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Planning & Development Control Committee

Date : 2nd July 2025

SUPPLEMENTARY REPORT ON APPLICATIONS AND CONTRAVENTIONS:

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APPLICATION ORDER

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17		20250186	6 Green View	ST

Recommendation: Conditional approval	
20250186	6 Green View
Proposal:	Change of use from residential dwelling (Class C3) to residential care home (4 Children) (Class C2)
Applicant:	Mr A Hamirani
App type:	Operational development - full application
Status:	
Expiry Date:	3 July 2025
DJ	WARD: Stoneygate

Page Number on Main Agenda: 17

Amended Description: No

Amended Recommendation: No

Amended/New Reasons/Conditions/Notes

Condition 5 is proposed to be amended as follows

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

Drawing 6GV/2025 2/2 - Existing and Proposed Plans - Received 25/06/2025

(For the avoidance of doubt).

Representations

Appellants Statement – the applicant has submitted a statement requesting circulation to Committee members. The statement provides:

- details of the applicant's local credentials, medical qualifications and previous care experience in managing children's care homes
- details of his aspirations and intended operation of the care home including the nature of group-based care to be provided, meeting a significant need and proposed exclusion of children requiring solo placement or intensive therapeutic treatment
- Details of engagement with neighbours to provide information about the proposal
- Concerns about the organised opposition campaign with comments which go beyond the fair scope of planning.

- Comments about the sufficiency of parking provision and other transport options and confirmation that noise considerations have been properly addressed
- Concerns over the shortage of children's homes, both nationally and within Leicester, especially ones that allow children to remain within their local area- which means more local children placed out of area
- Comment that setting up children's homes is a lengthy and costly process with planning refusals on non-material objections discouraging responsible providers.
- Requests that all declarations of interest of communication relevant to application should be evidenced in the light of the campaign to have the application blocked

1 neutral comment from 1 new Leicester address and raises the following points:

- The dwelling is suitable for the proposed use
- The garden area is small
- 2 parking spaces plus the unrestricted street parking is adequate
- Should a change of use be required as it will be 4 children and 2 carers similar to a family and will still be a home rather than a business
- Local authority and tax payers could end up footing the bill for a speculative purchase
- Request for a condition limiting future occupants to be children in the care of Leicester City Council or Leicestershire County Council and not from any councils further afield.

Further Considerations

Amended Plan

The amended plans include a window on the ground floor plan. The window was already shown on the elevation plan and was seen during the site visit, and therefore no additional assessment is required for its inclusion.

Applicants Committee Statement

This statement has been circulated to committee members prior to the committee meeting.

With regards to the comments relating to the applicant's experience levels and proposals in terms of operation of the home, as stated within the committee report planning legislation should not- and cannot- legally be used as a proxy for controlling matters which are the responsibility of Ofsted who have the remit for the oversight of these facilities.

The relevant planning issues referenced in the statement are already addressed in the report.

Neighbouring Comment

The majority of the points raised have been addressed within the original report, but in respect of the proposed use as a residential care home for children, this falls within Use Class C2 as a residential institution and as there are no permitted development rights to change the use of a site from Class C3 to C2, planning permission is required.

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. (To enable consideration of the amenity, parking and highway safety impacts of alternative Class C2 uses, in accordance with Policies CS03, CS06, CS08 and CS14 of the Leicester Core Strategy (2014) and saved Policy PS10 of the Local Plan (2006)).
3. The premises shall not accommodate any more than 4 residents in care at any one time. (To enable consideration of the amenity of residents and parking impacts of a more intensive use, in accordance with Policy CS14 of the Leicester Core Strategy (2014) and saved Policy PS10 of the Local Plan (2006).)
4. Prior to the occupation of development, details regarding Emergency Flood Planning shall be submitted to and approved by the local planning authority. The details shall include:
 - Suitable access and egress routes for residents and/or users of the development during a potential flood event and present these access and egress routes on a layout plan of the development.
 - Define the areas of safe refuge for residents and/or users of the development to use if safe access and egress is not possible.
 - Define how Flood Resilience Measures incorporated into the development are to be managed and maintained throughout their lifespan, as well as how they are to be operated in the event of a flood and the person/organisation responsible for their operation.
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Define how any vehicles on site are to be relocated to areas of lower risk in the event of a flood, so as not to cause a hazard to surrounding infrastructure.

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Provide recommendation that all residents and/or users of the development to sign up for the Environment Agency's free Flood Warning service and the Met Office severe weather warnings email alert service where available for the site. The development shall be managed in accordance with these details thereafter. (To minimise the risk of damage in times of flooding, and in accordance with policy CS02 of the Core Strategy).

5. Development shall be carried out in accordance with the following approved plans:
Drawing 6GV/2025 2/2 - Existing and Proposed Plans - Received 25/06/2025
(For the avoidance of doubt).

NOTES FOR APPLICANT

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

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption/transitional arrangement is considered to apply:

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

2. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material planning considerations, including planning policies and representations that may have been received and subsequently determining to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2024.

Policies relating to this recommendation

2006_AM12	Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
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2006_PS10	Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
2014_CS03	The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
2014_CS06	The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
2014_CS14	The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.