

## COMMITTEE REPORT

<b>20241710</b>	<b>Claremont Methodist Church, Claremont Street</b>	
Proposal:	Installation of external ventilation flue to roof of Hindu Temple (Class F1)	
Applicant:	Mr Mukund Narshi	
App type:	Operational development - full application	
Status:	Minor development	
Expiry Date:	30 December 2024	
DJ	TEAM: PD	WARD: Belgrave



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### Summary

- The application is brought to committee as the applicant is an employee of Leicester City Council,
- The main issues are: the visual impact on the appearance of the building, the character of the street scene and the impact on neighbouring amenity,
- The application is recommended for conditional approval.

## The Site

The site is a Hindu Temple located on the west of Claremont Street which is a primarily residential road. The building does not have any designated heritage status. Nor is it on the local list of heritage assets.

## Background

19960987 - New lobby entrance to front, disabled persons w.c. to rear, retention of cleared land as car park to church. (amended plans 9/10/1996). – Conditionally approved in 1996. This has been implemented.

## The Proposal

The application is for the installation of a ventilation flue to the roof of the temple.

Amended plans have been received which relocated the flue from the roof of the rear outrigger. The flue will terminate 1 metre above the highest part of the roof.

## 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)

Paragraphs 135 and 139 (Good design and ensuring high standard of amenity)

### Development Plan Policies

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

### Supplementary Planning Documents (SPD)

Residential Amenity SPD (2008)

## Consultations

Noise Pollution Team – No objection to amended plans.

## Representations

No public representations have been received.

## Consideration

### Principle of development

Being an existing place of worship, the proposal is acceptable in principle provided it does not have a detrimental impact on the amenity of neighbouring properties and

does not have a detrimental impact on the appearance of the building and the character and appearance of the neighbouring area.

### Design

The amended proposed ventilation flue is located to the rear of the main roof and will terminate 1.0m above the ridge line.

The flue will be visible from Claremont Street, Berridge Lane and Bath Street.

Whilst it is noted that the proposal will be visible from the street scene, the flue will not be a substantial structure and will therefore will not cause significant visual harm to the building or the area.

It is therefore considered the proposal is in accordance with Policy CS03 of the Core Strategy.

### Residential amenity (*neighbouring properties*)

There are a number of residential dwellings within close proximity to the site. Those with a shared boundary are:

- 1-2 Linford Street
- 6 Clement Avenue
- 2 Berridge Lane

No objection was raised by the Environmental Health Officer (Noise Team) to the amended design.

Due to the location of the flue being 1m above the main ridge of the building, it is considered there would be no substantial change to the levels of outlook, light, privacy or noise, nor would there be any unacceptable levels of odour from the site as the flue terminates high enough for adequate dispersal of fumes.

The proposal is therefore considered to be in accordance with Policy PS10 of the Saved Local Plan.

This application has been considered in respect of design and residential amenity and in these respects has been considered acceptable.

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 use authorised by this permission shall not commence until the ventilation system to control the emission of fumes and smell from the

premises has been installed as shown on the approved plans and it shall be maintained and operated thereafter in accordance with the manufacturer's instructions. (In the interests of the amenities of nearby occupiers, and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan.)

3. Development shall be carried out in accordance with the following approved plans:  
RPD\_CLAREMONT\_200924\_01 Rev A - Existing/Proposed Floor and Roof Plans - Received 24/01/2025  
RPD\_CLAREMONT\_200924\_02 Rev A - Existing/Proposed Elevation Plans - Received 24/01/2025  
RPD\_CLAREMONT\_200924\_03 Rev A - Location Plan and Existing/Proposed Site Plan Received 24/01/2025  
(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 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).

2. The property may be suitable for roosting bats, which are protected by law from harm. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst expert advice from a bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls. Further information on bats and the law can be found here [Bats: protection and licences - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/topics/bats)
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.

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.

### **Policies relating to this recommendation**

- 2006\_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 2006\_PS11 Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing pollution uses; support for alternative fuels ect.
- 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'.