester.gov.uk / Sharif
Chowdhury, Senior Governance Services Officer, email: sharif.chowdhury@leicester.gov.uk
e-mail: jessica.skidmore@leicester.gov.uk**

Governance Services, Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ

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- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

Further information

If you have any queries about any of the above or the business to be discussed, please contact: Error! No document variable supplied., **Governance Services Officer**. Alternatively, email jessica.skidmore@leicester.gov.uk, or call in at City Hall.

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PUBLIC SESSION

AGENDA

NOTE:

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- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**

Members are 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

Item 3

Members are asked to confirm that the minutes of the meeting of the Planning Development Control Committee held on 15 April 2026 and 6 May 2026 are a correct record.

4. PLANNING AND DEVELOPMENT CONTROL COMMITTEE MEMBERSHIP 2026/27

Members are asked to note the Membership of the Planning and Development Control Committee for 2026-27, as detailed on the front of the agenda.

5. PLANNING AND DEVELOPMENT CONTROL COMMITTEE MEETING DATES

Members are asked to note the dates for Planning and Development Control Committee meetings for 2026-27:

- Wednesday 1 July 2026
- Wednesday 22 July 2026
- Wednesday 12 August 2026
- Wednesday 2 September 2026
- Wednesday 23 September 2026
- Wednesday 14 October 2026
- Wednesday 4 November 2026
- Wednesday 25 November 2026
- Wednesday 16 December 2026
- Wednesday 20 January 2027
- Wednesday 10 February 2027
- Wednesday 3 March 2027
- Wednesday 24 March 2027
- Wednesday 14 April 2027

6. PLANNING APPLICATIONS AND CONTRAVENTIONS

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

(i) 20260225 - 24 ABBOTS ROAD SOUTH

Item 6a

(ii) 20251701 - 41 RAYWELL ROAD

Item 6b

7. ANY OTHER URGENT BUSINESS



Leicester
City Council

Item 3

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 15 APRIL 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 Cole

Councillor Kennedy-Lount
Councillor Kitterick
Councillor Mohammed

Councillor O'Neill

* * * * *

1. APOLOGIES FOR ABSENCE

There were apologies of absence from Councillor Modhwadia and Councillor Singh Patel.

Councillor O'Neill was present at the meeting as a substitute for Councillor Joel.

2. DECLARATIONS OF INTEREST

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

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 25 March 2026 be confirmed as a correct record.

4. PLANNING APPLICATIONS AND CONTRAVENTIONS

(i) 20252035 - 83 LAVERTON ROAD

20252035 - 83 Laverton Road

Ward: Humberstone & Hamilton

Proposal: Change of use from dwellinghouse (Class C3) to children's residential care home (max 3 children) (Class C2)

Applicant: Mr Neil Smith

The Planning Officer presented the report.

Leona White-Simmonds spoke in support of the application.

Councillor Cole attended the meeting at this point, however did not engage in discussions or vote on the application.

Harish Patel, Mukesh Patel and Leena Thakrar 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 approved. This was seconded by Councillor Dr Lynn Moore, and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted subject to 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.

(ii) **20251959 - 4 BURNASTON ROAD**

20251959 - 4 Burnaston Road

Ward: Aylestone

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

The Planning Officer presented the report.

Councillor Porter addressed the Committee and spoke in opposition to 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. This was seconded by Councillor Mohammed, and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted subject to conditions

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. 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 CS3.)
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.

(iii) 20242042 - 122A WESTERN ROAD

20242042 - 122a - 182 Western Road

Ward: Westcotes

Proposal: Construction of four and six storey block of 46 apartments (29 x 1bed, 17 x 2bed) (Class C3) (amended plans)

Applicant: Mr Mitchell

The Planning Officer presented the report.

Jacqueline Jackson 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. This was seconded by Councillor O'Neill, and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted subject to 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, crops, livestock, 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 to 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 materials 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.)

25. 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 of March 2026

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

- Proposed Material Details, Drawing P08, Rev C, received on the 24th of 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. 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).
6. 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.
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.

(iv) **20260077 - 12 GOODWOOD ROAD, ST JOSEPHS CHURCH PRESBYTERY**

20260077 - 12 Goodwood Road, St Josephs Church presbytery

Ward: Evington

Proposal: Alterations to presbytery ancillary to St Josephs Church (Class F1)

Applicant: Fr David Cain

The Planning Officer presented the report.

There were no other speakers on the item.

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. This was seconded by Councillor Kennedy-Lount, and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted subject to 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.

5. ANY OTHER URGENT BUSINESS

As there was no other business the meeting was declared closed.



Leicester
City Council

Item 3

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 6 MAY 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 Cole

Councillor Joel
Councillor Modhwadia
Councillor Mohammed

Councillor Singh Patel

* * * * *

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Kennedy-Lount and Councillor Kitterick.

Councillor Kitterick attended the meeting as a registered speaker in relation to the planning application 20251441.

2. DECLARATIONS OF INTEREST

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

There were no declarations of interest.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED

Minutes from the meeting held on the 15th of April would be presented to the next meeting.

4. ANY OTHER URGENT BUSINESS

5. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair informed the Committee that the application 20251441 94-98 Regent Road was accepted as an urgent item in accordance with Section 100 B (4)(a)

Local Government Act 1972, due to special circumstances.

6. 20251441 - 94-98 REGENT ROAD

20251441 - 94-98 Regent Road

Ward: Castle

Proposal: Change of use from educational use (Class F1) to student accommodation (16 cluster flats including 98 bedrooms) (Sui Generis); construction of single storey extension at front; infill third floor extensions at the rear; access gate; associated landscaping and parking; alterations (amended plans received 12/03/2026 and 23/04/2026) (subject to section 106 agreement)
Applicant: Mr Charles Simmons

The Planning Officer presented the report.

David Kemp addressed the Committee and spoke in support of the application.

Councillor Kitterick 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 approved. This was seconded by Councillor Mohammed, and upon being put to the vote, the motion was CARRIED.

RESOLVED: Permission was granted subject to conditions and section 106 agreement

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 flats shall only be occupied by students enrolled on full-time courses at further and higher education establishments, or students working at a medical or educational institution as part of their medical or education course. The owner, landlord or authority in control of the development shall keep an up-to-date register of the name of each person in occupation of the development together with course(s) attended, and shall make the register available for inspection by the Local Planning Authority on demand at all reasonable times. (To enable the Local Planning Authority to consider the need for affordable housing in accordance with Core Strategy Policy CS07, and residential amenity standards for any alternative residential use in accordance with saved policies H07 and PS10 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS06, and parking provision in accordance with saved policies AM02 and AM12 of the City of Leicester Local Plan.)

3. No construction or demolition 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.

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.

(In the interests of the amenities of nearby occupiers, and in accordance with saved policy PS10 of the City of Leicester Local Plan.)

4. 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 in writing by the Local Planning Authority. No flat 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).

5. Prior to the commencement of development details of foul 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 agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

6. Prior to first occupation of any flat the noise insulation measures set out in the Noise Impact Assessment received 01/09/2025 shall be installed, retained and maintained thereafter. (In order to secure a satisfactory living environment for occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)

7. Prior to first occupation of any flat, mechanical ventilation with heat recovery, including capacity to provide four air changes per hour for all habitable rooms, shall be installed to each flat fronting Regent Road to meet

the standards detailed in section 5 of the Noise Impact Assessment received 01/09/2025. The ventilation shall be installed in full accordance with the approved details and the installations shall be retained and maintained thereafter. (In order to secure a satisfactory living environment for occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)

8. The development shall not be occupied until the approved store for refuse bins has been provided in full accordance with the approved plans and is accessible to all occupiers. The bin store shall be retained thereafter for the storage of refuse in connection with the use and occupation of the development and all refuse bins shall be kept within the designated area other than on refuse collection days. (To ensure adequate facilities for the storage and collection of refuse and to protect the amenity of the area in accordance with saved policy PS10 of the City of Leicester Local Plan and Core Strategy policy CS03).

9. Prior to the commencement of any external works, a full materials schedule including all external materials shall be submitted to and approved in writing by the Local Planning Authority. The materials shall be in broad accordance with the specifications submitted as part of this application and shall include manufacturers specifications and RAL colour. (In the interests of visual amenity and the character and appearance of the New Walk Conservation Area, and in accordance with Core Strategy policies CS03 and CS18).

10. Prior to the commencement of development full design details of on-site installations to provide energy efficiency and renewable energy measures, in accordance with the information provided within the Energy Statement Ref: 22833 received 06/10/2025, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details. 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 City Council as Local Planning Authority. The installations shall be retained and maintained thereafter. (In the interests of securing carbon reduction and energy efficiency 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).

11. No part of the development shall be occupied until the following works have been carried out in accordance with the written details approved in advance by the Local Planning Authority: (a) alterations to footway crossing(s); (b) reinstatement of any redundant footway crossings and or damaged or altered areas of footway or other highway. (To ensure a satisfactory means of access to the highway, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

12. No part of the development shall be occupied until secure and covered cycle parking for 61 cycles has been provided in full accordance with written

details, including plans and elevations to show the design of the cycle stores, to be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be retained thereafter for its designated use. (In the interests of the satisfactory development of the site and in accordance with saved policy AM02 of the City of Leicester Local Plan and Core Strategy Policy CS03).

13. Before the occupation of any part of the development, all parking areas shall be surfaced and marked out in full accordance with the approved plans. The parking areas shall be retained for parking and not used for any other purpose throughout the lifetime of the development. (To ensure that parking can take place in a satisfactory manner, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

14. Notwithstanding the submitted Travel Plan Statement received on 06/10/2025, no part of the development shall be occupied until a Travel Plan for the development has been submitted to and approved in writing by the Local Planning Authority and shall be carried out in accordance with a timetable to be contained within the Travel Plan, unless otherwise agreed in writing by the Local Planning Authority. The plan shall (a) assess the site in terms of transport choice for staff, 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 a 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 and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with saved policies AM01, AM02 and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

15. Prior to occupation of the development, each unit of the development shall be provided with a hard copy as well as a digital link of a 'Residential Travel Pack'. An electronic copy will also be provided as part of a weblink for future occupiers. The contents of the Pack shall be submitted to and approved in advance in writing by the Local Planning Authority. The Pack shall include web and mobile phone app links to a sustainable travel journey planner, walking, cycling and bus online maps, links to sustainable travel discounts available, links to real time bus and rail availability, local taxi information, car share information, the citywide Hop! service, links to 'park and ride' availability, a map of the local electric car charging points available. A map is needed showing corresponding links of the local amenities and facilities in the area to promote sustainable trips. (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).

16. Notwithstanding the submitted Student Arrivals and Departures & Parking Management Plan, an updated Student Management Plan shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of the development. The plan shall set out procedures for:

(a) how the arrival and departure of students at the start and end of tenancies will be managed;

(b) how servicing and deliveries will be managed;

(c) the level of parking provision for all forms of vehicles including bicycles and powered two wheelers

(d) the security of the development and its occupiers;

(e) maintaining the external areas of the site;

(f) dealing with any issues or complaints arising from the occupiers of nearby properties, including details of how management contact details will be made available to neighbours.

The development shall be operated in accordance with these approved details. (To ensure the impact of the scheme on highway safety, the surrounding area and in the interests of the safety and security of its occupiers, is acceptable, and in accordance with policies CS03, CS06, CS14 & CS15 of the Core Strategy and saved policies AM12 & PS10 of the City of Leicester Local Plan 2006.)

17. Prior to the commencement of any external works, a detailed Landscape and Ecological Management Plan (LEMP), in broad accordance with Proposed Site Plan ref 25009-P-102 rev B, received 12/03/2026, 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. No part of the development shall be occupied until the LEMP has been implemented in accordance with the approved details. This scheme shall include details of: (i) new tree and shrub planting, including plant type, size, quantities and locations; (ii) means of planting, staking, and tying of trees, including tree guards; (iii) other surface treatments; (iv) any changes in levels; (v) the position and depth of service and/or drainage runs (which may affect tree roots); (vi) any boundary treatment.

For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interest of biodiversity, amenity and the character and appearance of the area, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17.).

18. Notwithstanding the submitted Management Plan received 06/10/2025, prior to the occupation of any unit, a revised, site-specific management plan, including staffing arrangements, cleaning arrangements, noise mitigation and

attenuation Issues and security measures, shall be submitted to and approved in writing by the Local Planning Authority. At all times the scheme shall be managed and operated in full accordance with the approved plan. (To ensure the development is properly managed so as to minimise its effect on the surrounding area and in the interests of the safety and security of its occupiers in accordance with saved policy PS10 of the City of Leicester Local Plan and Core Strategy policies CS03, CS06 and CS15).

19. The development shall not be occupied until a waste management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:

- (a) location and surfacing of refuse collection point and refuse store,
- (b) signage directing residents to the refuse store and advising them of contact details for the management company, such signage to be retained throughout the lifetime of the development and updated within seven days when such contact details change,
- (c) provision for persons with mobility and other limitations to use the refuse store,
- (d) arrangements for cleaning and maintenance of the refuse collection point and refuse store,
- (e) contact details for any management company responsible for the site,
- (f) provision for any change to the management company, or change to contact details for that company, to be advised to the local planning authority within seven days of the change of responsibility or details taking effect.

The development shall not be occupied or used other than in accordance with the approved plan.

(To ensure adequate facilities for the storage and collection of refuse and to protect the amenity of the area in accordance with saved policy PS10 of the City of Leicester Local Plan and Core Strategy policies CS03, CS06 and CS15).

20. The development shall be carried out so as to provide level access throughout the communal parts of the development in accordance with the requirements of Part M of the Building Regulations, and also to provide 1 wheelchair accessible accommodation unit. On completion of the scheme and prior to occupation of any part of the development a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the City Council as local planning authority certifying compliance with the above standard. (To ensure that the development provides access for all in accordance with Core Strategy policy CS03.)

21. The proposed development shall relate solely to the following approved plans:

SUBMITTED 12th March 2026

- Proposed Site Plans, 25,009-P-102 rev B
- Proposed Ground and First Floor Plans, 25,009-P-110 rev F
- Proposed Second and Third Floor Plans, 25,009-P-111 rev D
- Proposed Elevations 1 of 3, 25,009-P-120 rev B

- Proposed Elevations 2 of 3, 25,009-P-121 rev B
 - Proposed Elevations 3 of 3, 25,009-P-122 rev B
- (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. 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.

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/>

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.

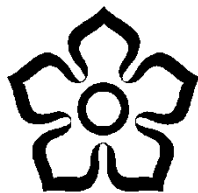
For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.

4. It is unlikely that any construction or demolition work will be agreed outside of the hours detailed within condition 3 unless the City Council Noise and Pollution Control Team is satisfied that:

- a) the work will not be detrimental to occupiers of neighbouring properties or;
- b) the developer can demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.

5. 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/or 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.



Leicester
City Council

Wards:
See individual reports.

Planning & Development Control Committee

Date: 1 July 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 6a

COMMITTEE REPORT

Recommendation: Conditional approval	
20260225	24 Abbots Road South, Land Rear of
Proposal:	Construction of five two-storey houses (2x3 beds, 3x4 beds) with associated landscaping, cycle and waste storage, boundary treatment, parking and access
Applicant:	Sehaj Real Estate Ltd
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20260225
Expiry Date:	3 July 2026
CY1	WARD: Knighton



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Summary

- Councillor Bonham has requested the application be brought to committee due to concerns over the access and safety.
- The application is for the construction of 5 dwellings
- Objections from 17 households have been received with concerns regarding principle of the development, amenity, highway impact, and drainage.
- 1 petition with 20 signatures has also been received objecting to the development with the same concerns as above
- The application is recommended for approval subject to conditions

The Site

The application relates to a plot of land to west of Abbots Road South bordering Hungarton Boulevard with an access road off Abbots Road South between dwellinghouses 24 and 26.

The site is within a Critical Drainage Area and small parts of the site lie in an area with a low risk of surface water flooding. 'Low' means between 0.1% (1 in 1000) and 1% (1 in 100) chance of a flood each year.

Background

Permission was granted in 2010 (Ref 20100547) to convert the rear of the site into part of the garden space for 24 Abbots Road South. Prior to this it is understood the site was vacant land, previously part of Monks Rest Gardens and cut off when Hungarton Boulevard was constructed. Until the 2026 Local Plan was recently adopted, this area was designated as Green Space. Under the new Local Plan the site is 'white land' not subject of any policy designation.

The Proposal

The application is for the construction of five two-storey detached dwellings. The dwellings would have the following composition:

Plot	Gross Internal Area (m2)	Number of Bedrooms	Number of Bedspaces	Garden Space (m2)	Parking Spaces
1	145	3	5	125	2
2	145	3	5	125	2
3	150	4	6	239	2
4	150	4	6	228	2
5	150	4	6	265	2

The vehicular and pedestrian access would be from a ~5m wide access point. An area is proposed for bins on collection day adjacent to number 26.

Amendments were received on the 9th of April clarifying details requested by the Sustainability Officer.

Further amended plans correcting the discrepancy regarding boundary treatments raised by the Highway Officer.

Additionally an email was provided on the 1st of June from the applicant's ecologist justifying why 10% biodiversity net gain could not be provided on the site.

Policy Considerations

National Planning Policy Framework 2024

2026 Local Plan

Policy VL01. Presumption in Favour of Sustainable Development

Policy SL01. Location of Development

Policy Ho02. Housing Development on Unallocated Sites

Policy Ho03. Housing Mix
Policy Ho05. Housing Densities
Policy Ho08. Internal Space Standards
Policy CCFR01. Sustainable Design and Construction
Policy CCFR02. Energy Statement
Policy CCFR05. Managing Flood Risk and Sustainable Drainage Systems (SuDS)
Policy HW01. A Healthy and Active City
Policy DQP01. Design Principles
Policy DQP03. Inclusive Design
Policy DQP04. Landscape Design
Policy DQP05. Backland, Tandem and Infill development
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 T01. Sustainable Transport Network
Policy T02. Climate Change and Air Quality
Policy T03. Accessibility and Development
Policy T06. Highways Infrastructure
Policy T07 Car Parking
Policy DI01. Developer Contributions and Infrastructure
Policy DI02. Electronic Communications

Other legal or policy context

Nationally Described Space Standards
Leicester Local Housing Needs Assessment
Leicester Strategic Flood Risk Assessment

Consultations

Highways – no objections subject to conditions requested below plus conditions securing EV charging, private access, drainage, signage for the dwellings, and a travel pack sent to each resident on occupation.

Abbots Road South is an unclassified residential cul de sac subject to a 30mph speed limit. Vehicular access onto Abbots Road South is from the classified Scraftoft Lane to the south. The road also meets Hungarton Boulevard (A563) to the north where the road forms a turning head allowing through movements for only pedestrians and cyclists. There are no parking restrictions on Abbots Road South.

The site is considered to be in a sustainable location within walking, cycling, and public transport distance of a range of local facilities and amenities.

The proposal relates to the proposed construction of five dwellings on the land accessed via the existing driveway to No.24 Abbots Road South. The loss of parking associated with the existing dwelling is intended to be overcome by the provision of a new vehicular crossover and parking spaces on the front of the property. This requirement was pointed out in the pre application advice and indeed the vehicular crossing has been constructed, however no details as to the replacement off street

parking for the existing property No 24, have been submitted. As such I have suggested a condition be imposed to cover this.

The proposed development would take advantage of the existing dropped kerbs and provide a 4.25m wide shared private driveway between No's 24 and 26 into the site. The submission talks of the shared private access drive complying with section DES 07 of the Leicester Street Design Guide for a residential shared private drive serving up to 5 dwellings with the addition of 0.7m being provided (minimum requirement 0.5m) to the side which is bounded by a wall fence or hedge. However the plans indicate fences to both sides of the shared private access drive, therefore to comply with DES 07, 1 metre should be available in addition to the drives 4.25 metre width. However given the cul de sac nature of Abbotts Road South and the No 24's position close to the end of the cul de sac coupled with the vehicular crossing depth of circa 4.6 metres on approach to the site entrance, I consider of the need to provide the full 1 metre in would not offer any gains over the 0.7 metres that is proposed, so will accept in this instance.

The inter visibility available to drivers on the road and the accesses is satisfactory and complies with the speed reading submitted.

A site inspection revealed a discrepancy against the plans. The proposed site layout plan indicates a new fence to the southern side of the shared private access drive. This detail is mimicked in plans on pages 21 and 22 of The Transport Assessment. Page 29 then sets out a plan which gives detail of the fence at a height of 1.8 metres. However, the site inspection revealed a new fence has been erected, however its height is of the order of 0.9 and 1 metre. This height offers a degree of intervisibility between drivers egressing the site and pedestrians using the footway fronting the site. Is it the intention of the Applicant to maintain said intervisibility and similarly are they able to provide something similar to the northern side of the shared private drive. I have added a Note to the Applicant to this effect.

The shared private access drive at 4.25 metres does make manoeuvring tight into and out of the individual property access points/parking spaces. The applicant talks and shows parking spaces at 5.5 metres long and 2.5 metres wide which ideally would be fine when considered against guidance, however if just space along these lines was provided, occupiers/visitors would not be able to manoeuvre easily into and out of them, particularly if another vehicle is parked to one of the spaces fronting the property. However the Applicant has gone through an exercise showing swept paths of vehicles using the proposed houses driveways. To do this drivers have to use space outside the 2.5 metres by 5.5 metres referred to. Hard and Soft landscape plan 2026/01/20 shows block paving to the plot frontages which exceeds the car parking sizes, however allows for satisfactory turning and as such I recommend a condition requiring parking as per the block paving to be provide and thereafter maintained to allow for satisfactory parking and turning for the development.

Sustainable Design – no objections subject to conditions following the submission of revised and additional details.

The proposed U-values for the fabric elements and the air-permeability value for this development are set out below, in comparison with the values for the

notional building and the limiting parameters under the Building Regulations Part L 2021. All either meet or exceed the notional value.

	<i>Proposed for this development</i>	<i>Value for notional building, Part L1</i>	<i>Limiting parameter, Part L1</i>
<i>Ext. walls U-value (W/m2K)</i>	<i>0.18</i>	<i>0.18</i>	<i>0.26</i>
<i>Roof U-value (W/m2K)</i>	<i>0.11</i>	<i>0.11</i>	<i>0.16</i>
<i>Ground floor U-value (W/m2K)</i>	<i>0.13</i>	<i>0.13</i>	<i>0.18</i>
<i>Windows U-value (W/m2K)</i>	<i>1.2</i>	<i>1.20</i>	<i>1.60</i>
<i>Air permeability (m3/h-m2) @50Pa</i>	<i>4.00</i>	<i>5.00</i>	<i>8.00</i>

A clear and concise feasibility study was presented for renewable technologies. As a result, ASHP will be used in each dwelling for heating and hot water.

Ventilation: Natural ventilation in all dwellings.

Lighting: LED lighting in all dwellings as standard.

Renewable / Low Carbon Technology & Energy Supply Heating: ASHP will provide a sustainable solution for heating and hot water.

Renewables: Each dwelling will have a suitably sized solar PV array of between 1.2 and 1.5 kWp, as shown on the plans and further clarified in the energy statement, further improving the DER.

Carbon Emissions: The 18% improvement against the target fabric energy efficiency is indicative of good practice in design. 3

Sustainable Construction Methods and Waste Management: The intent to use sustainable materials and construction methods has been outlined in the supplementary document "Confirmation of the Approach to Ensuring Sustainable Sourcing of Construction Materials" and provided that this is put into practice, demonstrates good practice.

An overview of the SWMP for the construction phase has been provided which outlines the intent to follow the waste hierarchy and use local solutions where possible, demonstrating sufficient commitment to good practice.

Flooding – no objections subject to conditions securing SuDS product specifications and/or design details and updated SuDS Maintenance plan to confirm maintenance responsibility

The proposed development is considered at reduced risk of pluvial flooding. However, the proposed development is within a Critical Drainage Area (CDA). Impermeable surfaces are set to increase and therefore, measures in the form of Sustainable Drainage Systems (SuDS) are required to limit surface water volumes and discharge rates and compensate for any additional surface

water runoff. Within the Flood Risk Assessment and the Detailed Drainage Design plan, SuDS measures including permeable paving, rain gardens, a geocellular tank and an orifice flow control device are proposed.

Detailed drainage calculations have been provided. These demonstrate the proposed drainage system is designed to:

- *Manage all storm events up to the 1 in 30-year return period with the appropriate peak rainfall intensity climate change allowance with no modelled flooding on site. This is to ensure the drainage system is designed to meet STW's (Severn Trent Water) adoption criteria*
- *Withstand a 1 in 100 year return period storm event with a 40% peak rainfall intensity climate change allowance. Where modelled flooding occurs, this must be retained safely within the site. This is to ensure the proposed development is resilient to the impacts of climate change*

The site is in Flood Zone 1 and the northern and western sections of the proposed development is shown to be at low risk from surface water flooding. A flood risk assessment has been provided which assesses the risk from all sources of flooding. Surface water is proposed to be managed through permeable paving, geocellular tank, rain gardens and a hydro-brake flow control device, prior to discharge into the existing surface water sewer. Further information and clarifications are required, listed in the "requirements for the applicant" section below.

- *SuDS product specifications and/or design details*
- *Updated SuDS Maintenance plan to confirm maintenance responsibility*

Trees – no objection subject to condition

I have looked through the supplied Arboricultural Method Statement, due to the format of the document, specific conditioning is hard. all recommendations contained within are suitable and if the document could be conditioned I would have no objection to this proposal proceeding.

Representations

20 objections have been received from 17 different households within the City boundary with the following concerns:

Principle of Development

- No development was acceptable under previous application 20100547
- Loss of green space

Amenity

- Vehicle noise, vibration, headlights, loss of privacy, loss of security and prolonged construction disturbance to numbers 22, 24 and 26 generated by vehicles to and from the access road
- Loss of privacy
- Overbearing impact
- Loss of outlook

- Constrained amenity space for new residents
- Noise impacts from Hungarton Boulevard and access road
- Poor outlook for new residents, particularly from telecoms on Hungarton Boulevard and Hungarton Boulevard Highway
- Impact of construction on neighbours
- Bin store would result in odour pollution and vermin problems

Design

- Dwellings would not be the same character as the older houses which are all varied in style
- Overdevelopment

Sustainable design and drainage

- The loss of permeable land will increase flooding

Highways

- Access is too narrow for ten vehicles and not compliant with the Leicester Street Design Guide
- Poor visibility to and from the site
- Impact on highway safety
- No parking spaces for neighbours
- Traffic is currently generated by a nursery, a church, and a community hall, with elderly and vulnerable users
- Previous road accidents on Abbots Road South

Ecology and landscape

- Permission 20100547 stated trees should remain, but these have been cleared and permitted development rights were removed for outbuildings

Other matters

- Comparable backland and cul-de-sac schemes have been consistently refused or dismissed, including:
 - o 18 Abbots Road South - Refused (20031699)
 - o 20 Abbots Road South - Withdrawn 66 Abbots Road North – Appeal Dismissed (20138005A)
 - o 49 Nursery Road - Appeal Dismissed (20118017A) 190 Scraftoft Lane – Appeal Dismissed (20148001A)
 and notes caselaw ‘North Wiltshire Principle (1993) – Duty to Apply Previous Decisions Consistently’ and ‘Davies v Crawley BC (2001) – The Consistency Doctrine’
- The developer purchased No. 24 and demolished its garage to engineer an access strip where none existed. Unnatural infill that is contrived and cramped
- Plot has been increased in size by buying neighbours gardens under the premise of garden extension not property development and is restricted as such
- Hungarton Boulevard has had a harmful impact on existing residents for over 20 years
- The space was part of the Monks Rest garden estate, development would result in the loss of historic green infrastructure

- Case law and appeals have condemned similar schemes
- Homes were purchased on basis that the rear land was undevelopable
- The developer is not liked by some neighbours
- Developer is currently working unsociable hours
- Workers are intimidating
- Supporting comments are not from direct neighbours

1 petition has been received with 20 signatures with concerns included in the points above

Councillor Bonham has requested the application be determined at the planning committee to allow residents within the vicinity to have the opportunity to directly put to the committee their material objections including to loss of amenity and outlook overdevelopment, road safety. Councillor Bohnam has specific concerns regarding the constrained width of the shared access drive not meeting the minimum standards set out in the Leicester Street Design guide 2020, and safety concerns if no additional width were provided in the immediate vicinity of the shared driveway where it joins the pavement of Abbots Road South, and concerns regarding visibility.

6 supporting comments have been received stating that the existing site has been unattended and unmanaged for years with illegal dumping and rodent problems and welcomes the development. The comments also consider that the development would be good for the economy generating additional footfall in the area and to nearby facilities

Consideration

Principle of development

Leicester City Council does not currently have a 5-year housing land supply so the benefit of housing supply is a significant factor to be weighed in the planning balance.

The 2026 Local Plan policy SL01 states:

Leicester City Council will work towards a target of providing a minimum requirement of 20,730 dwellings over the plan period from 2020-36 (1,296 dwellings annually) to contribute towards identified need within the city.

Under the 2026 Local Plan the site is unallocated land. SL01 goes on to state that 1,875 dwellings are to be expected to come forward via windfall sites (areas where housing is not specially allocated) and windfall sites will be supported where in accordance with Policy Ho02 and DQP05. The criteria within these two policies is considered in the latter sections below. Subject to these criteria being met, the application is acceptable in principle.

In addition, policy Ho03 states development will seek to achieve a mix of house types, tenures and sizes, taking into account the evidenced needs, site specific circumstances and the housing mix identified in the Local Housing Needs Assessment and outlined in table 3 of the Local Plan. Despite the size of the site the

proposal would provide a mix of 3 and 4 bedroom housing which is welcome noting that the authority has a need of over 21,000 3-bedroomed dwellings and over 3,700 4-bedroomed dwellings over the plan period.

Concerns have been raised regarding the proposals acceptability in principle citing a previous application from 2010. That application was determined when the site was designated as greenspace. Under the 2026 Local Plan the site no longer has any policy allocation or protection and applications must be determined in accordance with the adopted policies at the time of determination. The previous policies the Core Strategy and the 2006 Local Plan have now been superseded by the New Local Plan.

Design

Policy Ho02 states

The council will support proposals in accordance with Spatial Strategy Policy SL01 which contribute towards meeting the local development needs. Planning permission will be granted for new residential development on unallocated sites where:

c. The proposals are in accordance with the design principles set out in Policy DQP01 and other design policies in the plan, and take account of relevant design guides/codes which may be published as supplementary planning documents, in order to provide a high-quality living environment and create sustainable communities

d. The proposal respects the character of the area in compliance with the Plan's environmental, design and heritage policies

As noted in the 2010 application and by objectors, the site was formerly part of the Monks Rest garden estate, and cut off from the rest of the site when Hunagrton Boulevard was constructed several decades ago. Whilst this may have been part of the site historically, I do not consider that the site now forms part of the character of Monks Rest Gardens nor has it done so for some time and does not provide any meaningful visual amenity or significance.

Policy DQP05 states that for backland development:

e) The number of dwellings, size, scale, design, existing and proposed landscaping, car parking arrangements, and take account of the relationship to, and character of, neighbouring property and the area. Backland development in particular should take into account space around all dwellings, existing and proposed.

g) Development shall be designed and assessed to allow for reasonable extensions to dwellings including through permitted development. Development that does not reasonably allow for permitted development will not normally be accepted

The dwellings themselves are slightly smaller than those in the vicinity but the plot sizes are generous and in accordance with the existing urban grain. The proposed

dwellings would be able to facilitate additional extensions under permitted development rights as required by policy DQP05 parts (e) and (g). As such I consider the proposal to be in accordance with good urban design principles in terms of scale and massing and would not be considered overdevelopment.

Concerns have been raised that the dwellings would not be the same character as the older houses which are all varied in style, and are instead fairly uniform. Given this is backland development and the buildings would not form part of Abbots Road South I do not consider that it is necessary for the buildings to take specific detailing cues from the buildings on Abbots Road South. The buildings present modern development and are not prominent in public views. Given the site is backland and due to the land level changes and distance from Hungarton Boulevard I do not consider they would adversely impact the character of Abbots Road South.

Each dwelling already has a porch proposed therefore I consider any further front extensions would require further assessment from the local authority. I recommend permitted development rights for porch extensions be restricted in this instance.

Residential amenity (*neighbouring properties*)

Policy DQP05 states that for back land development:

f) Privacy, light, outlook and residential amenity shall be maintained for existing and new dwellings by careful regard to separation distances, window positions, orientation of dwellings, levels, screening and landscaping

Policy DQP06 states the following impacts need to be considered for new development:

- a) Noise, light, vibrations, smell and pollution (air, water and ground) caused by the development and its use*
- b) Any impact to the visual quality of the area*
- c) The management of waste and potential litter problems*
- d) Additional parking and vehicle manoeuvring*
- e) Privacy, overshadowing, overlooking, overbearing impact and adequate natural light*
- f) Safety and security*

Impact on neighbours' principal room outlook, natural light, and privacy:

All dwellings are sited an acceptable distance away from neighbouring properties sufficient to not significantly impact upon outlook and natural light to their principal room windows. The side elevation of plot 1 is sited over 17m away from 20-24 Abbots Road South. The side elevation from plot 3 is sited over 30m away from 26 and 28 Abbots Road South.

The side elevations have windows but these are proposed to be obscure glazed as they do not serve principal rooms. Given the separation distance between plot 1 and 22-24 Abbots Road South I recommend a condition is recommended to secure those windows as obscure glazed for privacy purposes. I do not consider that the residents living in 26 and 28 however would be harmfully overlooked from the side windows on plot 3 to their principal room windows.

Due to the separation distances of built form as detailed above, I do not consider that the proposed development would result in a harmful loss of light to adjacent neighbours. Furthermore any overshadowing towards rear gardens would be limited and not significant enough to cause harm.

Impact on neighbours' garden outlook, natural light, and privacy:

Plot 1 and plot 3 are around 1m away from the boundaries shared with 22 and 28 Abbots Road South respectively. Again, it is the side elevations that are adjacent to the boundaries and obscure glazed windows are proposed. In addition to securing this via condition for plot 1, the same can be secured for plot 3 to ensure there is no overlooking to the gardens of 26-28.

Due to the configuration of plots 1 and 3 only part of the dwellings sit in close proximity to the neighbouring boundaries and as such only a small percentage of the gardens would lose some natural light and outlook. Whilst this will result in a change for residents that are used to long views over the application site, taking into account the scale of their gardens I do not consider that this would result in harm to the residents of 22 and 28.

Impact of new access road on neighbouring properties

Concerns have been raised from residents regarding vehicle noise, vibration, headlights, loss of privacy and loss of security to numbers 22, 24 and 26 generated by vehicles to and from the access road. The proposal would retain the existing boundary treatment by 26 and propose a 1.8m boundary treatment for 24, dropping to 1m where the access road meets Abbots Road South. I consider these boundary treatments would provide acceptable privacy and security. Regarding disturbance from vehicular traffic, the road would only hold around ten vehicles so the impact would not be considered significant, and not dissimilar from corner properties.

Other concerns regarding amenity

Construction noises are temporary and an inevitable consequence of development. However I recommend a condition to ensure that development only takes place during reasonable hours which can be secured via condition.

Concerns have been raised regarding the bin store attracting vermin and resulting in odour problems. I consider that the bins would only be stored in that location for 1 day per week and back in the respective plots outside of refuse collection periods which would not conflict with DQP06. Any concerns of rodent activity should be reported to the Environmental Health team.

Concerns have been raised regarding noise impacts due to loss of vegetation. This vegetation has already been cleared and there were no planning restrictions in place to protect these features.

With the suggested conditions, I consider the development would meet the requirements of DQP05 part (f) which seeks to protect residential amenity to existing occupiers and DQP06 which seeks to protect overall residential amenity.

Living conditions (*The proposal*)

The dwellings would be accessed via a long access road off Abbots Road South. A condition is recommended for details of lighting to be secured along this new access road to ensure visibility for vehicles and pedestrians when entering and leaving their properties, whilst ensuring the lighting does not result in high levels of pollution for existing and proposed residents and protected species.

Space is provided for bins to be stores at the rear of each dwelling. An area is provided for bins next to 26 Abbots Road South on collection days. The area shows space sufficient for 10 bins allowing space for both waste or recycling every fortnight, and optional fortnightly garden waste. As such the area provided is likely larger than required and acceptable. I recommend a condition is attached to secure this area.

Internally the space for each dwelling far exceeds the total minimum recommended sizes for 3-4 bedroomed dwellings. For context NDSS minimum requirements are 93m² and 106m² for the proposed dwellings meaning an extra 40-50m² is proposed. Garden spaces are also extremely generous, particularly plots 3-5.

A statement has been provided confirming that the development is capable of complying with Optional Requirement M4(2) and delivers inclusive and adaptable dwellings in accordance with Building Regulation Approved Document M Volume 1. M4(2). This meets policy Ho03 which states all new dwellings should meet this standard. I recommend a condition is attached to secure this.

Each dwelling would have acceptable natural light, outlook, and privacy to all habitable rooms.

As such I consider that the development would be in accordance with policies DQP05(f) and DQP06 and would provide acceptable living conditions for future residents.

Highways and Parking

DQP05 states that for backland development:

- b) Satisfactory access in terms of highway safety, highway function, perceived and actual safety can be provided*
- c) Development should minimise the number and frequency of vehicle accesses off an existing highway*

I am also mindful of NPPF paragraph 116 which 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.

One access point from Abbots Road South has been proposed for all five dwellings. 10 parking spaces are provided meaning the average comings and goings from the access road is low. Despite concerns regarding the access road not being wide enough, the highway officer has been consulted on the scheme and does not consider that the development would be unacceptable due to the width being 0.3m more than the desired minimum requirements as set out in the street design guide.

Whilst the development would result in an increase of traffic in the area, Abbots Road South is a medium length road with around 34 properties at current and has minimal on-street parking taking place on average, with sufficient on-street capacity should additional parking be required in close proximity to the site. It is noted that traffic is generated from other uses within the vicinity such as a nursery, church, and community hall, but these uses tend to operate either outside of peak hours (church/ community hall) or form part of a trip to/from other destinations such as an office. The addition of 5 dwellings is not considered to result in a severe impact on the highway.

Objectors have stated there have been previous road accidents on Abbots Road South. With reference to CrashMap data no accidents have been reported on Abbots Road South from 2014-2024. One 'slight' accident did occur on Scraptoft Lane adjacent to the Abbots Road South junction in 2022 over 200m from the application site. In CrashMap the severity of the crash is graded either 'slight', 'serious', or 'fatal'.

Concerns have been raised regarding visibility to and from the site. Boundary treatment is proposed to be lower adjacent to 24 Abbots Road South and the Highway Officer is satisfied that this is acceptable.

Signage has been requested by the Highways Officer to ensure access is clear when entering the site. As this would need to be located outside of the application site, this cannot be conditioned. However the agent has confirmed that they would be happy to discuss this separately with the Highway Officer.

The site is considered to be in a sustainable location within walking, cycling, and public transport distance of a range of local facilities and amenities in accordance with policies T01, T02, and T03. EV charging points are proposed along with resident travel packs which can be secured via condition.

Sustainable Design and Drainage

Sustainable Design

CCFR01 states that all development should be designed, constructed, and maintained to minimise operational energy use and carbon emissions, while also preventing overheating. An Energy Statement has been provided proposing features such as air source heat pumps, solar panels, and LED lighting e.g which the Sustainability Officer has reviewed and is content on balance with the details provided subject to a condition securing these details.

I am mindful that, indicatively, solar panels are proposed on the rear part of the roof where occupiers could construct a dormer extension in accordance with permitted development rights. When discharging this condition, this may no longer be the case, nevertheless, I consider that a condition should be secure to restrict this where the dormer would result in the removal of solar panels.

CCFR01 goes on to state that: *All new residential development should achieve a minimum 10% and all new non-residential development should achieve a minimum 20% reduction in carbon emissions beyond the requirement of Part L of the Building Regulations 2013 through passive, fabric, and energy efficient design measures alone.* Where the optional requirement applies, the estimated consumption of wholesome water calculated in accordance with the methodology in the water efficiency calculator, should not exceed 110 litres/person/day. Details of fittings are outlined in table 2.2 of the document and pasted below for clarity. I consider this can be secured via condition.

Table 2.2 Maximum fittings consumption optional requirement level	
Water fitting	Maximum consumption
WC	4/2.6 litres dual flush
Shower	8 l/min
Bath	170 litres
Basin taps	5 l/min
Sink taps	6 l/min
Dishwasher	1.25 l/place setting
Washing machine	8.17 l/kilogram

Drainage

CCFR05 states that a flood risk assessment must be submitted for development in floodzones 2 and 3 and in flood zone 1 where the site is over 1 ha, despite this not being the case for this development a flood risk assessment has been submitted with required details regarding drainage and sustainable urban drainage systems (SuDS).

CCFR05 also states:

In assessing development, the following principles will be applied:

e) Development should identify and pursue opportunities to reduce flood risk both on- and off-site. This may be through reconfiguration of an existing developed site, enhancement of blue-green infrastructure, or installation of SuDS. Opportunities for working in partnership with the Flood Risk Management Authorities should be explored.

f) For all development, SuDS are expected to be used to reduce surface water runoff and deliver other benefits, such as improving water quality, providing visual amenity, contributing towards achieving biodiversity net gain and having low maintenance requirements. It shall be demonstrated that the

proposed SuDS will be managed and maintained throughout the lifetime of the development.

DQP05 part (h) recommends *that proposals for backland and infill development must be adequately drained following SuDS principles with no net increase on green field run off rates.*

The LLFA has assessed the application is satisfied that the scheme would mitigate against flooding in line with policy CCFR05. Regarding part DQP05 part (h), the estimated run off at current is approximately 5l/s/ha. Within section 6.13 of the Flood Risk Assessment, it is stated that the proposed impermeable area of 0.17ha would aim to have a peak surface water discharge rate of 0.6l/s (3.5l/s/ha) which is an improvement on existing but note this may not be feasible due to the chance of blockage. A Flow Control device is therefore proposed to reduce blockages, with a controlled discharge rate of 2l/s applied.

Details requested regarding SuDS product specifications and/or design details and updated SuDS Maintenance plan to confirm maintenance responsibility can be secured via a pre-commencement condition.

I am mindful that the Highway Officer had concerns regarding drainage entering onto the public highway. The LLFA have confirmed to me that within the Detailed Drainage Design plan provided by the applicant, the proposed permeable paving can prevent surface water runoff onto the highway. As such I do not consider this condition necessary.

Nature conservation/Trees/landscaping

Ecology survey

Onsite habitat:

The presented Preliminary Ecological Appraisal and Ground Level Tree Assessment (Arbtech, February 2026) was undertaken at the end of October which is outside of the optimum survey period. However, it is reported that the majority of the site was cleared prior to the survey and therefore the ecologist has used historical aerial imagery, historical photographs, evidence of tree stumps and ongoing site clearance to inform pre-degradation habitat value and type. There is a small area of 'other neutral grassland' on site, however due to the small size of this habitat and wider site clearance it would not be pragmatic or hugely beneficial to request updated survey effort within the optimum survey period on this occasion. Also, it is stated within the report that 'It is not thought that this will have impacted the outcome of the survey due the surveyor skill and the low value of habitats present.'

Invasive species:

Recommendations have been included within the report to prevent the spread of three-cornered leek, an invasive non-native species present on Schedule 9 of the Wildlife and Countryside Act 1981 which prohibits release into the wild. Failure to follow the recommendations and cause spread of this species into the surrounding

area could constitute an offence. These recommendations can be secured via condition.

Bats:

The ecologist had undertaken a Ground Level Tree Assessment of trees present in neighbouring properties to assess potential bat roosting features, but it is noted that several trees (T1-4) in the neighbouring properties have been removed since the survey was undertaken. The ecologist has recommended precautionary working measures should works to other neighbouring trees be required - these are outlined in pages 20-21 of the report.

It has been recommended that a sensitive lighting plan (in line with Guidance Note 8 Bats and Artificial Lighting) is designed to minimise negative impacts on bats and other nocturnal wildlife. Details of this can be secured via condition.

Other species:

No nesting birds were recorded on site during the survey. An advisory note re birds is recommended should the application be approved.

Precautionary working methods have been recommended within the report to protect reptiles, amphibians, badger, dormice and hedgehog. Details can be secured via condition.

Repeat Ecology Survey:

The ecologist has recommended a validity period of 12-18 months. Should the development not commence within 18 months of the survey then further surveys should be submitted. I consider this can be secured via condition.

Biodiversity Enhancements:

The ecologist has recommended a range of biodiversity enhancements to support various species which should be implemented and included as a condition in any planning permission granted. The below specific enhancements should be determined by an ecologist, and a location plan with specifications of biodiversity enhancements should be submitted to and agreed in writing with the local planning authority.

These include:

- One integrated bat box per building
- One bird box/integrated swift brick per building
- Incorporation of bee bricks into the fabric of the new buildings would
- Installation of hedgehog houses and gaps under boundary fencing to enable hedgehogs to move freely through the site.
- Creation of hibernaculum (log/brush piles) for amphibian and reptiles

A Construction Environment Management Plan (CEMP) has been recommended by the ecologist to protect wildlife and habitat (including nearby priority deciduous woodland habitat) during the development. This can be included as a pre-commencement condition.

Biodiversity Net Gain

The presented Biodiversity Net Gain assessment report (Arbtech, February 2026) and accompanying Statutory Metric based upon the PEA surveys confirm onsite habitat presents a baseline biodiversity unit (BU) value of 1.16 BUs for area habitats and 0.01 BUs for linear (hedgerow) habitats.

The BNG report provides further details and evidence of the site clearance and habitat degradation that has used occurred between 21st April 2020 and 31st October 2025 (as mentioned above). In accordance with the guidance, the ecologist has used a range of evidence to determine the pre-degradation habitat type and condition, and had included this as the site's baseline.

The agent/applicant has presented email correspondence from an off-site unit provider (Wild Capital, February 2026) to provide evidence that the required BNG units are available for purchase to achieve the required net gain. In order to also secure separate on site gains, I recommend that a condition is secured for a Landscaping Ecological Management Plan to be submitted and approved prior to occupation. With this in mind the development would exceed a 10% net gain in Biodiversity and is acceptable.

Concerns were raised stating that in the earlier permission ref.20100547, it had been stated that trees should remain but these have been cleared however this was never secured as a planning condition so no planning breach has taken place.

Other matters

Regarding other concerns raised by objectors not otherwise addressed in the report:

- *Comparable backland and cul-de-sac schemes have been consistently refused or dismissed.*
- *Case law and appeals have condemned similar schemes*

Each application must be assessed on its own merits. All future applications will be subject to different policies due to the recent adoption of the 2026 Local Plan.

- *The developer purchased No. 24 and demolished its garage to engineer an access strip where none existed. Unnatural infill that is contrived and cramped.*
- *The developer is not liked by some neighbours.*
- *Plot has been increased in size by buying neighbours gardens under the premise of garden extension not property development and is restricted as such*
- *Workers are intimidating*

The way the land has come forward and the character of the developer/ construction workers are not planning matters.

- *Hungarton Boulevard has had a harmful impact on existing residents for over 20 years*

The boulevard is over 30 years old and is not part of the application.

- *Developer is currently working unsociable hours*

Any grievances regarding the current construction times can be passed to the environmental health team.

- *Homes were purchased on basis that the rear land was undevelopable*

All national and local planning policies are subject to change in accordance with new evidence and information that arises around planning matters. The allocation was changed in the new Local Plan. The Plan had extensive consultation prior to its adoption for residents to share concerns about allocation changes and any objections regarding the changes to the Local Plan were dealt with prior to the Planning Inspector finding the Plan sound and recommending adoption.

- *Supporting comments are not from direct neighbours*

Whilst I cannot share the addresses of objectors and supporters due to GDPR, I can confirm 3 of the supporting comments came from Abbots Road South and the others were in close proximity of the site.

Conclusion

Leicester City Council does not have a 5 year housing land supply so the 'tilted balance' should be applied in your considerations. The proposal would take underutilised land and provide 5 additional 3-4 bedroomed dwellings which are much needed by the authority. The application is acceptable in principle and whilst concerns have been noted regarding amenity and highway impacts i consider that on balance the development is acceptable and I 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. Development shall be carried out in full accordance with the materials outlined on the approved plans and retained as such. (In the interests of visual amenity, and in accordance with Leicester Local Plan 2026 policy DQP01.)
3. Prior to the occupation of the approved dwellings on plots 1 and 3 the new windows on the side elevations facing 22-24 Abbots Road South, and 26-28 Abbots Road South respectively shall be fitted with sealed obscure glazing to Pilkington level 4 or 5 (or equivalent) and shall be non-opening unless the

parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall be retained as such thereafter. (In the interests of the amenity of occupiers of Abbots Road South and in accordance with Leicester Local Plan 2026 policy DQP06.)

4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to any dwelling house of types specified in Part 1, Class D, 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 and in accordance with Leicester Local Plan 2026 policy DQP01)
5. No construction or demolition 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.
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. (In the interests of the amenity of occupiers of neighbouring properties and in accordance with Leicester Local Plan 2026 policy DQP06.)
6. Prior to works above slab level, full details of all proposed external lighting, including types of light appliances, the height and position of fittings, predicted illumination levels and light spillage diagrams, shall be submitted to and approved in writing by the local planning authority. The scheme should seek to conform with the recommendations of the Institute of Lighting Professionals (ILP) 'Guidance Notes for the Reduction of Obtrusive Light' (GN01:2021) and 'Bats and Artificial Lighting' (GN08:2025). The development shall be carried out in full accordance with the agreed details and retained as such. (In the interests of the amenity of future occupiers and of occupiers of neighbouring properties and in accordance with Leicester Local Plan 2026 policies DQP04 DQP05, DQP06, and NE01.)
7. Prior to the occupation of the development the approved waste collection point as shown on the approved plans shall be complete and ready for use in accordance with the approved plans. The approved facilities shall be retained thereafter for use in connection with the approved use of the development and made available for waste storage on the day before and day of collection. (To ensure adequate facilities for the storage and collection of refuse and in the interests of the amenity of the area in accordance with Leicester Local Plan 2026 policies DQP01, DQP06, and DQP07.)

8. The approved dwellings and their associated parking shall be constructed in full accordance with the ""Category 2: Accessible and adaptable dwellings M4(2) Optional Requirement"" of Part M of the Building Regulations.
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. All requirements shall be retained thereafter. (To ensure the development enables access for all and is adaptable enough to match lifetime's changing needs in accordance with Leicester Local Plan 2026 policies Ho03, DQP01 and DQP03.)
9. Prior to any new dwelling being occupied, the electric vehicles charging points (fast type 2, 7kW) shall be provided as shown on the approved plans and thereafter be so maintained. (In the interest of sustainable development and in accordance with policies T01 and T02 of the City of Leicester Local Plan 2026.)
10. 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 submitted to and approved in advance by the local planning authority and shall include walking, cycling and bus maps, latest relevant bus timetable information. (In the interest of sustainable development and in accordance with policies T01 and T03 of the City of Leicester Local Plan 2026).
11. No part of the development shall be occupied until the shared private access drive has been provided as shown on the approved plans, including surfacing and thereafter be so maintained. (To ensure a satisfactory means of access to the highway, and in accordance with policies T01, T03, and DI06 of the City of Leicester Local Plan 2026.)
12. The turning space (adjacent plot 1 as shown on drawing 29847 08 020 02C) shall be provided prior to any dwelling being occupied and thereafter be maintained including being kept clear of parked vehicles at all times, in order to allow commercial and emergency vehicles to enter and leave the site in a forward direction. (To secure the satisfactory development of the site, in the interests in highway safety, and in accordance with policies T01 and T03 of the City of Leicester Local Plan 2026.)
13. Before the occupation of any dwelling, the whole of the dwellings frontage shall be block paved as shown on the hard/soft landscape plan (2026/01/020) to enable satisfactory parking and manoeuvrability so as to be able to turn within the site and once provided shall thereafter be so maintained. (To ensure that parking can take place in a satisfactory manner, and in accordance with policies T01 and T07 of the City of Leicester Local Plan 2026.)
14. Before any external works are begun the following shall be submitted to and approved in writing by the Local Planning Authority: Full design details of on-

site installations to provide energy efficiency measures, specifically the heat pumps and heat recovery technology; full design details of the solar PV array including confirmation of the final size and peak output.

No part of the development shall be occupied until evidence demonstrating the satisfactory operation of the approved scheme including on-site installation has been submitted to and approved in writing by the Local Planning Authority. The energy efficiency measures shall be retained and maintained thereafter. (In the interests of securing energy efficiency and in accordance with policies CCFR01 and CCFR02 of the Leicester Local Plan 2026).

15. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to any dwelling house of types specified in Part 1, Classes B and C of Schedule 2 to that Order shall be carried out without express planning permission having previously been obtained where the enlargement, improvement or other alteration would result in a loss of any solar panel. (Given the nature of the site, the form of development would reduce energy efficiency and in accordance with Leicester Local Plan 2026 policies CCFR01 and CCFR02.)
16. The approved dwellings and their associated parking shall be constructed in full accordance with the "Sanitation, hot water safety and water efficiency: Optional Requirement" of Part G of the Building Regulations. The estimated consumption of wholesome water calculated in accordance with the methodology in the water efficiency calculator, should not exceed 110 litres/person/day.
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 sustainable design and water efficiency in accordance with Leicester Local Plan 2026 policy CCFR01)
17. Prior to the commencement of development details of SuDS product specifications and/or design details and an updated SuDS Maintenance plan to confirm maintenance responsibility shall be submitted to and approved in writing by the local planning authority. No property shall be occupied until the SuDs and drainage have been installed in accordance with the approved details and those already set out in the approved Flood Risk Assessment & Detailed Drainage Design received 19 February 2026. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CCFR05 of the Leicester Local Plan 2026).
18. Development shall be carried out in accordance with the mitigation recommendations laid out within the Preliminary Ecological Appraisal and Ground Level Tree Assessment received on the 19th February 2026. Should the development not commence within 18 months of the date of the last protected species survey (30/10/2025), then a further protected species

survey shall be carried out of the site including all trees and other features 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 NE01 of the Leicester Local Plan 2026).

19. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP) carried out by a suitable qualified ecologist, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with any mitigation recommended by the CEMP. (In the interests of preserving wildlife habitats, and in accordance with Leicester Local Plan 2026 policy NE01.)

20. Notwithstanding the 10% mandatory biodiversity net gain requirements to be carried out offsite, and prior to works above slab level, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The LEMP, shall be strictly adhered to and implemented in full for its duration and shall contain the following:
 - (a) new tree and shrub planting, including plant type, size, quantities and locations;
 - (b) means of planting, staking, and tying of trees, including tree guards;
 - (c) other surface treatments;
 - (d) fencing and boundary treatments;
 - (e) any changes in levels;
 - (f) the position and depth of service and/or drainage runs (which may affect tree roots).The approved landscaping scheme shall be carried out prior to occupation for hard landscaping, and within one year of occupation of the development for soft landscaping. For a period of not less than 30 years from the date of planting the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and to provide biodiversity on site and in accordance with Leicester Local Plan 2026 policies DQP01, DQP03, DQP04, DQP05 and NE02.)

21. Development shall be carried out in full accordance with the approved Arboricultural Method Statement and the tree protection retained in place until the development has been completed. (To minimise the risk of damage to trees and other vegetation in the interests of amenity and biodiversity, and in accordance with Leicester Local Plan 2026 policies DQP01, DQP04, and NE02).

22. The development shall be carried out in full accordance with the following approved plans:
2026/01/020 pages 2-14, and 17, received 14 April 2026
(For the avoidance of doubt.)

NOTES FOR APPLICANT

1. 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/or 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.
2. It is recommended that care is taken during works should any bats or birds or their roosts or nests be discovered on site. In such a case, it is recommended that advice from a qualified ecologist should be sought before proceeding with works, given environmental protection legislation. 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)
3. To meet Condition 8 and 16 all those delivering the scheme (including agents and contractors) should be alerted to this condition, and understand the detailed provisions of Optional Category 2, M4(2) and Optional Requirements in part G. The Building Control Body for this scheme must be informed at the earliest opportunity that the units stated are to be to Optional Category 2 M4(2) and Optional part Grequirements. Any application to discharge this condition will only be considered if accompanied by a building regulations completion certificate as stated above.
4. Any development where surface water runoff will be managed through discharge into a public sewer will require approval from Severn Trent Water (STW). An application for connection will need to be completed and submitted to STW once planning approval is granted.

Item 6b

Recommendation: Refusal	
20251701	41 Raywell Road
Proposal:	Change of use from dwellinghouse (Class C3) to children's care home (max 2 children) (Class C2)
Applicant:	Nompumelelo Dube
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20251701
Expiry Date:	2 February 2026
CW	WARD: Humberstone & Hamilton



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Summary

- The application has been brought to committee due to there being objections received from 60 separate addresses in the Local Authority Area.
- The application is for the change of use from a family home to a care home for two children
- Objections to the application are made in relation to the principle of development, residential amenity and parking
- The application is recommended for conditional approval

The Site

The application relates to a two-storey detached dwelling located on the south side of Raywell Road. It is within a residential area bounded by a school to the rear and

neighbouring residential dwellings to either side. The property benefits from tandem parking spaces to the side and a garage to the rear.

Background

20251065: Certificate of lawful proposed development for change of use from dwellinghouse (Class C3) to residential care home for children (Class C2). Refused 13.10.2025.

The Proposal

The application seeks permission for the change of use from a residential dwelling (Use Class C3) to a children's care home (Use Class C2) for two children. The care home will contain a living room, kitchen / dining room and study at ground floor level and two children's bedrooms, a staff sleeping room, bathroom and office at first floor level. To the rear of the property is a garden which will contain a bike store.

No internal or external alterations to the dwelling or its front/rear garden area part from the installation of a bike store have been proposed as part of this application.

The application has been accompanied by a design and access statement which sets the proposed use. The care home is proposed for two children between the ages of 7 – 18, with two adult carers always occupying the property, working on a shift rota basis. A manager will also attend most weekdays. The layout of the property includes a staff sleeping room and office.

The shift pattern is proposed to be a 48-hour shift, with one of the two staff changing each day at 8:30am. Changeover time is estimated to last between 15 – 30 minutes.

The application has been accompanied by a Statement of Purpose and Location Risk Assessment. In addition, the applicant has positively engaged with the Social Care Team during the processing of the application.

Policy Considerations

National Planning Policy Framework (NPPF) 2024

Development Plan Policies

Development plan policies relevant to this application are listed below:

Leicester Local Plan (2026)

Policy DQP06. Residential Amenity

Policy Ho03. Housing Mix

Policy Ho10. Retention of Family Housing

Policy T01. Sustainable Transport Network

Policy T07. Car Parking

Further Relevant Documents

Local Housing Needs Assessment and Addendum 2022

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

Consultations

Children's Social Care Team

Introduction

The Social Care and Education department of Leicester City Council have been asked to provide comment on the planning application for 41 Raywell 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 rest 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. Children and Adolescent Mental Health Services, 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 applicants are qualified and registered social workers with previous experience. The home's draft proposed statement of purpose has been seen.

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. Based on the interview with and paperwork provided by the proposed provider their experience leads us to conclude that this provision would be an asset to local children and communities.

Are essential services suitably available?

There are significant pressures 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 supplied a locality risk assessment and has clearly consulted with the relevant agencies. We agree with the conclusion of the risk assessment that Raywell Road is a suitable location for the proposed service.

Further Comments

Staffing provisions described by the applicant are in line with the minimum staffing numbers that would be required by Ofsted. There is a potential need for car parking etc at shift handovers for staff as described in the planning statement. The applicant proposes two 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 Nozinhle Dube Ltd.

Conclusion

Having regard to the above, the Social Care department would support registration of the proposed care home with Ofsted and the proposal would desirably add to children's care provision in Leicester. I support the application.

Pollution Control (Noise) – unable to make an informed decision without a sound insulation scheme.

Representations

62 representations have been received, 60 objections and 2 in support. The representations are summarised below.

Objections:

Principle

- Care home is an institution and incompatible with family focused character residential area
- Area is primarily family dwellings
- 24 hour staffed facility is a material change in character to the street
- Over intensification of a single residential plot
- Loss of a family dwelling
- Impact the sense of community

Amenity

- Area is currently quiet
- Increase in noise to area
- Increase in comings and goings especially during unsociable hours
- Loss of privacy
- Overlooking of gardens
- Increase in noise from outdoor activities

- Negatively impact the peaceful character of the area

Parking

- Existing parking issues on street
- Driveway and garage are too narrow
- Current parking arrangement only suitable for 2 vehicles, with 3 being tight
- On street parking reduces usability of driveways
- Increase in staff and visitors to the site will increase streets parking issues and could impede emergency vehicles
- Comings and goings during late nights and early mornings
- Insufficient off-street parking
- Increase in the number of cars on the street
- Impede dropped kerbs and the public footpath

Other

- Risk of anti-social behaviour and crime
- Drop in house prices
- Difficult to sell properties in the area
- No information relating to emergency access
- Approval would set a precedent in the area
- Children might escape
- Application was not properly or fairly communicated to residents
- Lack of detail about staffing or management of children
- No justification as to why this location is suitable for a children's care home

Support:

- OFSTED approved care home would be suitable in this location
- Safe location near to local amenities

Consideration

Principle of development

Loss of a family dwelling

Leicester Local Plan policy Ho03 states that the Local Plan will seek to achieve a mix of house types, tenures and sizes and policy Ho10 seeks to retain family housing.

The proposal would change the use of the site from a single residential dwelling (Class C3) to a care home for children (Class C2). 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 removal of a four bedroomed family house would exacerbate housing need for large family housing.

Provision of an additional care home

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 has been met, the Social Care Team note there is a need for experienced providers in the city as not all registered beds are of the quality required by the local authority. Based on an interview with and paperwork provided by the proposed provider their experience leads the Social Care Team to conclude that this development would be an asset to local children and communities.

A condition is recommended to ensure that the home is solely run by the applicant and can be converted back to a family dwelling upon the applicant's cessation of the C2 use. Noting this I consider the loss of a family house may prove to be a temporary measure and outweighed in this instance by the Council's need for good quality children's homes. 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 and note the following sites within proximity to the application site which have been granted permission for a C2 care home use:

83 Laverton Road - 2 bed children's care home approx. 400m away

13 Farnley Road – 2 bed children's care home approx. 400m away

69 Bryony Road – 3 bed children's care home approx. 500m away

This information is mapped in Appendix 1.

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 have material impacts such that the proposal would be unacceptable in principle.

Living conditions (The proposal)

The dwelling is to be occupied by two children and staff.

The house is a relatively normal dwelling that provides reasonable levels of light and outlook. With regards to the levels of outlook, light, privacy and noise levels for the occupants, no internal or external alterations are proposed. It is therefore considered that the occupants would benefit from the same levels of light, outlook, privacy and noise as existing occupants of the dwelling.

The dwelling also benefits from a private garden area and I consider that future occupants would have sufficient private outdoor garden space.

It is therefore considered that the proposal provides a sufficient quality of living space for future occupants as a Care facility for 2 children and that the development is in accordance with Policy CS03 of the adopted Core Strategy.

Residential amenity (*neighbouring properties*)

Taken together, NPPF paragraph 135f, and Local Plan 2026 policy DQP06 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 including no additional overlooking over garden fences.

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 two 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 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 will not 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 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 or 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 applications 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 194 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.

I conclude that the proposal will comply with 2026 Local Plan policy DQP06, and paragraph 135 of the NPPF, and is acceptable in terms of amenity to neighbouring properties.

Highways and Parking

Policy Context

Leicester Local Plan 2026 policy T07, and NPPF paragraphs 108, and 114, require developments to provide suitable facilities for traffic and parking. 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.”

The site plans shows three tandem spaces which are of acceptable size in accordance with DES 16 of the Leicester Street Design Guide.

Context of the Area

In its existing use the four-bedroom family house could be expected to be served by 2 or more cars. The proposed use would require a maximum of 3 staff on site but there would likely be visitors at times. Overall, it is considered that the site would attract an average of 3 cars.

The proposed site plan shows 3 existing vehicle parking spaces to the side of the property which will be retained. An objection was received stating there was not enough space on the site to allow for 3 parked cars. However, each space has been measured and as above, the spaces are of acceptable size.

It was also noted during the site visit that whilst it is possible to park on street, there are limited spaces due to the position of dropped kerbs and neighbouring driveways.

However, Keyham Lane West bus stop is located circa 700m walking distance from the site and provides regular bus services into Leicester City Centre. Cycle storage is also shown within the rear garden of the site. It is therefore considered that sustainable alternative travel options are available which do not rely on the need for a car.

Whilst the property does provide three off street parking spaces the design and access statement submitted as part of the application informs that it is company policy to require staff to use public transport (with free bus passes or subsidised taxis fares) or bicycle and not allow on street parking. The manager will arrive each day by car and any visits will be planned in advance to ensuring parking is available for visitors.

Overall, it is considered that three off street spaces are sufficient for the proposed use and that alternative modes of transport are available including buses and cycling. I therefore do not consider that the proposed use would cause an unacceptable or severe impact on highway safety.

As the proposal provides sufficient levels of parking and is located within a sustainable location for alternative transport methods, the proposal complies with Leicester Local Plan 2026 policy T07 and NPPF paragraphs 108 and 114.

Other matters

There have been a number of comments within the received objections relating to a concern about the proposal causing an increase in crime and anti-social behaviour. As stated within the Residential Amenity Section of this report, anti-social behaviour and criminal acts are to be dealt with by the relevant authority and are not a planning matter. There is also no evidence to suggest that the home would result in a higher level of anti-social behaviour in the area.

Objections were also received which raised concern about the proposal causing a loss of value to their property. This is not a planning matter and cannot be a consideration within any planning application.

Objections were also received stating there was insufficient information submitted in relation to the shift patterns and management plan. However, the application has been accompanied by a management plan which details this information.

Regarding the fire safety and emergency access concerns raised within public objections, these are building control matters and cannot be a consideration within a planning application.

Concerns were raised that the application was not properly advertised to the public. Publicity for the application was carried out in accordance with the requirements as set out in the Development Management Procedure Order.

There was also a concern within neighbouring objections that approval of the proposal would set a precedent for future similar developments. This development would not set an undesirable precedent for further non-residential uses in the area as each application is determined on its own merits.

Conclusion

I therefore recommend 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 use hereby permitted shall be carried on only by Nozinhle Dube Ltd (company number 13782186). When the premises cease to be operated by Nozinhle Dube 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 Leicester Local Plan 2026 policy Ho03).
3. The premises shall not accommodate any more than 2 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 Leicester Local Plan 2026 policies DQP06 and T07).

4. Development shall be carried out in full accordance with the following approved plans:
- Block Plan, Received 08.12.2025
 - Proposed Floor Plans, 086, Received 08.12.2025
- (For the avoidance of doubt).

NOTES FOR APPLICANT

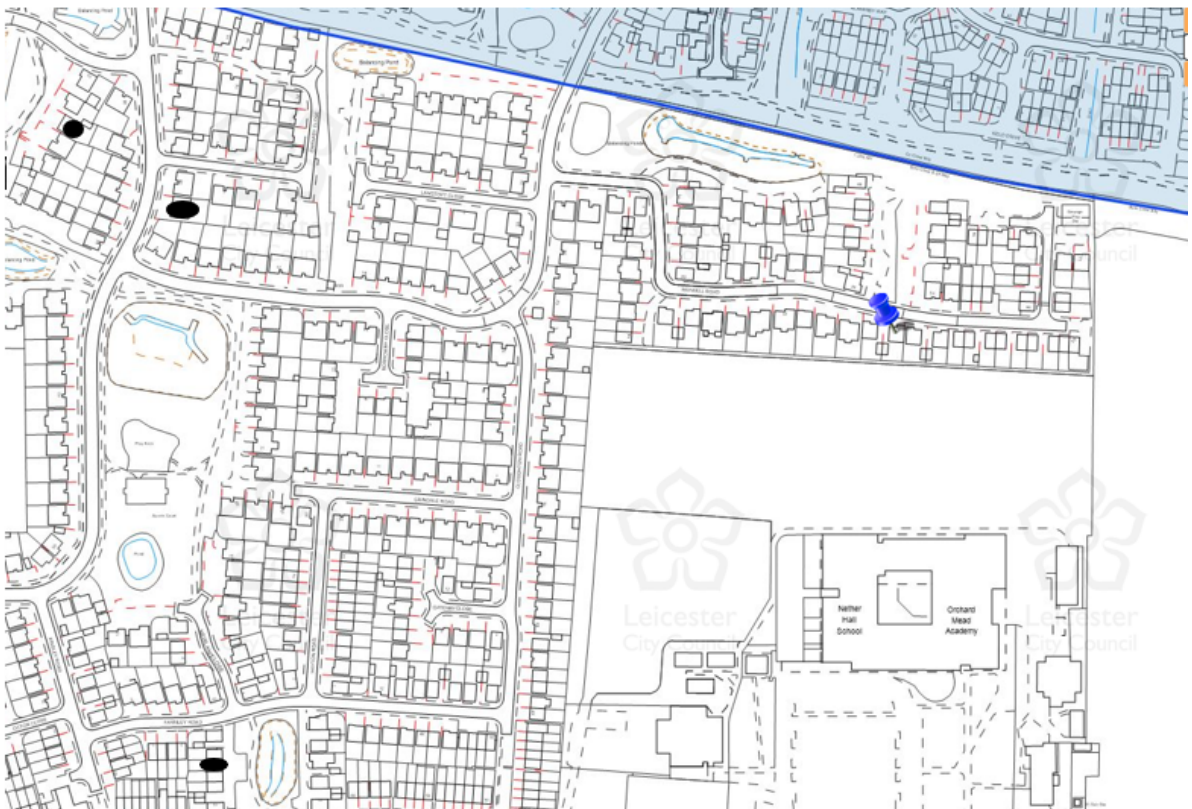
1. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

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 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/or 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.

Appendix 1



Key:

Blue Pin: Application Site, 41 Raywell Road

Block dots: Properties which have planning permission for a C2 use within a 500m radius

