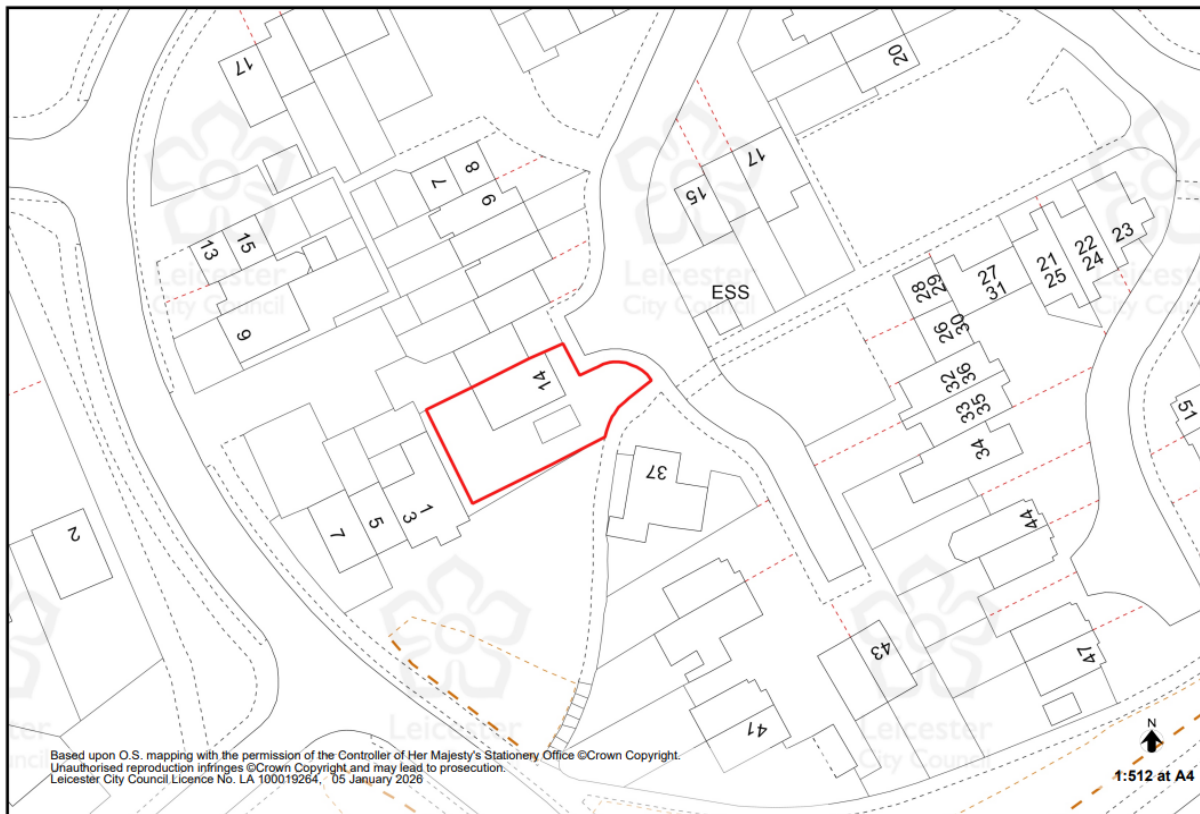


REPORT: 20251747

1`Recommendation: Conditional approval	
20251747	14 Laithwaite Close
Proposal:	Demolition of existing garage and construction of new garage at side of house (Class C3)
Applicant:	Ms Khodiara
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20251747
Expiry Date:	15.01.2026
CW	WARD: Beaumont Leys



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Summary

- The application is brought to committee due to more than 6 objections having been received;
- The main issues are: Character and appearance of the area; amenity of neighbouring residents and parking;
- Objections from 7 addresses objecting to the development were received on the grounds of the use of the garage, parking and method of construction;
- The recommendation is to grant conditional approval.

The Site

The application relates to 14 Laithwaite Close which is a single storey, end terrace bungalow located in a residential part of Beaumont Leys. The site is within a 250m buffer of a Local Authority Air Pollution Control Zone (LAAPC) and a Landfill Site, it is also within an area subject to surface flooding 1 in every 1000 years.

Background

20250857: Demolition of existing garage and construction of detached single storey garage at side of house (Class C3). This application was refused on 30.07.2025 for the following reason.

The proposed garage by virtue of its size and design would result in an incongruous structure that detrimentally impacted the character and appearance of the area and host dwelling. The proposal is therefore contrary to Leicester Core Strategy (2014) Policy CS03 and NPPF paragraph 135.

The Proposal

The application seeks permission for the demolition of the existing detached garage and the construction of a new single storey detached garage located to the side of the dwelling. The garage will measure 6.5m in length by 5m in width and have a dual pitched roof with an eaves height of 2.9m and a ridge height of 3.95m. A garage door is proposed to the front elevation, both side elevations will be blank and a door and window are proposed to the rear elevation. The materials for the garage are proposed to match the existing the property.

Policy Considerations

National Planning Policy Framework (NPPF) 2024

Paragraphs 2 (Application determined in accordance with development plan and material considerations)

Paragraph 11 (Presumption in favour of Sustainable Development)

Paragraphs 40 and 41 (Pre-applications)

Paragraphs 44 (Sufficient information for good decision making)

Paragraph 57 (Six tests for planning conditions)

Paragraph 117 (Highways requirements for development)

Paragraph 135 (Good design and amenity)

Paragraph 139 (Design decisions)

Paragraph 140 (Clear and accurate plans)

Paragraph 181 (Flood risk considerations and SuDS)

Paragraph 186 (Biodiversity in planning decisions)

Development Plan Policies

Development plan policies relevant to this application are listed at the end of this report.

Other legal or policy context

The Town and Country Planning (Development Management Procedure) (England) Order 2015

Representations

7 objections from different city addresses have been received, these are summarised below. Responses to the objections are in italics.

- The garage will be used for mechanical purposes.
This is the main reason for objection which is repeated in all 7 objections. The application is for the construction of a garage to be used in connection with the existing dwelling and is not seeking permission for a commercial/business use, the application can only be assessed based on what is being applied for. Nevertheless, a condition is recommended to ensure that the structure is only used ancillary to the enjoyment of the existing dwelling. A further application would be required if the applicant wishes to change the use of the proposed garage to a commercial/business use.

To further clarify an occupier of a property using their garage for the general repair and maintenance of their own car would be considered to fall within the Class C3 use class. However, if a garage is being substantially used for the repair and maintenance of other vehicles not associated with the occupiers of the house this would be considered a commercial use within Class B2, changing uses between Class C3 and Class B2 which would require planning permission.
- When two cars are parked at the property one partially blocks the public footpath.
The proposed garage would provide one parking space and there would be space for another vehicle to park in front of the garage without overhanging the pavement. Two off road parking spaces is considered acceptable for a property of this size.
- Demolition and construction of the garage may cause damage to my cars and property, also limited parking for construction vehicles.
Given the minor scale of the proposed development, it is considered that seeking a construction management plan would be onerous. If any damage did occur because of the development this would be a civil matter.
- Planning for this has been rejected once, nothing has changed.
The current application differs from the previously refused application as the proposed garage has been reduced in size and repositioned.

Consultations

None.

Consideration

Character and Appearance of the area:

Leicester City Core Strategy (2014) policy CS03 states that the council require high-quality, well-designed places that contribute positively to the character and appearance of the area.

The proposed garage due to its size, siting and materials will appear as a subservient addition to the property which will not detract from the visual amenity of the area. It is therefore considered acceptable and compliant with policy CS03.

Residential Amenity:

Saved City of Leicester Local Plan Policy PS10 aims to protect the residential amenity of neighbouring properties. The rear of the proposed garage will face the side elevation of 1 and 3 Beaumont Lodge Road, 1 located on the first floor and 3 on the ground floor. The first-floor windows of number 1 will not be impacted by the development as the garage is to be single storey. The side elevation on number 3 contains two windows, one which serves a bathroom and the other which is a secondary window for a kitchen. As such, these windows are not principal room windows.

Regarding all other neighbours, the proposed garage due to its size and siting will not unduly impact their residential amenity. The development is therefore acceptable in this regard.

Highways and Parking:

The proposed application will result in the property having two off street parking spaces. One within the proposed garage and one in front of the garage, both spaces will fit wholly within the boundary of the property. Two off road parking spaces are considered acceptable for a property of this size. As such, it is not considered that the proposal will result in a detrimental impact upon highways safety as sufficient parking is provided.

Other Matters:

This site is located within a 250m buffer of a LAAPC, it is not considered that the development will impact air quality. The site is also located within an area subject to surface water flooding 1 in every 1000 years, as the site is not located within a Flood Zone and the development is small in scale it is considered that requesting a Flood Risk Assessment would be onerous and that the development will not increase flood risk in the area.

Finally, the site is located within a 250m buffer zone of a Landfill Site. I recommend a note to applicant is attached to the permission informing about the risk of landfill which may affect the site.

Conclusion

The application is recommended for conditional approval, the conditions are listed below.

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. The garage granted permission via the application shall only be used incidental to the enjoyment of the dwellinghouse. (To protect the residential amenity of neighbouring properties in accordance with Saved City of Leicester Local Plan (2006) policy PS10.)
4. Development shall be carried out in full accordance with the following approved plans:
 - Proposed Floor Plan with Roof Plan, Sheet number 02, Rev 00, Received 20.11.25
 - Proposed Elevations, Sheet number 04, Rev 00, Received 20.11.25
 - Proposed Site Block Plan, Sheet number 06, Received 20.11.25(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 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.

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. It is considered that there is a perceptible risk from landfill gas adversely affecting this site. It is therefore recommended that the advice of a suitable consultant should be sought and carried out in the design and development of any building at this site, or underground services associated with them. It is pointed out that it is the developer's responsibility for the safe development and secure occupancy of this site.

Policies relating to this recommendation

- | | |
|-----------|--|
| 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'. |
| 2006_AM11 | Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01. |