



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 4 MARCH 2026 at 5:30 pm

P R E S E N T :

Councillor Surti (Chair)
Councillor Dr Moore (Vice Chair)

Councillor Agath
Councillor Cassidy
Councillor Chauhan

Councillor Modhwadia
Councillor Singh Patel

Councillor Cole
Councillor Joel
Councillor Kitterick

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1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Kennedy-Lount.

Councillor Mohammed was substituted by Councillor Cassidy.

2. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

There were no declarations of interest.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held 21 January 2026 be confirmed as a correct record.

4. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair noted that the order of the agenda had been amended and the meeting would proceed as follows:

1. 172 Fosse Road North
2. 20a Vulcan Road
3. 38 South Kingsmead Road

(i) **20251299 - 172 FOSSE ROAD NORTH**

20251299 - 172 Fosse Road North

Ward: Fosse

Proposal: Change of use from shop (Class E) to restaurant and hot food takeaway (Class E/Sui Generis); installation of extraction flue at rear (amendments received 03/11/2025)

Applicant: Mr Khasraw Abdalla Seed

The Planning Officer presented the report.

Mr Khasraw Abdalla Seed and Jheir Abdulla spoke in support to the application.

Members of the Committee considered the report and Officers responded to the comments and questions raised.

The Chair summarised the application and points raised by Committee Members and moved that the application be approved. This was seconded by Councillor Moore, and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted 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 proposed extraction flue shall be constructed in facing bricks to match the existing building. (In the interests of visual amenity and the setting of the locally listed heritage asset, and in accordance with Core Strategy Policies CS3 and CS18.)
3. The development shall be carried out in accordance with the details and recommendations set out in the Kitchen Odour Assessment (KOA) document P9121-R2-V1 (dated 03/10/25). (To ensure proper dispersal of odours, in the interests of residential amenity, and in accordance with saved Policies PS10 and PS11 of the City of Leicester Local Plan (2006).)
4. Prior to the commencement of works on site, details of the chosen mitigation measures as recommended in the Noise Impact Assessment (NIA) document P9121-R1-V1 (dated 03/10/25) shall be submitted to and approved in writing by the Noise and Pollution Control Team (NPCT). The

approved measures shall be installed prior to the occupation of the premises and retained thereafter. (To ensure an acceptable level of noise, in the interests of residential amenity, and in accordance with saved Policies PS10 and PS11 of the City of Leicester Local Plan (2006).)

5. The use shall not be carried on outside the hours of 07:30 - 23:00 daily. (In the interests of the amenities of nearby occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan (2006))

6. The bin storage area shall be provided as shown on the approved plans prior to the first occupation of the premises as a hot food takeaway and shall be retained thereafter. The bins shall not be stored elsewhere on the site or in the alleyway. (In the interests of the amenities of nearby occupiers, and in accordance with saved Policy PS10 of the City of Leicester Local Plan (2006).)

7. Development shall be carried out in full accordance with the following approved plans:
Proposed Plans and Elevations, 0801/03C, received 03/11/2025
(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 2024 is considered to be a positive outcome of these discussions.

2. It is recommended that care is taken during works should any bats or birds or their roosts or nests be discovered on or adjacent to the building or rooftop. In such a case, it is recommended that advice from a qualified ecologist should be sought before proceeding with works, given environmental protection legislation. Bats can roost or be present in roof structures of buildings or in crevices of walls. Further information on bats and the law can be found by searching for Bats: protection and licences - GOV.UK (www.gov.uk). Further information on birds and the law can be found by searching for Wild birds: protection and licences - GOV.UK (www.gov.uk)

3. 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).

(ii) 20250173 - 20A VULCAN ROAD

20250173 - 20a Vulcan Road, Land Adjacent

Ward: North Evington

Proposal: Change of use from public open space to dwellinghouses; construction of two-storey building to contain five flats (5 x 1 bed) (Class C3) (Amended plans received 13 August 2025)

Applicant: Mr J Sindhi

The Planning Officer presented the report.

The Chair advised that Khairunnisa Mukaddam, an objector, had registered to speak on the application and joined the meeting via the remote link. However, due to technical difficulties, the Committee was unable to hear the speaker. Officers attempted to resolve the issue, and the agenda was briefly reordered to allow time for this, but the matter could not be resolved. The Committee was advised that, in accordance with the Council's Planning Public Speaking Guide, where a remote connection cannot be established the written representations previously submitted would still be considered and the meeting would proceed to determine the application at the Chair's discretion. The Committee therefore proceeded to consider the application.

Members of the Committee considered the report and Officers responded to the comments and questions raised.

The Chair summarised the application and points raised by Committee Members and moved that the application be approved. This was seconded by Councillor Agath, and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted 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. 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 implemented in accordance with the agreed details. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
3. Before the occupation of the proposed extension new windows on the rear and side elevations shall be fitted with sealed obscure glazing to Pilkington level 4 or 5 (or equivalent) (with the exception of any top opening light) and retained as such. (In the interests of the amenity of occupiers of future occupiers of the properties and the occupiers of Sherrard Road and Mount Road and in accordance with policy PS10 of the City of Leicester Local Plan).
4. Prior to occupation of any flats, glazing and ventilation shall be installed in accordance with the details set out in Section 4 & 5 of the Noise Impact Assessment by PEAK acoustics ref:0511243NR submitted on 29 January 2025 and retained at the same acoustic performance throughout the lifetime of the development unless otherwise agreed in writing with the City Council as local planning authority. (To protect future occupiers from disturbance and in accordance with saved Local Plan policy PS10).
5. No construction or demolition work, other than unforeseen emergency work, shall be undertaken outside of the hours of 0730 to 1800 Monday to Friday, 0730 to 1300 Saturday or at any time on Sundays or Bank Holidays, unless the methodology has been submitted to the City Council Noise and Pollution Control Team. The methodology must be submitted at least 10 working days before such work commences and agreed, in writing, by the City Council Noise and Pollution Control Team. The City Council Noise and Pollution Control Team shall be notified of any unforeseen emergency work as soon as is practical after the necessity of such work has been decided by the developer or by anyone undertaking the works on the developer's behalf.
6. No part of the development shall be occupied until secure and covered cycle parking has been provided and retained thereafter, in accordance with written details previously approved by City Council as local planning authority. (In the interests of the satisfactory development of the site and in accordance with policies AM02 and H07 of the City of Leicester Local Plan).
7. Prior to the commencement of development full details of the Sustainable Drainage System (SuDS) together with implementation, long

term maintenance and management of the system shall be submitted to and approved by the local planning authority. No property shall be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

8. Prior to the commencement of development details of drainage, shall be submitted to and approved by the local planning authority. No property shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

9. Prior to the occupation of any flat a plan showing the location and details of one group of 3 swift boxes and two integral bat bricks shall be submitted to and agreed in writing with the City Council as local planning authority. The boxes and bricks shall be installed in accordance with these agreed details and retained as such thereafter unless otherwise agreed in writing with the City Council as local planning authority. (In order to promote wildlife in accordance with Core Strategy policy CS17.)

10. Prior to the commencement of development, a Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Gain Plan shall be submitted in accordance with the requirements of paragraph 14(2) of Schedule 7A to the Town and Country Planning Act 1990. (To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

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

- 2407/01/100, Location Plan and Site Plan, Received on 29 January 2025
- 2407/01/401, Landscaping Scheme, Received on 5 March 2025
- 2407/01/400, Sustainable Drainage Strategy, Received on 5 March 2025
- 2407/01/102, Proposed Site Plan, Rev. P1, Received on 13 August 2025

- 2407/01/300, Proposed Ground Floor Plan, Rev. P1, Received on 13 August 2025
 - 2407/01/301, Proposed First Floor Plan, Rev. P2, Received on 13 August 2025
 - 2407/01/302, Proposed Second Floor Plan, Rev. P2, Received on 13 August 2025
 - 2407/01/303, Proposed Roof Plan, Rev. P1, Received on 13 August 2025
 - 2407/01/350, Proposed Elevations, Rev. P1, Received on 13 August 2025
 - 2407/01/351, Proposed Elevations, Rev. P1, Received on 13 August 2025
 - 2407/01/352, Proposed Sections, Rev. P1, Received on 13 August 2025
- (For the avoidance of doubt).

NOTES FOR APPLICANT

1. The proposed canopy would require a licence from the city council as local highway authority and should not be installed unless such a license has been obtained. The Applicant is advised to contact highways@leicester.gov.uk for information regarding obtaining approvals, setting up Agreements and/or to discuss the requirements.
2. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at:
<https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>
As this is a new document it will be kept under review. We therefore invite comments from users to assist us in the ongoing development of the guide.
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 2024 is considered to be a positive outcome of these discussions.

(iii) **20260007 - 38 SOUTH KINGSMEAD ROAD**

20260007 - 38 South Kingsmead Road

Ward: Knighton

Proposal: Demolition of garage at rear; construction of single storey extension at side and rear; construction of canopy at rear; proposed decking at rear of house (Class C3); alterations

Applicant: Caroline Welsh + Andy Leitch

The Planning Officer presented the report.

There were no additional speakers on the application.

Members of the Committee considered the report and Officers responded to the comments and questions raised.

The Chair summarised the application and points raised by Committee Members and moved that the application be approved. This was seconded by Councillor Dr Moore, and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted 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 shall be constructed in facing bricks to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Before the occupation of the proposed extension new window facing 40 South Kingsmead Road shall be fitted with sealed obscure glazing to Pilkington level 4 or 5 (or equivalent) (with the exception of any top opening light) and retained as such. (In the interests of the amenity of occupiers of 40 South Kingsmead Road and in accordance with policy PS10 of the City of Leicester Local Plan).
4. Development shall be carried out in accordance with the following approved plans:
 - Location and Block Plan - 136(02)04 Rev P2 received 19/01/2026
 - Proposed Ground Floor - 136(08)01 Rev P2 received 19/01/2026
 - Proposed South and Patio Elevation - 136(08)03 Rev P2 received 19/01/2026
 - Proposed East and North Elevation - 136(02)02 Rev P1 received 05/01/2026(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.

5. ANY OTHER URGENT BUSINESS

There being no other urgent business the meeting closed at 18:10pm.