

FREEDOM OF INFORMATION ACT 2000

Your request for information has now been considered and the Council's response to your questions is shown below.

You asked:

During the last ten years, how many planning applications for each Category of use, for example D1 (for example, education centres, doctors surgeries et al, etc) have applied for change of use for a religious reason within 1-3 and 3-5 years of the original application being granted, respectively?

What was the use on their original application form, prior to granted change of consent?

What are their denominations, ward and post code?

ANSWER

As this query says, 'for example' D1, we have taken this to mean how many D1 premises have changed from the original D1 use to a religious one.

Class D1 includes, among others, medical uses such as doctor's surgeries, schools, day nurseries, libraries and public halls and use for or in connection with public worship or religious instruction. Planning permission is not needed to change from one use within D1 to another unless a condition was attached to the original D1 planning permission limiting it to the specific use, or excluding certain uses in class D1.

Information about planning permission for Class D1 uses is publicly available on the planning applications database:
<http://www.leicester.gov.uk/your-council-services/ep/planning/planningapplications/applicationsinformation/planningdatabase/>

By entering D1 in the proposal field for any time period, all planning permissions with D1 in the description can be found. (There may be records relating to that use class where D1 has not been entered). An alternative way of searching the database is described below.

Therefore this information is exempt under Section 21 of the Freedom of Information Act (FOIA), because the information is accessible to you, as it is already in the public domain.

We do not maintain records of the current use of buildings in that database, so cannot confirm, where there was not a condition, whether the approved use is still continuing. Therefore, this part of the letter acts as a refusal notice under section 17.1 of the Freedom of Information Act 2000 because, in

accordance with section 1.1 of the Act, this information is not held by Leicester City Council.

To narrow down the search, we searched the Proposal field for the following: Like "*worship*" Or Like "*church*" Or Like "*chapel*" Or Like "*mosque*" Or Like "*madressa*" Or Like "*education*" Or Like "*temple*" Or Like "*Madrassa*" Or Like "*Gurdwara*" Or Like "*Shree*" which should give all sites where there has been a planning application for a place of worship over the last 10 years. There are five sites where there appeared to have been a change of use from another D1 use to a place of worship, two within 5 years of the original permission. These are listed below: note that they did not all need planning permission to change. Details can be found in the database.

2 Westcotes Drive. Community centre approved on 21/02/2007 (20040878). On 05/10/2011, (4 yrs, 8 months) permission for an extraction flue to side of place of worship (20111338). Westcotes Ward. LE3 0QR.

1-3 Glenhills Boulevard. Permission for extension to day nursery on 17/07/2000 (20000759) - subject to condition restricting use to a day nursery only. Original consent for day nursery in 1989. On 19/01/2007, permission to vary the conditions to allow use as a place of worship (20062083). Christadelphian Church. LE2 8UF. Aylestone ward.

17a Guildhall Lane. Permission granted for educational use in 1993 (19931549). On 29/04/2009, permission granted for change of use to educational place of worship with residential study rooms (20090326). Buddhist. LE1 5FQ. Castle ward.

201 Loughborough Road. Permission granted for education and training centre in 1997 (19970944). On 11/08/2010, variation of condition to allow extended opening hours to place of worship (20100938). No denomination stated. LE4 5PL. Belgrave ward.

13 Keythorpe Street. On 21/5/2007, permission for educational use ancillary to adjacent place of worship (20070584). On 25/06/2009, (2yrs, 1 month) a 'single-storey extension at side of place of worship' was approved (20090451). Islamic Education Trust. Spinney Hill Ward. LE2 0AL.

How many have been granted by the same planning officer/each planning officer?

The two Kethorpe Street applications had the same case officer, the others were dealt with by different officers.

How many religious establishments (meeting houses, prayer, schools etc) were there 10 years ago within the city boundaries and now - on a year by year growth basis?

The Council does not maintain records over time which would enable us to answer this question. We have, however, extracted records from our Land

and Property database. This aims to have a comprehensive record of properties in the City. However, to maintain it we are dependent on using a variety of sources from within and outside of the Council and consequently it is continually changing and it takes time for notifications to arrive, be checked and added to the system.

Taking all that into account, the attached spread-sheet lists 208 records we have at the moment.

How many of the above were a) on brownfield sites b) in residential streets/areas c) previous commercial properties.

The applications indicating a change to place of worship all relate to existing buildings.

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If you are dissatisfied with the handling of your request please write to:

Information Governance Manager
Information and Support
Leicester City Council
FREEPOST (LE985/33)
New Walk Centre
LEICESTER LE1 6ZG
e-mail: FOIA@leicester.gov.uk

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
Telephone: 01625 545 700

www.informationcommissioner.gov.uk

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to the Information Governance Manager before contacting the Commissioner.