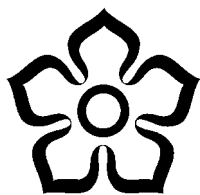


# **Planning & Development Control Committee**

## **Applications, Contraventions and Other Reports: Supplementary Report**

**Wards: see individual reports**



**Leicester**  
City Council

**Planning & Development Control Committee**

**Date : 26th January 2022**

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### **SUPPLEMENTARY REPORT ON APPLICATIONS AND CONTRAVENTIONS**

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#### **INDEX APPLICATION ORDER**

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5		2021179	19 East Avenue	CA
21		20212642	6 St Dunstan Road	FS

<b>20211792</b>	<b>19 East Avenue</b>
Proposal:	Change of use from house in multiple occupation (10 beds) (Sui Generis) to six flats (3 x 1 bed, 3 x 2 bed) (Class C3); alterations (Amended plans received 13/01/2022)
Applicant:	Veema UK LTD
App type:	Operational development - full application
Status:	
Expiry Date:	28 January 2022
SSA	TEAM: PD      WARD: Castle

**Page Number on Main Agenda:** 5

**Amended Conditions:** Conditions 2 (materials) and 3 (joinery details) amended

### **Representations**

Two representations have been received: one from a resident showing images of the rear garden of the application site and states that a concrete fence has been installed by the new owners, adding to the mismatch of styles. The other is from the Friends of Clarendon Park and they object to the application on the grounds of overdevelopment by increasing the number of bedspaces by 60% and reducing onsite parking by 66% which will overload the Residents' Parking Scheme.

### **Further Considerations**

Conditions 2 and 3 relating to materials and joinery details have been amended to make them precise and enforceable.

A 2m high fence on the rear common boundary can be installed without planning permission.

Correction on the last paragraph of page 12, line 3 should read that the amended scheme also includes timber windows to the side elevation and deletes reference to windows on the front elevation.

### **The Planning Balance**

Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development and sets out an explanation of what that means for decision taking. Footnote 8 to the paragraph further explains that out-of-date policies includes situations where the local planning authority cannot demonstrate a five years' supply of deliverable housing sites.

The City Council cannot currently demonstrate a five years' supply of deliverable housing sites and as this planning application involves the provision of housing the so-called 'tilted balance' under paragraph 11 of the NPPF is invoked.

The proposal would make a small contribution to Leicester's housing need. When applying the 'tilted balance', this benefit would not be significantly or demonstrably outweighed by any adverse impacts of the proposal when assessed against policies in the NPPF taken as a whole, as well as local policies.

It is acknowledged that there is a shortfall of on-site parking as per policy requirement, in terms of the current and proposed parking situation. However, the site is in a sustainable location where it would be difficult to justify a refusal on highway safety ground that it would result in a severe highway impact. On balance the parking arrangement is acceptable.

Overall, the proposal is considered acceptable and would be in accordance with the aims of the NPPF, development plan policies.

#### CONDITIONS

2. Before the development is begun, the materials to be used on all external elevations and roofs shall be submitted to and approved by the City Council as local planning authority and shall be carried out in accordance with the approved scheme and retained as such. (In the interests of the character of the Conservation Area and visual amenity, in accordance with Core Strategy policies CS03 and CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
3. Prior to commencement of the approved development, full joinery details including horizontal and vertical cross sections of all new windows and doors (scale 1:2 / 1:5 as appropriate) shall be submitted to and approved in writing by the City Council as local planning authority, and the works shall be carried out in accordance with the approved details prior to the first occupation of the development and retained as such. (In the interests of preserving and enhancing the character and appearance of the conservation area, and in accordance with Core Strategy policy CS18 Historic Environment. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

<b>20212642</b>	<b>6 St Dunstan Road</b>	
Proposal:	Change of use from house in multiple occupation for 6 persons (Class C4) to house in multiple occupation for 7 persons (Sui Generis)	
Applicant:	Mr Umesh Kalra	
App type:	Operational development - full application	
Status:		
Expiry Date:	20 December 2021	
PB	TEAM: PD	WARD: Fosse

**Page Number on Main Agenda: 21**

**Amended/New Conditions:** Condition 3 amended.

### **Further Considerations**

The applicant has supplied a photograph to show that a cycle parking rack has now been provided underneath the existing timber framed canopy at the rear of the house. I am satisfied that this provides four useable, secure and weather-protected cycle parking spaces for existing and future occupiers.

In view of this information, it is no longer necessary to secure cycle parking details as a condition of planning permission. I therefore recommend that Condition 3 be amended to require that the cycle parking as provided shall be retained.

### **CONDITIONS**

3. The covered cycle parking stands within the amenity space at the rear of the house shall be retained. (To ensure that arrangements remain in place on the site for secure and weather-protected cycle parking for the occupiers of the house, in the interests of promoting sustainable transport and in accordance with Policy CS15 of the Leicester Core Strategy (2014) and saved Policy AM02 of the City of Leicester Local Plan (2006).

