

Leicester
City Council

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

DATE: WEDNESDAY, 23 SEPTEMBER 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 Aldred (Vice-Chair)

Councillors Joel, Karavadra, Kennedy-Lount, Kitterick, Mahesh,
Modhwadia, Mohammed, Dr Moore 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:

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

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- ✓ 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:

Jessica Skidmore, Governance Services Officer, email: jessica.skidmore@leicester.gov.uk or Sharif Chowdhury, Senior Governance Services Officer, email: sharif.chowdhury@leicester.gov.uk, Governance Services Officers.
Alternatively, email jessica.skidmore@leicester.gov.uk, or call in at City Hall.

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PUBLIC SESSION

AGENDA

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

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

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

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

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 2nd September 2026 will be presented at the next meeting.

4. PLANNING APPLICATIONS AND CONTRAVENTIONS [Item 4](#)

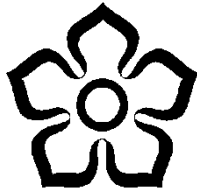
The Committee is asked to consider the recommendations of the Director, Planning, Development and Transportation contained in the attached reports, within the categories identified in the index appended with the reports.

(i) **20260356 - 15 OAKSIDE CRESCENT** [Item 4a](#)

(ii) **20251603 - 26 COLWELL ROAD** [Item 4b](#)

(iii) **20261172 - 42 BARNES CLOSE** [Item 4c](#)

5. ANY OTHER URGENT BUSINESS



Leicester
City Council

Wards:
See individual reports.

Planning & Development Control Committee

Date: 23 September 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.

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

4 Equalities and personal circumstances

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

5 Crime and disorder

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

6 Finance

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

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

7 Planning Obligations

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

8 Legal

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

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

9 Background Papers

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

10 Consultations

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

11 Report Author

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

Item 4a

Recommendation: Conditional approval	
20260356	15 Oakside Crescent
Proposal:	Change of use from dwellinghouse (Class C3) to children's home (Class C2), for maximum 4 children (Amended 01/07/2026)
Applicant:	Warren Property Investments Ltd
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20260356
Expiry Date:	25 September 2026
AR1	WARD: Evington



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Summary

- The application was presented at Committee on 12th August 2026 with a recommendation for conditional approval but was **deferred to allow officers time to seek information on the latest supply figures in terms of planning permissions granted and Ofsted Licensed premises since January 2026.**
- In addition, a new National Planning Policy Framework (2026) was adopted on 17th August 2026. Policies in the report have been updated accordingly.
- The application is reported to committee as there have been 32 no. letters of objection from 25 no. separate neighbouring addresses within the Local Authority area.
- The proposal seeks a change of use from a family home to a care home.

- The main issues are the principle of development, the character of the area, the impact on future and neighbouring occupiers, and parking and highway safety
- The application is brought back to committee with a recommendation for conditional approval.

The Site

The application site comprises the southern property of a pair of semi-detached bungalows on the west side of Oakside Crescent. The property includes 4 no. bedrooms, 1 with an en-suite, and a bathroom in the roof area, facilitated by a rear flat roofed dormer and hip-to-gable roof extension (ref: 20031584), and has also been extended to the rear by a single storey (ref: 20170429). There are 2 no. further bedrooms on the ground floor.

The front garden is block paved and is approximately 10m wide by 8.5m deep, with an approximate area of 85m², providing space for at least 3 no. cars to be parked clear of the highway.

The rear garden has an area of approximately 72m², and there is an 8m buffer for the Ethel Brook Ordinary Watercourse which extends the depth of the rear garden.

Surrounding properties form part of the same development and are a variety of two-storey semi-detached properties of the same materials palette as the application site with variations in the design.

Background

20031584. Porch extension at front, gable roof extension, dormer extension at front and rear of house (amended plans). Approved 07/10/2003.

20170429. Notification of proposed single storey extension at rear of dwellinghouse of dimensions: 4.00 metres beyond the rear wall of the original dwellinghouse; maximum height 2.79 metres; height of the eaves 2.62 metres (Class C3). Prior Approval Not Required 06/04/2017.

The Proposal

The proposal is for the change of use of a 6-bedroomed semi-detached dormer bungalow (Class C3) to a Children's Home for a maximum of 4 no. children (up to age 18) where care is provided (Class C2).

No external alterations are proposed with the resultant property comprising a Kitchen/Dining Room, a Sitting Room, Living Room, Utility Room, Study, Managers Office/overnight accommodation and a Shower Room at ground floor level, and 4 no. children's bedrooms, 1 no. with an en-suite, and a bathroom at first floor level in the roof area.

Care is to be provided by staff working in shift patterns with a minimum of 2 no. staff on site at any one time.

The application has been accompanied by a Planning Statement, a Statement of Purpose, an Ofsted Report and a Registration Certificate.

The applicants positively engaged with the Social Care Team prior to, and during, the determining of the application.

An amended plan and Planning Statement were received 17/04/2026, re-labelling the upper floor bedrooms and correcting errors in the Statement.

An amended application form was received 01/07/2026 serving notice by way of Certificate B on owners, other than the applicants, of land within the red line.

Policy Considerations

Leicester Local Plan (2026)

[Policy Ho03. Housing Mix](#)

[Policy Ho10. Retention of Family Housing](#)

[Policy DQP06. Residential Amenity](#)

[Policy T01. Sustainable Transport Network](#)

[Policy T07 Car Parking](#)

National Planning Policy Framework (2026)

DM1: Preparing development proposals

1. Proposals for major development should:

a. Be informed by early engagement with neighbours and the local community, as well as with the local planning authority, statutory consultees, infrastructure providers, registered providers of social housing and other relevant bodies where appropriate, to identify and seek to resolve key planning matters prior to the submission of a planning application. This pre-application engagement should be proportionate to the nature of the proposal and those likely to be affected by it; and

b. Be accompanied by a concise planning statement setting out:

- i. How the development proposal is consistent with relevant development plan and national decision-making policies;*
- ii. The outcome of pre-application engagement and the extent to which the proposal has changed in response to this engagement; and*
- iii. The proposed use of any planning obligations to make the proposal acceptable in planning terms.*

2. Proposals for other types of development should be supported by the minimum necessary information requirements to enable a decision. In certain circumstances, set out elsewhere in this Framework, this should include pre-application discussions (see policies CO2 and P4). Pre-application engagement may also be required where proposals raise complex planning matters, such as the potential effect on heritage assets.

DM3: Determining development proposals

1. When considering development proposals, local planning authorities should:

a. Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision;

b. Take a proportionate approach to the consideration of the planning matters raised by the proposals, in a way that reflects their scale, complexity and potential impact;

c. Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals;

d. Consult statutory or internal consultees only where it is necessary to do so. Decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision, there are public safety risks from proceeding without advice, or more detailed advice may enable an approval rather than a refusal;

e. Consider whether otherwise unacceptable development proposals could be made acceptable through the use of planning conditions or planning obligations; and

f. Not refuse applications for development which should clearly be approved, having regard to their accordance with the development plan, the policies in this Framework and any other material considerations.

DM6: Use of planning conditions and obligations

1. Planning conditions should only be attached to planning permissions and other associated consents for development where they are:

a. Necessary to make the development acceptable in planning terms;

b. Relevant to the development and to planning considerations generally;

c. Sufficiently precise to make them capable of being complied with and enforced; and

d. Reasonable in all other respects.

2. Conditions should not be used to:

a. Require payments of money; or

b. Require that land is formally given up to another party (such as highways to the local highway authority); or

c. Restrict national permitted development rights unless there is clear justification to do so.

3. Where national model conditions are relevant to the development, they should be used unless there are strong reasons for using a different condition. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification. Applications to discharge conditions should be dealt with in a timely manner to avoid unnecessary delays to development.

4. Planning obligations should only be used where it is not possible to address potential unacceptable impacts through a planning condition. Where national model planning obligations are relevant to the development, they should be used unless there are strong reasons for using a different planning obligation.

DM7: Relationship with other regulatory regimes

1. Development proposals should be assessed on the basis of whether they would be an acceptable use of land. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively.

2. Planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed (see policy PM13).

3. *The parallel processing of planning and other regulatory consents is encouraged where this can help to align and expedite the consenting of development.*

4. *Where compliance under a separate regulatory regime requires subsequent changes to an approved development proposal, such changes should be approved unless they would mean the development is no longer acceptable when assessed against development plan and national decision-making policies.*

HO7: Meeting the need for homes

1. *In applying the policies in this Framework, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence. This includes, but is not limited to, homes needed for different groups assessed under policy HO1.*

L2: Making effective use of land

1. *Substantial weight should be given to the benefits where a development proposal would achieve one or more of the following:*

a. Remediating despoiled, degraded, derelict, contaminated or unstable land;

b. Making better use of vacant and underutilised land and buildings (such as: by bringing back into residential use empty homes and other suitable buildings; converting space above shops; redeveloping underutilised retail and business sites; and building on or above service yards, lock-ups, car parks and other transport infrastructure which are no longer required);

c. Making effective use of previously developed land and buildings through temporary uses, in situations where alternative development is anticipated within a reasonable period (including as a result of the land being allocated for an alternative purpose in the development plan); or

d. Creating additional homes or floorspace within settlements by using the airspace above existing residential and commercial premises, or through sensitive redevelopment or additional development within existing plots (including, but not limited to, the addition of mansard roofs, proposals to fill gaps in the existing roof line, the introduction of higher buildings at street corners and additional units within residential curtilages). Such proposals should:

i. Be consistent with the overall street scene, other than where: it is appropriate to have larger buildings (such as at street corners, or where building upwards would not cause substantial harm to the character of a building and its surroundings); the development would not be visible from the street frontage; or where specific changes are provided for through a design code which forms part of the development plan;

ii. Maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space; and

iii. Where the development would involve the use of residential curtilages, not occupy more than twice the footprint of all the existing buildings on the site, and, following development, would retain at least 50% of the non-developed area within the curtilage of the existing buildings; unless additional development can be accommodated without harm to the overall character of the area, and taking into account the availability of infrastructure and the importance of locating development in sustainable locations (in accordance with policy TR3).

2. *A condition of simultaneous development should not be imposed on an application for multiple upward extensions unless there is a clear justification.*

DP3: Key principles for well-designed places

1. *Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.*

2. *To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location:*

a. Liveability: support healthy, mixed, vibrant and integrated communities, which will function well over the lifetime of the development, by incorporating a range of uses and tenures, employing features which promote social interaction, and which are robust, durable and easy to look after;

b. Climate: contribute to climate change mitigation and adaptation and the transition to net zero by using building layouts, building orientation, massing, landscaping and materials which conserve energy and other resources, and which minimise risks from the impacts of climate change including overheating;

c. Nature: incorporate and/or connect to a network of high quality, accessible, multifunctional green infrastructure to provide opportunities for recreation and healthy living, strengthen habitats, improve climate change resilience and improve air and water quality. This should include maintaining and enhancing tree cover and incorporating sustainable drainage systems in accordance with policies N3 and F8;

d. Movement: provide transport infrastructure and choices which support the design vision for the site, provide good connections to the wider settlement (or those nearby), and prioritise walking, wheeling, cycling and public transport;

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;

f. Public Space: include spaces that are safe, secure, inclusive, and accessible for all ages and abilities, including for groups such as women and girls; and which facilitate and encourage social interaction, play and healthy lifestyles (for example by providing high quality, clear and legible pedestrian and cycle routes, a variety of recreational spaces and places to meet, integrating lighting and making building entrances and windows face onto streets and other public spaces to provide natural surveillance); and

g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.

3. *Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.*

4. *The principles set out in the Design and Placemaking planning practice guidance should be used to inform how this policy is applied in the absence of locally-produced design policies, guides, codes or masterplans.*

5. Substantial weight should also be given to outstanding or innovative designs which promote high levels of sustainability, or which help raise the standard of design more generally in an area, so long as they are consistent with the overall form and layout of their surroundings.

TR3: Locating development in sustainable locations

1. So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:

a. Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical;

b. Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use;

c. Any significant adverse impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree using a vision-led approach;

d. The environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including taking opportunities to avoid or mitigate any adverse environmental effects, and to secure net environmental gains such as reductions in air pollution; and

e. In rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.

2. The Connectivity Tool (Connectivity Tool - GOV.UK) should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development.

TR4: Street design, access and parking

1. To contribute to creating well-designed places, transport considerations should be integral to the design of development, proposals for which should:

a. Give priority first to walking, wheeling and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating easy access to high quality public transport, with layouts and densities which maximise the catchments for bus or other public transport services;

b. Incorporate or contribute towards appropriate features to support this prioritisation, such as permeable street networks, continuous footways and segregated cycle facilities which are adequately lit, sufficient secure and accessible cycle parking, regularly spaced public seating and good quality waiting facilities for public transport;

c. Ensure that the arrangement of streets and other routes help to create places that are safe, inclusive and attractive for all users (particularly for women and girls, for other groups who may be vulnerable to crime or the fear of crime, and for those with limited mobility). This includes reflecting relevant aspects of policy DP3(2), as well as employing measures to:

- i. Minimise the scope for conflict between pedestrians, cyclists and vehicles;*
- ii. Meet the needs of disabled people, older people and children in relation to all modes of transport, and*
- iii. Avoid unnecessary street clutter.*
- d. Allow for the efficient delivery of goods, and ease of access by service and emergency vehicles, in ways which do not compromise key place-making principles (set out in policy DP3(2)); and*
- e. Provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations. A flexible approach to applying parking standards should be taken where the reconfiguration of retail or other sites which attract large numbers of customers would make better use of previously developed land, and there is evidence that a certain number of spaces needs to be retained to meet specific operational and commercial requirements.*

2. The principles set out in national design guidance should be used to inform how this policy is applied.

P3: Living conditions and pollution

1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).

2. Within this context development proposals should:

- a. Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;*
- b. Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);*
- c. Sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants including PM2.5. Development proposals should take account of Air Quality Management Areas and be consistent with the objectives of relevant Air Quality Action Plans, Clean Air Plans and Local Air Quality Strategies;*
- d. Mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);*

e. Limit any adverse impact from artificial light on local amenity, intrinsically dark landscapes (those areas entirely, or largely, uninterrupted by artificial light) and nature; and

f. Assess and mitigate impacts where the development could have an unacceptable adverse effect on water quality, especially in relation to sensitive water bodies such as chalk streams.

3. In applying this policy, it should be assumed, unless there is clear evidence to the contrary, that separate regulatory regimes for the control of pollution will operate effectively, as set out in policy DM7. This means that it will be appropriate to take into account emissions limits set through those other regimes.

The following has also been taken into account:

Leicester Street Design Guide (2020)

Local Housing Needs Assessment (2022) (LHNA)

Planning Practice Guidance – Noise

- <https://www.gov.uk/guidance/noise--2>

Consultations

Pollution – Noise-Premises-Light

- Comments
- Concerns regarding unexpected and continuous noise affecting nearby residents – unsociable hours, amplified musing, excessive vocal noise.
- Recommend noise management plan on how noise complaints will be managed and excessive noise minimised.

Social Care Children's (Children's Care Homes)

- Support the proposal.
- Full comments are shown below and are as detailed in the 12th August committee report:

The Social Care and Education department of Leicester City Council have been asked to provide comment on the planning application for 15 Oakside Crescent for a change of use to a residential children's home. Ultimately, any decision to change the registration and / or statement of purpose of such a provision rests with Ofsted.

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

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

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. This is a relocation of a home operate by Jasmine Gardens Ltd, currently rated "good" by Ofsted and with a history of taking placements from Leicester City.

Therefore, we believe that this proposed home will be of potential benefit to children from Leicester City.

Are essential services suitably available?

There are significant 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 discussed risk information and has consulted with the relevant agencies including the local authority. We agree with assessment that Oakside Crescent is 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 potential need for car parking etc at shift handovers for staff as described in the planning statement. The applicant proposes four 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 Jasmie Gardens (Private 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.

Representations

35 no. representations have been received:

- 32 no. letters of OBJECTION from 25 no. separate neighbouring addresses
- 2 no. letters COMMENTING from neighbouring addresses
- 1 no. letter of SUPPORT from a neighbouring address

OBJECTIONS

Principle of Development

- Appreciate need to provide care and accommodation for vulnerable children, but do not believe this particular property and location are suitable for such a use.
- Adults over the age of 18 can move in. This is possible in a C2 children's home as long as they are in the minority
- Local Need
 - The applicant has not shown a need for a children's home in the area.

- Children placed may be from outside the local area, contrary to Leicester City Council (LCC) principles for keeping children close to home
- LCC Placement Strategy
 - Expanding private care homes goes against the Council's strategy, which favours in-house residential care due to rising costs and suitability of external homes.
 - Housing children in residential homes is not in the best interests of looked after children and they would be better placed with trained and supervised foster carers who can provide a supportive family environment, tailored to their needs, whilst not focussed on profit, which in turn is more economical.

Character of the Area

- More intensive form of use not in keeping with the established character of this quiet, residential area.
 - In this case, the introduction of a staffed, shift-based operation would materially alter the residential nature of Oakside Crescent.
- Change to Business Premises
 - The change of status will allow this property to become a 24 hour business with no immediate commercial properties.
 - Approving this application could set a precedent for other non-residential uses in a quiet residential area, potentially leading to further changes that residents oppose.
- Institutionalisation of the Area
 - The area already has several institutional premises.

Residential Amenity

- Impact on Community
 - The application would harm the quiet, community-driven atmosphere of the neighbourhood and would be particularly disruptive to the elderly residents.
 - The nature of a children's home (shift workers, visitors, transport arrangements) is likely to result in increased noise, disturbance, and general activity.
 - The proposal only mentions one overnight staff member and doesn't mention the possibility of two.
- Increased Foot Traffic
 - The presence of several staff and visitors, along with the children, would lead to a large increase in foot traffic, disrupting the peacefulness of the area.
 - Due to reassessment, additional staff may need to be employed due to the needs of the children or a specific child. The extra demand will increase at, potentially any time, the busyness of the property with

regards to change over, comings and goings and possibly staff gathering outside the property.

- Potential for Anti-Social Behaviour

- There are concerns that some children in care may have behavioural issues, which could lead to anti-social or criminal behaviour and security issues for the local community.

Parking and Highways

- The application does not address significant parking and traffic problems, as the site has limited parking spaces and the surrounding streets are already congested including Mosque overflow and school traffic.

Other

- Not Ofsted registered and lack of care experience
- Lack of clarity regarding the scale and intensity of the operation (staffing levels, shift patterns, visitor frequency means the LPA cannot fully assess the cumulative impact of the proposal. Conflicts with NPPF requirement for well-designed places and adequate assessment of impacts.
- Quotes that the proposal is contrary to case law:
 - South Bucks District Council v Porter (No. 2) [2004] UKHL 33
 - Newport Borough Council v Secretary of State for Wales [1998] JPL 377
 - Westminster City Council v British Waterways Board [1985] AC 676
 - Tesco Stores Ltd v Secretary of State for the Environment [1995] 1 WLR 759
- False information
 - Some of the objections raised issue with the accuracy of the submitted supporting information, including spelling mistakes and other minor errors.
- Limitation for complaints – point of contact but no mention of how this operates to resolve problems.

COMMENTS

- Some inaccuracy in submitted information.
- The property has been extended under 20031584 and 20170429.
- Oakside Crescent used for Mosque overflow parking and school traffic.

SUPPORT

- No issues regarding the planning application for a children's home which is needed.

Consideration

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities (LPA) to determine planning applications in accordance with their Development Plans unless material planning considerations indicate otherwise.

The Principle of Development

The proposal is for the change the use of a 6-bedroomed dwellinghouse (Class C3) to a care home for 4 no. children (Class C2).

Policy Ho03 of the Leicester Local Plan (2026) seeks to achieve a mix of house types, tenures and sizes, taking account of evidenced need for current and future households, with Policy H010 seeking the retention of family housing, requiring proposals for the conversion of properties with more than 4 bedrooms, and which are outside of Article 4 HMO Control Areas, to be assessed on their individual merits, subject to compliance with Local Plan policies.

The Local Housing Needs Assessment (2022) identifies the need for different sizes of family dwellinghouses (C3) across the City, with Table 3 in the Leicester Local Plan (2026) showing the recommended mix of market and affordable housing. The table shows a requirement for 3,792 4+ bedroomed dwellinghouses over the plan period.

Following deferral from the 12th August 2026 Committee meeting, the following information is provided for the latest supply figures in terms of planning permissions granted and Ofsted Licensed premises since January 2026:

Current Supply:

- 132 Ofsted Registered children's bedspaces in the City

Estimated City Need by Social Services:

- 100-110 residential beds

Average new Ofsted Registrations per annum since January 2023:

- 5.6 (15.5 bedspaces)

Planning Consents where Ofsted Registration has been secured since January 2023:

- 14 (37 Bedspaces)

Outstanding Planning Consents granted since January 2023 with no Ofsted Registration:

46 (115 bedspaces)

The applicants, Jasmine Gardens Private Ltd, currently have a 'good' rating from Ofsted, and have a history of placements within Leicester City. This proposal is for the relocation of a home which they currently operate, and it is considered by Social Care to meet the qualitative need.

To ensure the qualitative need is secured, conditions are recommended to restrict the provision of the C2 use at the property to the applicants only, with reversion to Class C3 on cessation of the C2 use, as well as to limit the number of children occupying the property to a maximum of 4 at any one time.

Although the proposed change of use would result in the loss of a larger family home, this would not necessarily be a permanent or long-term situation, as the care home

will be a managed provision where assisted living is provided for the resident children, and the property would remain in use as a place of residence within a residential area.

It is considered that, with the imposition of the recommended conditions, the provision of a good quality children’s care home outweighs the loss of a larger family home, and the proposal is therefore acceptable in principle.

Character of the Area

Policy DQP01 of the Leicester Local Plan (2026) requires development to consider the character of the site and its wider context, providing an appropriate mix of uses, including a mix of homes, tenures, types and sizes in line with needs set out in Policy Ho03.

Concerns have been raised that the proposal would introduce a more intensive non-residential form of use, further institutionalising the area and materially altering its established residential character.

Reference to planning data for previous approvals within Evington Ward, shows no sites within a 400m radius of the application site, which have been granted planning permission to operate as a C2 Care Home use:

Address	LCC Ref:	No. of children	Distance from Site
44 Thurnview Road	20231045	4	756m
24 Walshe Road	20240203	1	460m
29 Saltersford Road	20240222	3	1.69km
23 Linden Drive	20241910	3	1.47km
26 Yelverton Avenue	20242245	3	979m

Plan to show No. of C2 properties within 400m radius of Site:
(24 Walshe Road shown – 460m northwest)



As such, there is not currently an over-concentration of small children's care homes within a 400m radius of the application site, that would result in an adverse impact on the residential character of the area.

The proposal is also not considered to be a business or commercial use, with the number of occupants not dissimilar to the number of residents expected to reside within a family home of the same size. It will therefore remain fundamentally residential in nature within a residential area.

As such, subject to the layout within the property being carried out in accordance with the approved plans, which can be secured by condition, the proposal will not result in an unacceptable impact on the character of the area, and complies with the aims and objectives of Policy DPQ01 of the Leicester Local Plan (2026).

Living Conditions (Future Occupiers)

Policy DQP06 requires proposals not to cause unacceptable harm to the living conditions of existing and future residents.

Within the property, 4 no. bedrooms, 1 with an en-suite, and a bathroom at first floor level in the extended roof space are set aside for the children's bedrooms, with the 2 no. bedrooms at ground floor level and an en-suite are for use by the staff as a study and office/overnight accommodation. The remaining rooms retain their existing uses.

It is considered that the property has provided acceptable living conditions for previous residential occupiers in terms of levels of daylight and sunlight, noise, privacy and overlooking and, given that no external or internal alterations are proposed, future occupiers will also benefit from the acceptable layout, bedroom sizes, communal spaces and rear private garden of approximately 99 sq.m (measured from the submitted plans).

Subject to conditions for the proposal to operate in accordance with the submitted plans, and for there to be a maximum of 4 no. resident children at any one time, there will be no unacceptable impact on the amenities of future occupiers, in compliance with Policy DQP06 of the Leicester Local Plan (2026).

Residential Amenity (Neighbouring Occupiers)

Policy DQP06 requires proposals not to cause unacceptable harm to the living conditions of existing and future residents.

Concerns have been raised that the proposal will harm the quiet, community-driven atmosphere of the neighbourhood and be disruptive, with the comings and goings of shift workers, visitors and transport arrangements likely to result in increased noise, disturbance and general activity. There are also concerns that some of the children may have behavioural issues which could lead to anti-social or criminal behaviour, and security issues for the local community.

With respect to general amenity, as no external alterations are proposed, there would be no change to the already acceptable impact on levels of outlook, light or privacy to neighbouring residential occupiers.

With respect to internal noise generation, the application site is a semi-detached property, attached to No.13 Oakside Crescent, and as such, there is potential for noise from within the property to impact on the amenities of these adjoining neighbouring occupiers. Any issues of unacceptable noise, over and above that which would be expected from a residential use in a residential area, can be secured by condition for a suitable noise insulation system to be introduced to the party walls, prior to first use, and maintained for the lifetime of the development. An additional condition can be added for there to be a maximum of 4 no. resident children at any one time.

With respect to external noise generation, whilst neighbouring occupiers may experience a different character of activities such as staff changes, and possibly, more transient occupiers over the longer term, it is considered that the use of the rear garden by staff and residents of the home, or general comings and goings associated with the property, is unlikely to give rise to noise impacts that would be significantly different from those generated at the existing dwellinghouse, or would unacceptably impact amenity at any neighbouring properties. The differences in the use do not of themselves equate to harm to residential amenity, over and above that which would be expected from a residential use in a residential area.

It should also be noted that regardless of the outcome of this application, the granting of any planning permission does not indemnify against statutory nuisance action being taken should substantiated noise complaints be received. Paragraph 1 of Policy DM7 of the National Planning Policy Framework (2026) (NPPF) states:

Development proposals should be assessed on the basis of whether they would be an acceptable use of land. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively.

This means there would be no planning justification to withhold permission on this basis.

With respect to behavioural issues, the proposal is to provide managed care for up to 4 no. children with carers always present for supervision and professional oversight. Any safeguarding issues are under the control of Ofsted, a separate regime outside of the planning process to which Care Homes are legally required to comply, or in respect of alleged criminality, the Police.

As the proposal would be an acceptable use of land, it is considered there is no planning justification for the provision of a Noise Management Plan in respect of noise/disturbance/anti-social behaviour which could be dealt with by regimes outside of Planning – 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.

Subject to conditions for the proposal to be operated in accordance with the submitted plans, for internal noise insulation to be installed and maintained for the lifetime of the development, and for there to be a maximum of 4 no. resident children at any one time, it is considered there will be no unacceptable impact on the

amenities of surrounding neighbouring occupiers, which is in compliance with Policy DQO06 of the Leicester Local Plan (2026).

Parking and Highways

Policies TR3 and TR4 of the National Planning Policy Framework (2026) require development to be located where it can support sustainable patterns of movement, offering a choice of transport modes, creating safe places to minimise scope for conflicts between pedestrians, cyclists, and vehicles, which responds to local character and design standards.

Policy T01 of the Leicester Local Plan (2026) promotes the development of a sustainable transport network and Policy T07 seeks a level of car parking appropriate to the scale and nature of the development, taking into consideration the provision of alternative means of transport, alternatives to car parking provision, anticipated level of use, patterns of working hours and the relationship to nearby other uses.

Policy DES16 of the Leicester Street Design Guide (June 2020) (LSDG) requires parking spaces at residential sites to be a minimum of 2.4m wide by 5.5m long, with an additional 0.5m added to the width where a parking space is adjacent to a wall on one side.

Concerns have been raised that the proposal does not address significant parking and traffic problems at the site due to limited parking spaces and the surrounding streets being congested by Mosque overflow and school traffic.

According to the submitted Planning Statement, the proposed use would not exceed 3 no. staff during the day on a rota basis, with no more than 2 no. staff present at any one time. None of the staff will reside at the property and there will be 1 no. staff member on a waking night shift, to ensure 24-hour care. Visitors and deliveries are expected to be of the same scale and frequency not dissimilar to those generated by a family home of the same size.

The front garden is block paved and, measuring from the submitted plans, gives an area of approximately 9m long by 11m wide, sufficient for the parking of at least 3 no. vehicles clear of the highway. This is comparable to the size of surrounding neighbouring front gardens, and the number of parking spaces provided within, and is in compliance with DES16 of the LSDG.

The concerns raised refer to other uses impacting on parking and traffic in the surrounding area. It is noted that the development would require a minimum of 2 no. staff members to be on site at all times, and it could be expected that other support staff or families may visit the regularly, meaning that there may be some need for on-street parking at times. However, the highway in Oakside Crescent permits unrestricted parking, and there are a number of bus stops close to the site in Davenport Road, approximately a 100m walk to the north of the site, and Goodwood Road, approximately a 500m walk to the northwest, to allow staff to use public transport. There is also space within the site to provide secure cycle storage without impacting the on-site parking provision.

It is considered that the proposed use will not generate a parking requirement which would significantly adversely impact on the on-street parking provision within the surrounding area, to the detriment of the highway network and highway safety, and that issues caused by other surrounding uses are not exacerbated by any additional parking requirements for the proposed use.

As such, it is considered that the proposed use would not lead to unacceptable highway network and safety issues over and above the existing situation as a C3 dwellinghouse.

Subject to conditions for the use class to be restricted to within Class C2 only, and for the number of residents to be provided care not to exceed 4, the proposal is considered to be in accordance with Policies TR3 and TR4 of the National Planning Policy Framework (2026), and Policies T01 and T07 of the Leicester Local Plan (2026).

Other Matters

Regarding other issues raised within the comments received:

- Details
 - Some of the objections have referred to spelling mistakes and errors within the submitted documents.
 - Details relating to the description of the dwellinghouse (i.e. detached/semi-detached) and the applicant's details have been corrected.
- Consultations
 - Concern has been raised regarding notification to the wider community in relation to the application.
 - Neighbouring occupiers were notified in accordance with statutory publicity requirements.
- LCC Placement Strategy
 - Concerns raised in relation to this are not material planning considerations.
- Reference to Other Local Planning Authorities
 - Reference to other Local Planning Authority decisions in Oadby, and policy documents for Melton Mowbray and Durham are not relevant to this proposal which has been assessed in accordance with the Leicester City Council Development Plan and National Guidance in the National Planning Policy Framework (2026).
- Registration
 - Children's homes are required to be registered under separated regulatory regimes in order to continue to operate.
- Complaint Handling
 - Limitation for complaints – a point of contact is given but no mention of how this operates to resolve problems.

- This is not a planning matter and would be assessed by Ofsted who act as the regulatory body for Children's homes, and reviewed by the Council's Social Care Team.
- Case Law
 - Comments have been received that the proposal is contrary to Case Law but no discussion as to its relevance to the planning merits has been provided. The cases are summarised below:
 1. South Bucks District Council v Porter (No. 2) [2004] UKHL 33
 - House of Lords judgement defining the legal standard for providing reasons in planning decisions
 - Established reasons must be adequate and intelligible, enabling the reader to understand why a decision was reached on 'principal important controversial issues.'
 - The judgement affirmed that while inspectors must be thorough, they do not need to provide an exhaustive analysis of every detail, only an intelligible explanation of the key issues.
 2. Newport Borough Council v Secretary of State for Wales [1998] JPL 377
 - Intense fear or perception of danger regarding a development can be a material planning consideration even if not supported by objective scientific evidence.
 - The decision maker must assess how much weight to give when compared to technical evidence.
 - Frequently cited in matters regarding planning, public health and 'fear of harm' in development proposals.
 3. Westminster City Council v British Waterways Board [1985] AC 676
 - Whether a landlord had a reasonable prospect of occupying a premises for their own business purpose, as a ground for opposing a new tenancy.
 4. Tesco Stores Ltd v Secretary of State for the Environment [1995] 1 WLR 759
 - The House of Lords held that planning obligations must have a relevant connection to a proposed development to be material, and if material the discretion on weight rests with the decision maker.
 - Planning obligations cannot be used to force approval of a development otherwise unacceptable in planning terms, nor can an LPA be forced to give weight to a beneficial contribution if it is not directly related to a proposal's impact.
 - The cases cited are not directly relevant to the proposal:

1. Case 1 requires a clear reports and reasons.
2. Case 2 requires weight to be given to each aspect of the proposal. It is noted that neighbours may be fearful of the proposal but it is not considered that the supervised occupancy of 4 no. children to result in an intense fear or perception of danger.
3. Case 3 in not relevant to the planning matters proposed.
4. Case 4 is not relevant as no planning obligations are proposed.

Conclusion

The application is recommended for APPROVAL subject to the following conditions:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or any order amending or revoking and replacing that Order with or without modification, the premises shall not be used for any purpose other than for a care home within Class C2 of the Order, unless otherwise approved in writing by the local planning authority. (To enable consideration of the amenity, parking and highway safety impacts of alternative Class C2 uses, in accordance with Leicester Local Plan 2026 policies DQP06 and T01.)
3. The premises shall not accommodate any more than 4 children in care at any one time. (To enable consideration of the amenity of occupiers of neighbouring properties and parking impacts of a more intensive use, in accordance with Leicester Local Plan 2026 policies DQP06 and T01.)
4. The use hereby permitted shall be carried on only by Jasmine Gardens Private Ltd (Company number: 11678059). When the premises cease to be operated by Jasmine Gardens Private 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.)
5. Prior to the occupation of the property as a Care Home, insulation shall be installed to the internal party walls with the adjoining neighbouring property at No.13 Oakside Crescent. The insulation shall provide a minimum value of 55 dB DnT, w+Ctr and shall be maintained to the same minimum acoustic

performance throughout the lifetime of the development. (In the interests of the amenity of occupiers of No.13 Oakside Crescent, and in accordance with Leicester Local Plan 2026 policy DQP06.)

6. The development shall be carried out in full accordance with the following approved plans:
Received 17/03/2026:
Location Plan

Received 17/04/2026:
CPS 002, Proposed Floor Plans
(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 2026 is considered to be a positive outcome of these discussions.
2. 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).

Item 4b

Recommendation: Conditional Approval	
20251603	26 Colwell Road
Proposal:	Demolition of existing single storey side extension and rear garage; installation of dropped kerb; construction of single storey side and rear extension; alterations (Class E) (Amended plans 25.12.2025).
Applicant:	Sarah Panter
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20251603
Expiry Date:	30 June 2026
CW	WARD: Fosse



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Summary

- Brought to Committee as more than 6 objections received
- 14 objections received including an objection by Cllr Waddington who has objected on the grounds of insufficient parking.
- The main concerns raised are residential amenity, traffic and parking issues.
- Recommended for **CONDITIONAL APPROVAL**.

The Site

The site is currently a medical centre within a primarily residential area and is situated approximately 150 metres north of the Blackbird Road/Groby Road/Woodgate Local Centre.

The site is within Critical Drainage Area and Surface Flood 1 in 1000 years area.

Background

20210881 – Demolition of single storey building at rear; Construction canopy to front, single storey extension at side and rear; installation of render at front and alterations to medical centre (Class E) (Amended plans received 08/07/2021). Conditionally approved 05.08.2021 via Planning Committee. This permission was not implemented and has now expired.

20201890 - Construction of a single storey extension at the side and rear; two storey extension at the rear of a medical centre (Class E) was withdrawn.

20000872 -A single storey extension at the side and rear of a medical centre (Class D1) was approved but not implemented. Amongst other conditions the following was attached:

3. *Not more than three consulting rooms (which in this case shall be taken to include the 'health visitor room' and 'nurses' room') shall be permitted on the premises. (The site is incapable of accommodating the car parking requirements that would be generated by more consulting rooms, and which would be required under the terms of Policy T12 of the City of Leicester Local Plan.)*

19911447 – A single storey extension to form a treatment room and a reception/office at the rear and w.c. at side was approved and implemented.

19910758 - Change of use from a ground floor doctors surgery with residential above to doctor's surgery incorporating single storey treatment room and reception/office extension to rear was approved and implemented.

The Proposal

The application is a resubmission of application 20210881 which was approved via Planning Committee, the application is resubmitted as the previous permission was not implemented and has expired. The development is as follows:

- Demolition of the existing single storey side extension and rear detached garage.
- Construction of single storey wrap-a-round side and rear extension. The side extension will have a width of 2.2m and a length of 15.7m, protruding 6.35m beyond the rear elevation of the property. The rear extension which will join the side extension will measure 6.35m in length by 7.3m in width.

The roof form of the side extension will be mono-pitched with a ridge height of 3.65m and an eaves height of 2.7m. The roof form of the rear elevation will be dual pitched and include two gable ends, the eaves and ridge height will match that of the side extension roof. Materials are proposed to match the existing property apart from a section of render proposed to the front elevation.

The side extension will contain a front door which will be the main access, in front of this door an access ramp is proposed. In addition, a glass canopy supported by a 2.7m high brick wall is also proposed.

To the front the position of the dropped kerb will be altered to allow access to one off street parking space, two cycle parking spaces are also proposed alongside the car space.

The existing building comprises of a waiting room, reception and two consulting rooms at ground floor level and a consulting room, office, kitchen and staff WC at first floor level. The proposed development will extend, refurbish and provide a better quality facility consisting of a a reception, waiting room, WC and three consulting rooms at ground floor level and a kitchen, office, meeting room and WC at first floor level. The development would result in the number of employees at the site increasing from six to nine.

Amended plans were submitting during the application process to clarify the site boundary.

Policy Considerations

National Planning Policy Framework 2026

DM1: Preparing development proposals

1. Proposals for major development should:

- a. Be informed by early engagement with neighbours and the local community, as well as with the local planning authority, statutory consultees, infrastructure providers, registered providers of social housing and other relevant bodies where appropriate, to identify and seek to resolve key planning matters prior to the submission of a planning application. This pre-application engagement should be proportionate to the nature of the proposal and those likely to be affected by it; and
- b. Be accompanied by a concise planning statement setting out:
 - i. How the development proposal is consistent with relevant development plan and national decision-making policies;
 - ii. The outcome of pre-application engagement and the extent to which the proposal has changed in response to this engagement; and
 - iii. The proposed use of any planning obligations to make the proposal acceptable in planning terms.

2. Proposals for other types of development should be supported by the minimum necessary information requirements to enable a decision. In certain circumstances, set out elsewhere in this Framework, this should include pre-application discussions (see policies CO2 and P4). Pre-application engagement may also be required where proposals raise complex planning matters, such as the potential effect on heritage assets.

DM3: Determining development proposals

1. When considering development proposals, local planning authorities should:
 - a. Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision;
 - b. Take a proportionate approach to the consideration of the planning matters raised by the proposals, in a way that reflects their scale, complexity and potential impact;
 - c. Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals;
 - d. Consult statutory or internal consultees only where it is necessary to do so.Decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision, there are public safety risks from proceeding without advice, or more detailed advice may enable an approval rather than a refusal;
- e. Consider whether otherwise unacceptable development proposals could be made acceptable through the use of planning conditions or planning obligations; and
- f. Not refuse applications for development which should clearly be approved, having regard to their accordance with the development plan, the policies in this Framework and any other material considerations.

DM6: Use of planning conditions and obligations

1. Planning conditions should only be attached to planning permissions and other associated consents for development where they are:
 - a. Necessary to make the development acceptable in planning terms;
 - b. Relevant to the development and to planning considerations generally;
 - c. Sufficiently precise to make them capable of being complied with and enforced; and
 - d. Reasonable in all other respects.
2. Conditions should not be used to:
 - a. Require payments of money; or
 - b. Require that land is formally given up to another party (such as highways to the local highway authority); or
 - c. Restrict national permitted development rights unless there is clear justification to do so.
3. Where national model conditions are relevant to the development, they should be used unless there are strong reasons for using a different condition. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification. Applications to discharge conditions should be dealt with in a timely manner to avoid unnecessary delays to development.
4. Planning obligations should only be used where it is not possible to address potential unacceptable impacts through a planning condition. Where national model planning obligations are relevant to the development, they should be used unless there are strong reasons for using a different planning obligation.

DM7: Relationship with other regulatory regimes

1. Development proposals should be assessed on the basis of whether they would be an acceptable use of land. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should

assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively. █

2. Planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed (see policy PM13). █

3. The parallel processing of planning and other regulatory consents is encouraged where this can help to align and expedite the consenting of development. █

4. Where compliance under a separate regulatory regime requires subsequent changes to an approved development proposal, such changes should be approved unless they would mean the development is no longer acceptable when assessed against development plan and national decision-making policies. █

S3: Presumption in favour of sustainable development █

1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means: █

a. Policy S4 in this Framework should be applied when considering development proposals within settlements; █

b. Outside settlements, policy S5 should be applied; and █

c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay. █

2. Where a development proposal falls partly within and partly outside a settlement, policies S4 and S5 should be applied to the relevant parts which are inside or outside of the settlement boundary (as appropriate), before coming to an overall view on the proposal. █

S4: Principle of development within settlements █

1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework. █

2. In applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would: █

a. Have a substantial adverse impact in relation to: █

i. The allocation or safeguarding of land or buildings for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or █

ii. The application of the policies in this Framework for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)). █

b. Involve the whole or partial loss of undeveloped land which is used for a cemetery or burial ground; or for water storage and/or flood risk management (unless suitable compensatory provision is made that does not increase the risk of flooding either on or off-site); or █

c. Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances. █

CC2: Mitigation of climate change

1. In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal:

- a. Accord with policies TR3 and TR4 so that sustainable patterns of movement are prioritised, opportunities are taken to improve walking, wheeling, cycling and public transport, and infrastructure is provided to support the transition to zero-emission vehicles;
 - b. Support good access to facilities in order to limit the need to travel, whether through the development's location, through development densities which improve catchment populations for local services, or by incorporating community facilities and premises to support local employment opportunities;
 - c. Use design approaches which conserve energy and other resources in accordance with policy DP3(2)(b);
 - d. Take advantage of opportunities to reuse existing structures and materials, including by reusing non-contaminated excavated soil and hardcore within the site;
 - e. Take advantage of opportunities to draw low carbon energy from decentralised networks (such as district heat networks), where these are available, and to co-locate energy and heat generators and users, especially to take advantage of suppliers of surplus heat and energy;
 - f. Contribute to the creation or restoration of habitats which can act as carbon stores, such as through woodland planting and peatland restoration, while avoiding harm to habitats which can act as important carbon stores, including peatland and salt marsh; and
 - g. Not involve the extraction of fossil fuels unless it is in accordance with policy M5.
2. Substantial weight should be given to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources (including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights) where this would be achieved through proposals for development.

DP3: Key principles for well-designed places

1. Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.
2. To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location:
 - a. Liveability: support healthy, mixed, vibrant and integrated communities, which will function well over the lifetime of the development, by incorporating a range of uses and tenures, employing features which promote social interaction, and which are robust, durable and easy to look after;
 - b. Climate: contribute to climate change mitigation and adaptation and the transition to net zero by using building layouts, building orientation, massing, landscaping and materials which conserve energy and other resources, and which minimise risks from the impacts of climate change including overheating;

- c. Nature: incorporate and/or connect to a network of high quality, accessible, multi functional green infrastructure to provide opportunities for recreation and healthy living, strengthen habitats, improve climate change resilience and improve air and water quality. This should include maintaining and enhancing tree cover and incorporating sustainable drainage systems in accordance with policies N3 and F8;
 - d. Movement: provide transport infrastructure and choices which support the design vision for the site, provide good connections to the wider settlement (or those nearby), and prioritise walking, wheeling, cycling and public transport;
 - e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;
 - f. Public Space: include spaces that are safe, secure, inclusive, and accessible for all ages and abilities, including for groups such as women and girls; and which facilitate and encourage social interaction, play and healthy lifestyles (for example by providing high quality, clear and legible pedestrian and cycle routes, a variety of recreational spaces and places to meet, integrating lighting and making building entrances and windows face onto streets and other public spaces to provide natural surveillance); and
 - g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.
3. Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.
4. The principles set out in the Design and Placemaking planning practice guidance should be used to inform how this policy is applied in the absence of locally-produced design policies, guides, codes or masterplans.
5. Substantial weight should also be given to outstanding or innovative designs which promote high levels of sustainability, or which help raise the standard of design more generally in an area, so long as they are consistent with the overall form and layout of their surroundings.

TR3: Locating development in sustainable locations

- 1. So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:
 - a. Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical;

- b. Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use;
- c. Any significant adverse impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree using a vision-led approach;
- d. The environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including taking opportunities to avoid or mitigate any adverse environmental effects, and to secure net environmental gains such as reductions in air pollution.

TR6: Assessing transport impacts

- 3. In assessing movement patterns and potential impacts, including whether they are considered to be severe, reasonable future scenarios should be considered, taking into account impacts at relevant times of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself. Development proposals should be considered having regard to these potential impacts and the other policies in this Framework which are relevant (including TR3, TR4 and DP3(2)(d)).
- 4. Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

P3: Living conditions and pollution

- 1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).
- 2. Within this context development proposals should:
 - a. Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of acceptable living conditions;
 - b. Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);

- c. Sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants including PM2.5. Development proposals should take account of Air Quality Management Areas and be consistent with the objectives of relevant Air Quality Action Plans, Clean Air Plans and Local Air Quality Strategies;
 - d. Mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);
 - e. Limit any adverse impact from artificial light on local amenity, intrinsically dark landscapes (those areas entirely, or largely, uninterrupted by artificial light) and nature; and
 - f. Assess and mitigate impacts where the development could have an unacceptable adverse effect on water quality, especially in relation to sensitive water bodies such as chalk streams.
3. In applying this policy, it should be assumed, unless there is clear evidence to the contrary, that separate regulatory regimes for the control of pollution will operate effectively, as set out in policy DM7. This means that it will be appropriate to take into account emissions limits set through those other regimes.

N2: Improving the natural environment

- 1. To contribute positively to the natural environment, and support nature's recovery, development proposals should:
 - a. Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply);
 - b. Take into account the quality of agricultural land (including that classified as best and most versatile agricultural land, and its grade), and if significant development of agricultural land is necessary, use areas of poorer quality land where possible;
 - c. Take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies, National Forest Strategies and Community Forest Plans, where present, and other relevant assessments;
 - d. Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings;
 - e. Use green infrastructure provided as part of the scheme and nature-based solutions to secure multiple benefits: such as for biodiversity; surface water and pollution management (including maintaining flow rates and water quality); climate change mitigation and adaptation, and recreation;
 - f. Minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective; and

g. Ensure that green infrastructure and other features to support nature are located and designed to minimise risk of future failure, and that appropriate measures are in place for any necessary long-term management. |

3. Development proposals may incorporate biodiversity enhancements which exceed the statutory objective for biodiversity net gain, but this should only be a requirement where it is set out in up-to-date development plan policies for specific site allocations. Decision makers should not give weight to other development plan policies which require biodiversity gains which go beyond the statutory framework, including where a policy requires gains for development proposals which are exempt. |

Leicester Local Plan 2026 |

Web links to relevant local Plan Policies are provided below: |

[Policy VL01. Presumption in Favour of Sustainable Development](#) |

[Policy CCFR01. Sustainable Design and Construction](#) |

[Policy CCFR05. Managing Flood Risk and Sustainable Drainage Systems \(SuDS\)](#) |

[Policy DQP01. Design Principles](#) |

[Policy DQP03. Inclusive Design](#) |

[Policy DQP04. Landscape Design](#) |

[Policy DQP06. Residential Amenity](#) |

[Policy NE01. Protecting designated sites, legally protected and priority species, and priority habitats](#) |

[Policy 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](#) |

Consultations |

Local Highways Authority: No objection subject to conditions relating to cycle parking, the proposed dropped kerb and reinstatement of the existing dropped kerb. |

Noise and Pollution Control: No objection. |

Representations |

14 representations have been received including a representation by Cllr Waddington, the representations object to the proposed development for the reasons summarised below. |

Principle of development |

- The development would be out of character with the area. |

Highways |

- Insufficient parking. |
- Colwell Road is more heavily trafficked following works to the Five Ways Junction, increasing the size of the premises will exacerbate this issue. |
- Increase in traffic using Colwell Road. |
- Limited on street parking spaces. |

- Colwell Road has no parking restrictions which means people attempt to park blocking space for residents.
- Cars are left of the road for long periods of time.
- Risk of dropped kerbs being blocked by parked cars.
- Ambulances blocking the road.

Amenity

- Increase noise, disturbance and activity which would cause harm to residential amenity.
- Increase in noise to the adjoining neighbouring property.

Other Matters

- Neighbours weren't notified of the application.

Consideration

Principle of development

The existing lawful use of the property is a medical centre. I note objectors have raised concerns that this use is out of character within a residential area, however this use is already established. The principle of extensions to the centre are acceptable subject to design, residential amenity, highways and parking, drainage and BNG.

Design Residential Amenity (neighbouring properties)

The proposed extensions will be single storey in height and therefore represent subservient additions to the existing property, further the use of matching materials for the bricks and tiles is welcomed. A section of render is proposed to the front elevation of the property, I consider this will have a neutral impact on its appearance.

The rear extension will have a M-shaped pitched roof which although is not entirely in keeping with the existing roof typology cannot be seen from the public realm. I therefore deem this an acceptable design as it is a solution which keeps the overall height to a minimum.

For these reasons, I consider the development to be of acceptable design in accordance with Leicester Local Plan policy DQP01.

Signage is included on the plans but this may require a separate advertisement consent and I recommend a note to applicant be attached to the decision notice to inform of this.

Residential Amenity (neighbouring properties)

24 Colwell Road has an existing single storey extension at rear. The additional rear extension to number 26 will intersect a 45 degree line from the rear principal room window on the ground floor of 24. However, the proposed rear extension is set in from the common boundary with No. 24 by 2.3m and it would be 2.7m high to the eaves with a shallow pitched roof sloping away from the common boundary.

Furthermore 24 Colwell Road is located to the south of the site, has a high wooden fence on the common boundary with the site and therefore the impact in terms of the loss of light to and outlook from a principal room and overshadowing would be minimal. I therefore consider that the proposed rear extension due to its size, location, design, separation distance and orientation will not have significant detrimental impact on the residential amenity of No. 24.

The proposed rear extension will have a door which faces the boundary treatment between the two properties. As the door will look out onto the boundary treatment I do not consider that it will result in a loss of privacy to No.24.

28 Colwell Road has an existing single storey extension and a garage to the rear. To the front, the proposed wall which supports the glass canopy would be approximately 2.7m high close to the boundary, the access ramp will be located in front of a door to the side extension. I consider that the proposed wall and access ramp due to their design and location will not have significant detrimental impact on the residential amenity of No. 28 in terms of loss of light and outlook.

The proposed side and rear extension would replace the existing smaller side extension and the existing outbuilding to the rear. The proposed single storey side and rear extension due to its size, design and location will not have a significant detrimental impact on the residential amenity of No. 28 in terms of light, outlook and privacy.

Noise

Concerns have been raised that the proposed development will result in an unacceptable increase in noise pollution due to both the internal layout of the property and the increase in the number of staff and patients the development will result in.

The proposed development will result in an increase in the number of staff from six to nine, it is not considered that the addition of three staff will result in an unacceptable increase in noise levels.

The number of consulting rooms will remain at three following the proposed development. The main result of the development will be the increase in size of the consultation rooms and all of these rooms being located on the ground floor. As the number of consulting rooms will remain the same there is unlikely to be an increase in the number of patients visiting the premises.

Regarding the internal layout, the primary changes are that the reception at ground floor will now abut the adjoining wall with No. 24 (this room is currently a consulting room) and at first floor level a meeting room will be next to the adjoining wall (again this room is currently a consulting room). The noise pollution team have been consulted on the application and raised no objection based on this and the plans are the same as previously approved via application 20210881. For these reasons, it is not considered that the internal layout of the property will result in an unacceptable level of noise to the adjoining neighbouring dwelling.

In addition, I recommend the same hours of use condition be attached as per the previous permission. This is to restrict the hours of use to between 0830 till 1800 Mondays to Fridays, this is recommended in the interest of the residential amenity of the neighbouring dwellings.

The pollution control officer has recommended conditions relating to the hours of construction during the development. However, due to the scale of the development I do not consider it appropriate to recommend a construction management plan to restrict this.

On balance, I consider that the proposed development will have minimum impact on residential amenity of the surrounding area and comply with Policy DQP06 of the Leicester Local Plan 2026.

Highways and Parking

Objectors have raised concerns that the proposed development will result in increased traffic and parking needs on Colwell Road, a road that does not have capacity for this increase. Concern is made that the increase will result in highways safety issues and access to driveways being blocked. It is stated that the road is busier with parking demand due to nearby parking restrictions and that works to the nearby Five Ways Junction have resulted in more traffic using Colwell Road as a cut through.

Colwell Road is a residential road in nature, with a mixture of some dwellings having access to off-road parking with front garden driveways, and other properties reliant on parking within the carriageway. The carriageway is relatively wide at approximately 7.5 metres, with footways provided on both sides. There are no parking restrictions along Colwell Road, apart from at the junctions at either end.

However, on street parking is prevalent and there are advisory H-bar markings protecting vehicle accesses in the vicinity of the site.

The site benefits from an existing dropped kerb and footway crossing serving the existing parking space within the site. It is proposed to relocate the parking space within the site to accommodate the extension of the building with the relocation of the access ramp and change the position of the dropped kerb within the highway accordingly. The depth of the proposed car parking space at the front would be approximately 4.7m which is less than 5.5m that would be required in new development. However, I consider that the proposed depth of the car parking would be acceptable in this instance as it would provide one off street parking and allow kerb space on the highway to provide free flow of vehicles along Colwell Road.

The Highways Team have been consulted on the application and have not raised objection. As the number of consulting rooms will remain the same at three there is unlikely to be an increase in the number of patients compared to the existing use and therefore the parking demand by patients will remain similar. The addition of three extra staff is not considered to cause a sufficient increase in parking demand or traffic flow in the area such that a severe highways impact would occur. It is also noted that two cycle spaces are proposed to the front of the property and the

property is within reasonable walking distance of bus stops along Anstey Lane. The site is therefore considered to be a sustainable location with good access to public transport. █

Overall, the proposed development would be the same as the previously approved application and the increase in parking demand and traffic flow caused by the proposed development compared to the existing use of the property is not considered to be significant such to result in a severe highways impact. I do however recommend the condition previously used again be attached which limits the number of consulting rooms to three. This is required as additional consulting rooms may result in increase in use of the property which may cause impact upon the highway. █

It is noted that objectors raised concerns that the works to the Five Ways Junction have resulted in more traffic using Colwell Road. However, there is no evidence to suggest that the works to the junction have comprised highway safety along the road. It is also stated that there has been an increase in parking demand along Colwell Road due to nearby parking restrictions, however there is no record of complaints being submitted regarding displacement parking on Colwell Road. █

Conditions have been recommended by the Highways Department relating to securing cycle parking, provision of the footway crossing and reinstatement of the redundant footway crossing. I consider these conditions to be necessary in accordance with highways safety and design and recommend they be attached to the decision notice. █

Overall, the proposed development is not considered to result in significant increase in traffic to the area of parking demand such to cause serve highways impact or warrant a reason to refuse the application. █

Flooding/Drainage

The site is within a Critical Drainage Area. The applicant proposes combination of soft and hard landscaping to the site including removal of the trees. I consider that a requirement for a scheme of sustainable drainage would be onerous and that the impact of the proposal in terms of increased surface water run-off is unlikely to be significant. █

Biodiversity Net Gain (BNG)

The application has been accompanied by a Small Sites Metric which proposed to result in a total net change of +11.72% in area habitat units. It has also been proposed that a Landscape and Ecological Management Plan (LEMP) will be provided post permission to support the discharge of the Biodiversity Gain Plan (BGP).

The presented proposals are therefore projected to exceed the national minimum requirement of +10% BNG and the recommendations within the Small Sites Metric are considered acceptable.

BNG legislation and guidance dictate that the on-site habitat creation and/or enhancement cannot be confirmed as acceptable until the Biodiversity Gain Plan is submitted for written approval following the grant of planning permission, to discharge the mandatory Biodiversity Gain Condition (BGC).

In addition to the condition, notes are to be provided to the applicants in respect of the requirements of the Biodiversity Gain Condition. As such, subject to the statutory BNG condition and a condition requiring a LEMP it is considered that the application is acceptable in relation to BNG.

Other Matters

Objectors have raised concern that neighbours were not notified about the application. The application was published in full accordance with the requirements of the development management procedure order by way of a site notice and neighbour letters.

Conclusion

The proposed development is to construct extensions to the existing medical facility to provide a better-quality facility with larger consulting rooms. The amount of consulting rooms will remain the same at three and the number of staff is proposed to increase from six to nine.

The design of the development is considered acceptable and it is not considered that the proposed development by virtue of retaining the same number of consulting rooms and increasing the staff by three will result in a significant increase in noise pollution or a severe additional impact upon highways safety compared to the existing lawful use of the property. I therefore recommend the application be approved subject to the following conditions.

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The new walls and roof of the side and rear extensions shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Leicester Local Plan 2026 policy DQP01.)
3. The property shall not include more than three consulting rooms. (The site is incapable of accommodating the car parking requirements that would be generated by more consulting rooms, and which would be required under the terms of Policy T07 of the Leicester Local Plan 2026).
4. The use shall not be carried on outside the hours of 0830 - 1800 hours Monday to Friday. (In the interests of the amenities of nearby occupiers, and in accordance with policy DQP06 of the Leicester Local Plan 2026).

5. Prior to first use of the extensions hereby approved the footway crossing shall be provided, the redundant footway crossing shall be reinstated and space for two cycle parking spaces shall be provided to the front of the property and retained as such. (To ensure a satisfactory means of access to the highway and sustainable transport methods in accordance with Leicester Local Plan 2026 policies T01 and T07.)
6. At the same time as the application to discharge the Biodiversity Gain Plan is submitted under Schedule 7a of the Town and Country Planning Act 1990 AND prior to the commencement of development a Landscape and Ecological Management Plan (LEMP)] to set out the management of all the proposed biodiversity enhancements in accordance with the submitted DEFRA Metric and prepared in accordance with a Biodiversity Gain Plan, shall be submitted to and approved in writing by the local planning authority. The LEMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:
 - a) Description and evaluation of the features to be managed;
 - b) Ecological trends and constraints on site that may influence management;
 - c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
 - d) Description of the management operations necessary to achieving aims and objectives;
 - e) Preparation of a works schedule, including annual works schedule;
 - f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
 - g) Details of the persons responsible for the implementation and monitoring;
 - h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
 - i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gainNo development shall take place until the habitat creation and enhancement works set out in the approved LEMP have been completed, and a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved LEMP shall be managed and maintained in accordance with the approved LEMP for 30 years after the completion of the development hereby approved. Notice in writing shall be given to the Local Planning Authority when the LEMP works have started. Monitoring reports shall be submitted to Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved LEMP.

(To enhance biodiversity, and in accordance with paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Leicester Local Plan 2026 policy NE02.)
7. The development shall be carried out in full accordance with the following approved plans:

- Proposed Elevations, 1462-HCD-XX-ZZ-DR-A-011, Rev E, Received 02.10.2025
 - Proposed Elevations, 1462-HCD-XX-ZZ-DR-A-010, Rev D, Received 02.10.2025
 - Proposed First Floor Plan, 1462-HCD-XX-DR-A-016, Rev D, Received 25.11.2025
 - Proposed Ground Floor Plan, 1462-HCD-XX-ZZ-DR-A-007, Rev J, Received 25.11.2025
 - Proposed Site Plan, 1462-HCD-XX-ZZ-DR-A-015, Rev H, Received 25.11.2025
- (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. No consent is granted or implied for the advertisement shown on the submitted plans, for which a separate application may be necessary.
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 2026 is considered to be a positive outcome of these discussions.
3. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.
 Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.
4. A biodiversity gain plan must be submitted in writing, no earlier than the day after planning permission has been granted. There is no separate application form to be completed, but there will be an additional statutory £145.00 fee (currently the fee but this may be subject to change). Further information can be found in Schedule 14 (Biodiversity Gain as Condition of Planning Permission) of the Environment Act 2021 (Environment Act 2021).
The developer is strongly advised to review the Biodiversity gain plan template as this clearly sets out what needs to be submitted (in addition to the form itself) including biodiversity metric calculation, pre-development habitat survey report and map, post-development habitat map or landscape plan.

Biodiversity gain plan - GOV.UK

(<https://www.gov.uk/government/publications/biodiversity-gain-plan>)

Please note that although it has been helpful submitting BNG information upfront, all of the final documents will need to be submitted with the gain plan to discharge the BGC. This is because there is an opportunity for the details to change between planning permission being granted and the gain plan etc. being submitted.

The guidance on submitting the biodiversity gain plan is provided at the following link:

Submit a biodiversity gain plan - GOV.UK

(<https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>)

The developer/agent is required to read this guidance to ensure understanding of the process and timescales etc. for the Local Planning Authority(LPA) to determine the biodiversity gain plan.

Please see the following Legislation:

The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 - (Biodiversity Gain Plan (The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations)2024 Part 7A 37C) confirms what is required when submitting the biodiversity gain plan (details can also be found here Biodiversity net gain - GOV.UK

<https://www.gov.uk/guidance/biodiversity-net-gain> in Para 35 of the BNG PPG).

Item 4c

20261172	42 Barnes Close	
Proposal:	Construction of single storey extension at rear of house (Class C3)	
Applicant:	Paresh Ruparel	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	30 September 2026	
DJ	TEAM: PD	WARD: Troon



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Summary

- This application has been brought to the attention of committee due to the applicant being a direct relation to an employee of Leicester City Council
- The main considerations are design, neighbouring amenity and drainage
- The application is recommended for conditional approval

The Site

The site is an existing detached dwelling located on the east of Barnes Close which is a primarily residential area.

The site is located within Flood Zone 2 and a critical drainage area, with surface flooding at 1 in 1000. The site is also located within a final hotspot.

There is also a 250m Local Authority Air Pollution Control buffer zone covering the site and surrounding area.

Background

20240548 – Construction of single storey extension at side and rear of house (Class C3) (amended plans) – conditionally approved at planning committee in October 2024 – works commenced but not completed.

20251498 – Notification of proposed single storey extension at rear of dwellinghouse of dimensions: 5 metres beyond the rear wall of the original dwellinghouse; maximum height 3.6 metres; height of the eaves 2.55 metres (Class C3) – Prior Approval found not to be required in October 2025 – works commenced but not completed.

The Proposal

The application is for the construction of a single storey extension to the rear of the dwelling. The extension will be 4.5m wide, 5.0m deep, 2.4m high to the eaves and 3.5m high to the ridge. The extension will be used as a kitchen.

The current proposal is the same footprint of approved application 20251498, whilst the eaves are reduced by 0.2m and the ridge is reduced by 0.1m in height within the current proposal.

Policy Considerations

Leicester Local Plan 2026:

[Policy CCFR05. Managing Flood Risk and Sustainable Drainage Systems \(SuDS\)](#)

[Policy DQP01. Design Principles](#)

[Policy DQP03. Inclusive Design](#)

[Policy DQP06. Residential Amenity](#)

[Policy NE01. Protecting designated sites, legally protected and priority species, and priority habitats](#)

[Policy NE02. Biodiversity Gain](#)

National Planning Policy Framework (NPPF) (2026)

DM1: Preparing development proposals

1. Proposals for major development should:

- a. Be informed by early engagement with neighbours and the local community, as well as with the local planning authority, statutory consultees, infrastructure providers, registered providers of social housing and other relevant bodies where appropriate, to identify and seek to resolve key planning matters prior to the submission of a planning application. This pre-application engagement should be proportionate to the nature of the proposal and those likely to be affected by it; and
- b. Be accompanied by a concise planning statement setting out:
 - i. How the development proposal is consistent with relevant development plan and national decision-making policies;
 - ii. The outcome of pre-application engagement and the extent to which the proposal has changed in response to this engagement; and
 - iii. The proposed use of any planning obligations to make the proposal acceptable in planning terms.

2. Proposals for other types of development should be supported by the minimum necessary information requirements to enable a decision. In certain circumstances, set out elsewhere in this Framework, this should include pre-application discussions (see policies CO2 and P4). Pre-application engagement may also be required where

proposals raise complex planning matters, such as the potential effect on heritage assets.

DM3: Determining development proposals

1. When considering development proposals, local planning authorities should:
 - a. Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision;
 - b. Take a proportionate approach to the consideration of the planning matters raised by the proposals, in a way that reflects their scale, complexity and potential impact;
 - c. Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals;
 - d. Consult statutory or internal consultees only where it is necessary to do so. Decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision, there are public safety risks from proceeding without advice, or more detailed advice may enable an approval rather than a refusal;
 - e. Consider whether otherwise unacceptable development proposals could be made acceptable through the use of planning conditions or planning obligations; and
 - f. Not refuse applications for development which should clearly be approved, having regard to their accordance with the development plan, the policies in this Framework and any other material considerations.

DM6: Use of planning conditions and obligations

1. Planning conditions should only be attached to planning permissions and other associated consents for development where they are:
 - a. Necessary to make the development acceptable in planning terms;
 - b. Relevant to the development and to planning considerations generally;
 - c. Sufficiently precise to make them capable of being complied with and enforced; and
 - d. Reasonable in all other respects.
2. Conditions should not be used to:
 - a. Require payments of money; or
 - b. Require that land is formally given up to another party (such as highways to the local highway authority); or
 - c. Restrict national permitted development rights unless there is clear justification to do so.
4. Planning obligations should only be used where it is not possible to address potential unacceptable impacts through a planning condition. Where national model planning obligations are relevant to the development, they should be used unless there are strong reasons for using a different planning obligation.

DM7: Relationship with other regulatory regimes

1. Development proposals should be assessed on the basis of whether they would be an acceptable use of land. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should

assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively.

2. Planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed (see policy PM13).

S3: Presumption in favour of sustainable development

1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means:

- a. Policy S4 in this Framework should be applied when considering development proposals within settlements;

S4: Principle of development within settlements

1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

2. In applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would:

- a. Have a substantial adverse impact in relation to:
 - i. The allocation or safeguarding of land or buildings for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or
- c. Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

DP3: Key principles for well-designed places

1. Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

2. To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location:

- a. Liveability: support healthy, mixed, vibrant and integrated communities, which will function well over the lifetime of the development, by incorporating a range of uses and tenures, employing features which promote social interaction, and which are robust, durable and easy to look after;
- b. Climate: contribute to climate change mitigation and adaptation and the transition to net zero by using building layouts, building orientation, massing, landscaping and materials which conserve energy and other resources, and which minimise risks from the impacts of climate change including overheating;
- c. Nature: incorporate and/or connect to a network of high quality, accessible, multi functional green infrastructure to provide opportunities for recreation and healthy living, strengthen habitats, improve climate

change resilience and improve air and water quality. This should include maintaining and enhancing tree cover and incorporating sustainable drainage systems in accordance with policies N3 and F8; █

d. Movement: provide transport infrastructure and choices which support the design vision for the site, provide good connections to the wider settlement (or those nearby), and prioritise walking, wheeling, cycling and public transport; █

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme; █

f. Public Space: include spaces that are safe, secure, inclusive, and accessible for all ages and abilities, including for groups such as women and girls; and which facilitate and encourage social interaction, play and healthy lifestyles (for example by providing high quality, clear and legible pedestrian and cycle routes, a variety of recreational spaces and places to meet, integrating lighting and making building entrances and windows face onto streets and other public spaces to provide natural surveillance); and █

g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting. █

3. Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals. █

4. The principles set out in the Design and Placemaking planning practice guidance should be used to inform how this policy is applied in the absence of locally-produced design policies, guides, codes or masterplans. █

5. Substantial weight should also be given to outstanding or innovative designs which promote high levels of sustainability, or which help raise the standard of design more generally in an area, so long as they are consistent with the overall form and layout of their surroundings. █

DP4: The design process █

1. Design quality should be considered throughout the evolution, assessment and delivery of development proposals, including through any pre-application engagement; as outlined in Part 2 of the Design and Placemaking planning practice guidance. █

2. The local planning authority should: █

b. Ensure that relevant planning conditions refer to clear and accurate plans and drawings which provide visual clarity about the design of the development, including the approved use of materials where appropriate; and █

c. Not allow the quality of approved development to be materially diminished between permission and completion, as a result of changes proposed following its initial approval (for example through changes to approved details). █

P3: Living conditions and pollution

1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).
2. Within this context development proposals should:
 - a. Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;
 - b. Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);

F4: Assessing flood risk for decision-making

1. To inform the assessment of flood risk and, where relevant, appropriate mitigation, a site specific flood risk assessment should accompany all development proposals in Flood Zones 2, 3a, and 3b as defined in Annex F, table 1. 2. In Flood Zone 1, a site-specific flood risk assessment should inform and accompany all development proposals involving:
 - c. Land identified in a strategic flood risk assessment or the Flood Map for Planning as being at risk of flooding from any source, whether now or in the future.
3. Site-specific flood risk assessments should be appropriate to the scale, nature, and location of development and should, where relevant, support an assessment of whether a development proposal satisfies the sequential and exception tests set out in policies F5 and F6.

F7: Ensuring development is safe from flooding

1. Development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere.
2. Where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused unless:
 - a. Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons which justify a different arrangement;
 - b. The development will be safe throughout its lifetime taking account of the vulnerability of its users;
 - c. Any residual risk can be safely managed, and safe access and escape routes are included where appropriate, as part of an agreed emergency plan;

- d. The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; and
- e. It can be demonstrated that flood risk will not be increased elsewhere.

The following has also been taken into account:

National Planning Practice Guidance: Flood Risk Assessment standing advice

Consultations

Lead Local Flood Authority (LLFA) – No objection subject to a condition:

1. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) completed by Flood For Planning, dated July 2026, reference: F2606-008 Issue 1 and the following mitigation measures detailed within the FRA:
 1. - Safe access/egress
 2. - Flood resistance and resilience measures
 3. - Finished floor levels (FFL)
 - 4.

Representations

No public representations have been received.

Consideration

Principle of Development

The application is for an extension to an existing residential dwelling within a residential area. Therefore, the application is acceptable in principle.

Design

As the proposed extension is single storey and located to the rear of the dwelling, the extension will not be visible from the public highway meaning there would be no visual harm to the site or wider street scene in accordance with Policy DQP01 of the Leicester Local Plan (2026).

Residential amenity (*neighbouring properties*)

The proposal would extend beyond the rear of No.41 Barnes Close. However, the extension would not intersect the 45-degree lines of any principal windows meaning there would be no unacceptable loss of outlook or light to the neighbouring property. Furthermore, as there are no side facing windows proposed, the existing levels of privacy at the neighbouring dwelling would be retained.

Overall, the proposal would not cause any unacceptable impact on any neighbouring residential dwellings amenity in accordance with Policy DQP06 of the Leicester Local Plan (2026).

Drainage

The site is in Flood Zone 2, but is shown to be outside of all surface water flood extents except for the 1 in 1000 year return period event (with the inclusion of climate change). A Flood Risk Assessment has been submitted, which assesses the risk from all sources of flooding and modelled flood level data. The finished floor level has

been stated to be above the modelled flood levels for the site, however additional mitigation has been recommended in the form of flood resistance and resilience measures.

Therefore, subject to the condition requested by the LLFA, requiring the works be completed in accordance with the recommended mitigation measures, the application is acceptable in relation to drainage and in accordance with Policy CCFR05 of the Leicester Local Plan (2026).

Conclusion

The application has been found acceptable in all regards

I recommend that this application is APPROVED 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 external elevations of the rear extension shall be constructed in facing brick to match those of the existing dwelling and shall be retained as such. (In the interests of visual amenity and in accordance with Leicester Local Plan 2026 policy DQP01).
3. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) completed by Flood For Planning, dated July 2026, reference: F2606-008 Issue 1 and the following mitigation measures detailed within the FRA:
 - Safe access/egress
 - Flood resistance and resilience measures
 - Finished floor levels (FFL)(In the interests of the flood resistance and resilience of the property and in accordance with Leicester Local Plan 2026 policy CCFR05.)
4. The development shall be carried out in full accordance with the following approved plans:
 - Drawing PL42 A200 Rev A - Proposed Ground Floor Plan - Received 05/08/2026
 - Drawing PL42 A201 Rev A - Proposed First Floor and Roof Plans - Received 05/08/2026
 - Drawing PL42 A202 Rev A - Proposed Elevations Plan - Received 05/08/2026
 - Drawing PL42 A203 Rev A - Proposed Site Plan - Received 05/08/2026
 - Drawing PL42 A204 Rev A - Proposed Block Plan - Received 05/08/2026(For the avoidance of doubt.)

NOTES FOR APPLICANT

1. It is recommended that all residents/building operators sign up for the Environment Agency Flood Warning service and Met Office severe weather warnings email alert service.
2. 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.
3. 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 2026 is considered to be a positive outcome of these discussions.

