

20261172	42 Barnes Close	
Proposal:	Construction of single storey extension at rear of house (Class C3)	
Applicant:	Paresh Ruparel	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	30 September 2026	
DJ	TEAM: PD	WARD: Troon



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Summary

- This application has been brought to the attention of committee due to the applicant being a direct relation to an employee of Leicester City Council
- The main considerations are design, neighbouring amenity and drainage
- The application is recommended for conditional approval

The Site

The site is an existing detached dwelling located on the east of Barnes Close which is a primarily residential area.

The site is located within Flood Zone 2 and a critical drainage area, with surface flooding at 1 in 1000. The site is also located within a final hotspot.

There is also a 250m Local Authority Air Pollution Control buffer zone covering the site and surrounding area.

Background

20240548 – Construction of single storey extension at side and rear of house (Class C3) (amended plans) – conditionally approved at planning committee in October 2024 – works commenced but not completed.

20251498 – Notification of proposed single storey extension at rear of dwellinghouse of dimensions: 5 metres beyond the rear wall of the original dwellinghouse; maximum height 3.6 metres; height of the eaves 2.55 metres (Class C3) – Prior Approval found not to be required in October 2025 – works commenced but not completed.

The Proposal

The application is for the construction of a single storey extension to the rear of the dwelling. The extension will be 4.5m wide, 5.0m deep, 2.4m high to the eaves and 3.5m high to the ridge. The extension will be used as a kitchen.

The current proposal is the same footprint of approved application 20251498, whilst the eaves are reduced by 0.2m and the ridge is reduced by 0.1m in height within the current proposal.

Policy Considerations

Leicester Local Plan 2026:

[Policy CCFR05. Managing Flood Risk and Sustainable Drainage Systems \(SuDS\)](#)

[Policy DQP01. Design Principles](#)

[Policy DQP03. Inclusive Design](#)

[Policy DQP06. Residential Amenity](#)

[Policy NE01. Protecting designated sites, legally protected and priority species, and priority habitats](#)

[Policy NE02. Biodiversity Gain](#)

National Planning Policy Framework (NPPF) (2026)

DM1: Preparing development proposals

1. Proposals for major development should:

- a. Be informed by early engagement with neighbours and the local community, as well as with the local planning authority, statutory consultees, infrastructure providers, registered providers of social housing and other relevant bodies where appropriate, to identify and seek to resolve key planning matters prior to the submission of a planning application. This pre-application engagement should be proportionate to the nature of the proposal and those likely to be affected by it; and
- b. Be accompanied by a concise planning statement setting out:
 - i. How the development proposal is consistent with relevant development plan and national decision-making policies;
 - ii. The outcome of pre-application engagement and the extent to which the proposal has changed in response to this engagement; and
 - iii. The proposed use of any planning obligations to make the proposal acceptable in planning terms.

2. Proposals for other types of development should be supported by the minimum necessary information requirements to enable a decision. In certain circumstances, set out elsewhere in this Framework, this should include pre-application discussions (see policies CO2 and P4). Pre-application engagement may also be required where

proposals raise complex planning matters, such as the potential effect on heritage assets.

DM3: Determining development proposals

1. When considering development proposals, local planning authorities should:
 - a. Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision;
 - b. Take a proportionate approach to the consideration of the planning matters raised by the proposals, in a way that reflects their scale, complexity and potential impact;
 - c. Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals;
 - d. Consult statutory or internal consultees only where it is necessary to do so. Decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision, there are public safety risks from proceeding without advice, or more detailed advice may enable an approval rather than a refusal;
 - e. Consider whether otherwise unacceptable development proposals could be made acceptable through the use of planning conditions or planning obligations; and
 - f. Not refuse applications for development which should clearly be approved, having regard to their accordance with the development plan, the policies in this Framework and any other material considerations.

DM6: Use of planning conditions and obligations

1. Planning conditions should only be attached to planning permissions and other associated consents for development where they are:
 - a. Necessary to make the development acceptable in planning terms;
 - b. Relevant to the development and to planning considerations generally;
 - c. Sufficiently precise to make them capable of being complied with and enforced; and
 - d. Reasonable in all other respects.
2. Conditions should not be used to:
 - a. Require payments of money; or
 - b. Require that land is formally given up to another party (such as highways to the local highway authority); or
 - c. Restrict national permitted development rights unless there is clear justification to do so.
4. Planning obligations should only be used where it is not possible to address potential unacceptable impacts through a planning condition. Where national model planning obligations are relevant to the development, they should be used unless there are strong reasons for using a different planning obligation.

DM7: Relationship with other regulatory regimes

1. Development proposals should be assessed on the basis of whether they would be an acceptable use of land. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should

assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively.

2. Planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed (see policy PM13).

S3: Presumption in favour of sustainable development

1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means:

- a. Policy S4 in this Framework should be applied when considering development proposals within settlements;

S4: Principle of development within settlements

1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

2. In applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would:

- a. Have a substantial adverse impact in relation to:
 - i. The allocation or safeguarding of land or buildings for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or
- c. Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

DP3: Key principles for well-designed places

1. Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

2. To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location:

- a. Liveability: support healthy, mixed, vibrant and integrated communities, which will function well over the lifetime of the development, by incorporating a range of uses and tenures, employing features which promote social interaction, and which are robust, durable and easy to look after;
- b. Climate: contribute to climate change mitigation and adaptation and the transition to net zero by using building layouts, building orientation, massing, landscaping and materials which conserve energy and other resources, and which minimise risks from the impacts of climate change including overheating;
- c. Nature: incorporate and/or connect to a network of high quality, accessible, multi functional green infrastructure to provide opportunities for recreation and healthy living, strengthen habitats, improve climate

change resilience and improve air and water quality. This should include maintaining and enhancing tree cover and incorporating sustainable drainage systems in accordance with policies N3 and F8; █

d. Movement: provide transport infrastructure and choices which support the design vision for the site, provide good connections to the wider settlement (or those nearby), and prioritise walking, wheeling, cycling and public transport; █

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme; █

f. Public Space: include spaces that are safe, secure, inclusive, and accessible for all ages and abilities, including for groups such as women and girls; and which facilitate and encourage social interaction, play and healthy lifestyles (for example by providing high quality, clear and legible pedestrian and cycle routes, a variety of recreational spaces and places to meet, integrating lighting and making building entrances and windows face onto streets and other public spaces to provide natural surveillance); and █

g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting. █

3. Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals. █

4. The principles set out in the Design and Placemaking planning practice guidance should be used to inform how this policy is applied in the absence of locally-produced design policies, guides, codes or masterplans. █

5. Substantial weight should also be given to outstanding or innovative designs which promote high levels of sustainability, or which help raise the standard of design more generally in an area, so long as they are consistent with the overall form and layout of their surroundings. █

DP4: The design process █

1. Design quality should be considered throughout the evolution, assessment and delivery of development proposals, including through any pre-application engagement; as outlined in Part 2 of the Design and Placemaking planning practice guidance. █

2. The local planning authority should: █

b. Ensure that relevant planning conditions refer to clear and accurate plans and drawings which provide visual clarity about the design of the development, including the approved use of materials where appropriate; and █

c. Not allow the quality of approved development to be materially diminished between permission and completion, as a result of changes proposed following its initial approval (for example through changes to approved details). █

P3: Living conditions and pollution

1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).

2. Within this context development proposals should:

a. Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;

b. Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);

F4: Assessing flood risk for decision-making

1. To inform the assessment of flood risk and, where relevant, appropriate mitigation, a site specific flood risk assessment should accompany all development proposals in Flood Zones 2, 3a, and 3b as defined in Annex F, table 1. 2. In Flood Zone 1, a site-specific flood risk assessment should inform and accompany all development proposals involving:

c. Land identified in a strategic flood risk assessment or the Flood Map for Planning as being at risk of flooding from any source, whether now or in the future.

3. Site-specific flood risk assessments should be appropriate to the scale, nature, and location of development and should, where relevant, support an assessment of whether a development proposal satisfies the sequential and exception tests set out in policies F5 and F6.

F7: Ensuring development is safe from flooding

1. Development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere.

2. Where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused unless:

a. Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons which justify a different arrangement;

b. The development will be safe throughout its lifetime taking account of the vulnerability of its users;

c. Any residual risk can be safely managed, and safe access and escape routes are included where appropriate, as part of an agreed emergency plan;

- d. The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; and
- e. It can be demonstrated that flood risk will not be increased elsewhere.

The following has also been taken into account:

National Planning Practice Guidance: Flood Risk Assessment standing advice

Consultations

Lead Local Flood Authority (LLFA) – No objection subject to a condition:

1. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) completed by Flood For Planning, dated July 2026, reference: F2606-008 Issue 1 and the following mitigation measures detailed within the FRA:
 1. - Safe access/egress
 2. - Flood resistance and resilience measures
 3. - Finished floor levels (FFL)
 - 4.

Representations

No public representations have been received.

Consideration

Principle of Development

The application is for an extension to an existing residential dwelling within a residential area. Therefore, the application is acceptable in principle.

Design

As the proposed extension is single storey and located to the rear of the dwelling, the extension will not be visible from the public highway meaning there would be no visual harm to the site or wider street scene in accordance with Policy DQP01 of the Leicester Local Plan (2026).

Residential amenity (*neighbouring properties*)

The proposal would extend beyond the rear of No.41 Barnes Close. However, the extension would not intersect the 45-degree lines of any principal windows meaning there would be no unacceptable loss of outlook or light to the neighbouring property. Furthermore, as there are no side facing windows proposed, the existing levels of privacy at the neighbouring dwelling would be retained.

Overall, the proposal would not cause any unacceptable impact on any neighbouring residential dwellings amenity in accordance with Policy DQP06 of the Leicester Local Plan (2026).

Drainage

The site is in Flood Zone 2, but is shown to be outside of all surface water flood extents except for the 1 in 1000 year return period event (with the inclusion of climate change). A Flood Risk Assessment has been submitted, which assesses the risk from all sources of flooding and modelled flood level data. The finished floor level has

been stated to be above the modelled flood levels for the site, however additional mitigation has been recommended in the form of flood resistance and resilience measures.

Therefore, subject to the condition requested by the LLFA, requiring the works be completed in accordance with the recommended mitigation measures, the application is acceptable in relation to drainage and in accordance with Policy CCFR05 of the Leicester Local Plan (2026).

Conclusion

The application has been found acceptable in all regards

I recommend that this application is APPROVED 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 of the rear extension shall be constructed in facing brick to match those of the existing dwelling and shall be retained as such. (In the interests of visual amenity and in accordance with Leicester Local Plan 2026 policy DQP01).
3. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) completed by Flood For Planning, dated July 2026, reference: F2606-008 Issue 1 and the following mitigation measures detailed within the FRA:
 - Safe access/egress
 - Flood resistance and resilience measures
 - Finished floor levels (FFL)(In the interests of the flood resistance and resilience of the property and in accordance with Leicester Local Plan 2026 policy CCFR05.)
4. The development shall be carried out in full accordance with the following approved plans:
 - Drawing PL42 A200 Rev A - Proposed Ground Floor Plan - Received 05/08/2026
 - Drawing PL42 A201 Rev A - Proposed First Floor and Roof Plans - Received 05/08/2026
 - Drawing PL42 A202 Rev A - Proposed Elevations Plan - Received 05/08/2026
 - Drawing PL42 A203 Rev A - Proposed Site Plan - Received 05/08/2026
 - Drawing PL42 A204 Rev A - Proposed Block Plan - Received 05/08/2026(For the avoidance of doubt.)

NOTES FOR APPLICANT

1. It is recommended that all residents/building operators sign up for the Environment Agency Flood Warning service and Met Office severe weather warnings email alert service.
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. 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 2026 is considered to be a positive outcome of these discussions.