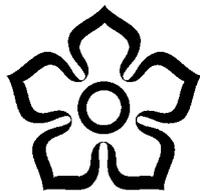


**Planning & Development Control Committee**  
**Applications and Contraventions: Supplementary Report**

**Wards: see individual reports**



**Leicester**  
City Council

**Planning & Development Control Committee**

**Date : 8 December 2021**

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**SUPPLEMENTARY REPORT ON APPLICATIONS AND CONTRAVENTIONS:**

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**APPLICATION ORDER**

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<b>20201991</b>	<b>118 Evington Valley Road</b>	
Proposal:	Change of use of first and second floor from office ancillary to industrial use to self-contained flat (1 x 3 bed) (Class C3); enclosed staircase at rear; alterations (amended 07.09.21)	
Applicant:	MR HARVIR SINGH	
App type:	Change of use	
Status:		
Expiry Date:	27 August 2021	
TEI	TEAM: PD	WARD: Spinney Hills

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The applicant has submitted a Statement and correspondence relating to noise, fire safety and other application processing concerns on 7.12.2021. The contents of this is considered below.

### Further Considerations

For clarification the latest representation from the applicant describes the ground floor use as a shop. Planning permission (20050941) was granted for the use of the ground floor as a shop and this appears to have been implemented but the use has subsequently ceased and reverted back to industrial. The application form plans and Noise Report all state the existing use as industrial and this is confirmed from Officers site visit. As such the proposal has been assessed on the basis of a change of use from an industrial use.

The previous shop use relates only to the ground floor and Officers concerns regarding noise relate to the first-floor rear industrial unit only.

The scope of the Noise Report (dated 8.6.2021) identified that noise from the first-floor industrial unit at the rear of the site was not considered and the unit is vacant. Therefore, no mitigation measures or considerations have been undertaken in this respect. However, the first-floor rear industrial use could be operational 24 hours, 7 days a week without any further planning consent.

The applicant's latest representation (received 7.12.2021) advises that the first-floor rear industrial unit is used as storage ancillary to the ground floor. However as noted above, planning permission is not required for the first floor to be used as an industrial use with no restrictions. This representation indicated further information would be submitted from the applicant's noise consultant; however this has not been received.

The applicant refers to the front access of the proposed flat being independent, however the amended plans show the front access to be shared with the ground floor industrial use and the rear access to be through the service yard and a fire exit only.

Other points raised in the applicant's representation regarding how the recommendation has been made and alternative uses for the first floor are not a material planning consideration. The applicant also raises comments on the site's planning history, the opportunity for a personal consent and objections received which have all been covered in the Officers Report. Information on a previous prohibition notice has also been submitted however this does not relate to planning concerns.

