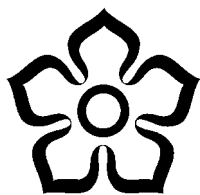


Planning & Development Control Committee

Applications, Contraventions and Other Reports: Supplementary Report

Wards: see individual reports



Leicester
City Council

Planning & Development Control Committee

Date : 5th January 2022

**SUPPLEMENTARY REPORT ON APPLICATIONS, CONTRAVENTIONS AND
OTHER REPORTS (APPENDICIES B & C)**

**INDEX
APPLICATION ORDER**

Page Main	Page Supp	Application Number	Address	Ward
1		20211801	4 Barbara Road	BF
11		20212348	St Saviours Road, St Savours Church	NE
29		Appendix C	Appeals Report	ALL

20211801	4 Barbara Road	
Proposal:	Change of use from dwelling house (Class C3) to residential care home (2 Bedrooms)(Class C2)(Amended 04/01/2022)	
Applicant:	Mr Nizam Bata	
App type:	Operational development - full application	
Status:		
Expiry Date:	7 January 2022	
SSA	TEAM: PD	WARD: Braunstone Park & Rowley Fields

Page Number on Main Agenda: 1

Amended Description: Yes (amended plans)

Amended Conditions/Notes:

Conditions 4 (car parking), 5 (cycle parking) and 6 (plans) have been amended and Note to Applicant 2 added (highway works)

Policy Considerations

Core Strategy policy CS08 outlines the strategy to ensure that neighbourhoods remain sustainable places.

Policy CS03 of the Core Strategy (2014) seeks to achieve buildings and spaces that are fit for purpose yet are innovative, adaptable and flexible to respond to changing social, technological and economic conditions.

The residential amenity factors set out at saved Policy PS10 of the Local Plan (2006) apply to the future occupiers of proposed development as well as to the occupiers of existing neighbouring property.

Representation

The agent has submitted a further planning statement that reiterates how the property will be used as covered in the main report and clarified the following points:

- There would be 1 staff to 1 young person overnight on a waking night shift.
- There would be an occasional social worker/Ofsted/family visitor (possibly once a month visit, although many family visits will be off site for safeguarding reasons).
- The council will provide domestic waste collection under its usual process.
- The proposal will provide a home for young people within their community.

The agent has responded to the objections as follows:

- The property will be a children's care home with care provision being provided on site, (no difference to any domestic property having visiting carers).
- Noise would be that of normal functioning family home.
- Traffic generation would be like that of a normal family home. During the day children would attend school and, therefore, daytime activity levels at the home would normally be limited.

- The Home would have one vehicle which would be used to provide travel to and from school and to any other activities.
- The council will provide domestic waste collection under its usual process.
- Staff will be sourced from the local area providing essential employment and they would be encouraged to use public transport or other means whenever necessary and encourage car sharing.
- Two off-street parking spaces will be provided. The area at the front is currently paved and the intention is to remove a section of the small boundary wall and drop the kerb to create the additional parking space.
- The hedges on the rear boundary would not be impacted by the proposal.
- Regular grounds maintenance would be carried out at the property and they would engage with the objectors should there be any issues.

Considerations

Amended plans have been received that reduces the two additional parking spaces at the front to one.

A care home with two bedrooms would require one off-street parking space but two would be provided. I consider off-street parking provision be acceptable and would be compliant with Appendix 1 of the Local Plan.

The description and condition 5 have been amended to reflect the amended plans. Note to Applicant 2 has been added to ensure the highway works comply with the Council's highway standards.

Conditions 4 and 5 have been amended to make them precise.

I consider that the proposal would be in accordance with policies CS08, CS03 and PS10 as covered in the main report.

CONDITIONS

4. Before the occupation of any part of the development, any additional or reconfigured parking areas shall be surfaced and marked out in accordance with details which shall first have been submitted to and approved by the City Council as local planning authority, and shall be retained for parking and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner, and in accordance with policies AM01 and AM11 of the City of Leicester Local Plan and Core Strategy policy CS03.)
5. 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 policy AM02 of the City of Leicester Local Plan.)
6. Development shall be carried out in accordance with the following approved plans and supporting documents:
Block/Site Location Plan - received on 19/07/2021

Proposed Floor Plan and Elevations - drawing ref no. 21-02-01-08A – amended plans received on 04/01/2022
Revised Planning Statement -Rev B - received on 04/01/2022
(For the avoidance of doubt).

NOTES FOR APPLICANT

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.

The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway.

For alterations to existing highway the developer must enter into an Agreement with the Highway Authority and cost of the works will be borne by the applicants/developers. For more information please contact highwaysdc@leicester.gov.uk.

20212348	St Saviours Road, St Saviours Church	
Proposal:	External and internal alterations to Grade II* Listed Building (Class F1)	
Applicant:	RCCG City of Favour	
App type:	Listed building consent	
Status:		
Expiry Date:	13 December 2021	
PB	TEAM: PD	WARD: North Evington

Page Number on Main Agenda: 11

Corrections on the main report as follows:

The Site (page 12)

Second paragraph correction: The application site is flanked by two locally listed heritage assets that are historically connected to the grade II* Listed Building. To the east, the former St. Saviour's Vicarage (c. 1876, by Sir George Gilbert Scott's practice) and, to the ~~west~~north, the former St. Saviour's School (c.1882-83 by local architect Stockdale Harrison).

The Proposal (page 13)

First paragraph clarification: The planning application referred-to in the first paragraph will be for the external alterations and also for the laying out of the car park, alterations to the access and installation of bin and cycle stores (i.e. the proposed development that needs planning permission).

Third paragraph correction: The proposed internal works are as follows:

Policy Considerations (page 13)

Heading correction: National Planning Policy Framework (2021) ~~(2001)~~

Second paragraph correction: Paragraph 56 lays down the tests for planning conditions. ~~They are that~~ Planning conditions must be: necessary; relevant to planning; relevant to the development; enforceable; precise; and reasonable.

Consideration (pages 14-16)

Third paragraph (page 15) correction: A Heritage Statement (by ChurchCare, originally dated June 2004 and updated October 2015) has been submitted with the application. This includes an assessment of the significance of the heritage assessment, fulfilling the requirement of paragraph 194 of the NPPF.

Sixth paragraph (page 15) correction: ~~Some aspects of the proposed works — those associated with the provision of facilities to make the church fit for use by a 21st Century congregation —~~ The proposed works to the gate piers (to facilitate vehicle access) and the provision internally of toilets and meeting rooms would cause less than substantial harm to the significance of this heritage asset. Having regard to paragraph 200 of the NPPF, which states that any harm to a grade II* Listed Building should require clear and convincing justification, and paragraph 202 which states that proposals leading to less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal, I consider that the interventions are relatively minor and will help support a viable future of the

building as a place of worship and that the overall package of works of repair and restoration to secure the future of this heritage asset should be given great weight as a public benefit. In short, although there would be some less than substantial harm (and this is considered to be at the lower order of the spectrum of harm) to the significance of the heritage asset, this is justified by the now pressing need to bring the building back into use, for its original purpose as a place of worship, and outweighed by the broader public benefit of the works to repair and restore the works.

Appendix C	2021 Appeals Report
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The following decision has been received on one of the outstanding appeal:

5 January 2022

Appeals List

Decision codes: A = Allowed; D = Dismissed; E = Other; L = Limited Period Approval; M = Mixed; O = Outstanding; W = Withdrawn

Planning No or Enforce No	Application Type	Decision	Address	Inspector Comments
		Appeal Type	Description of Development	
		Date Determined	Reason(s) for Refusal	
20201141	Change of Use	Dismissed 23/12/2021 Decision for costs is Refused	2712 17 Stretton Road: Kedron Properties Ltd Change of use from house in multiple occupation for up to six persons (Use Class C4) to house in multiple occupation for more than 6 persons (sui generis) The proposed living conditions, by reason of the poor level of light to and outlook from principal rooms and the small amount and poor quality of the private amenity space, would not provide a good standard of amenity for future residents in conflict with National Planning Policy Framework Paragraphs 127, Core Strategy policies CS03 and CS06, saved policy PS10 of The City of Leicester Local Plan (2006) and the Residential Amenity SPD (2008).	Although, the second-floor bedroom (storeroom) would meet the space standards for bedroom size (NDSS) ₁ , it would only be served by 1 narrow window. Due to the angle of the low ceiling and the position of the window sat between this, it would result in a cramped, tunnelling effect and restricted outlook and direct views would only be upon the roofscape of adjacent properties. Therefore, for any future occupier of the bedroom, it would not be adequate. Furthermore, given that there would be only 1 narrow window, angled at a higher position in between the lower ceiling serving the habitable bedroom, natural light would be restricted. It would likely be that any future occupier of this bedroom would spend the

5 January 2022

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Planning No or Enforce No	Application Type	Decision	Address	Inspector Comments
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		Date Determined	Reason(s) for Refusal	
				majority of their time within that room. As such, the lack of natural light, particularly in the early mornings or evenings would result in inadequate and unacceptable conditions that would be detrimental to their health and wellbeing. Thus, in the absence of adequate natural light, there would be harm to the living conditions of any future occupant of this bedroom.

