



Leicester
City Council

SECOND DESPATCH

**MEETING OF THE PLANNING AND DEVELOPMENT CONTROL
COMMITTEE**

WEDNESDAY, 15 NOVEMBER 2023

Further to the agenda for the above meeting which has already been circulated, please find attached the following:-

4. PLANNING APPLICATIONS AND CONTRAVENTIONS

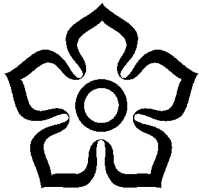
The Committee is asked to consider the recommendations of the Director, Planning, Development and Transportation contained in the attached reports, within the categories identified in the index appended with the reports.

Please note that the following supplemental information is now available and has been added to the agenda:

- **Addendum Report**

Officer contacts

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Leicester
City Council

Wards: see individual reports

Planning & Development Control Committee

Date : 15th November
2023

SUPPLEMENTARY REPORT ON APPLICATIONS AND CONTRAVENTIONS:

**INDEX
APPLICATION ORDER**

Page Main	Page Supp	Application Number	Address	
5		20221898	48 Little Holme Street	WC
91 & 117		20231214& 20231215	48A London Road, The Parcel Yard	CA
79		20231278	335 London Road	KN
139		20231313	2-4 Gopsall Street	WY

Recommendation Conditional approval and subject to a Section 106 Agreement/Undertaking		
20221898	48 Little Holme Street	
Proposal:	Demolition of factory (Class B2); construction of a 6 and 7 storey building containing student accommodation (Sui Generis), 2 storey building housing plant and cycle/bin storage, with associated ancillary works and landscaping (as amended).	
Applicant:	CC Leicester Limited	
App type:	Operational development - full application	
Status:		
Expiry Date:	21 September 2023	
SR	TEAM: PM	WARD: Westcotes

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Consultations

Further discussions have taken place with the Leicester, Leicestershire & Rutland Integrated Care Board. In order to comply with CIL Regulations, further information on the potential candidate sites for healthcare investment which might be improved to support the development has been requested and provided. The ICB have confirmed that the potential candidate sites are De Montfort Surgery and/or Briton Street Surgery.

Representations

One further representation has been received objecting to the application. The representation raises concerns that the development has come forward with no consideration given to existing employment use, demand for employment and direct labour, and an oversupply and surplus of student accommodation.

Considerations

Section 106 contributions

The updated position relating to the section 106 requirement for the ICB has been discussed with the applicant and will be secured through a section 106 agreement.

Planning conditions

Further discussions have taken place with the applicant on the wording of the draft planning conditions. Condition numbers 5, 6, 7, 12 and 16 have been updated to amend the timing triggers of when the conditions would come into force. The updated conditions **are recommended** as below.

CONDITIONS

5. Prior to the commencement of development (with the exception of demolition and site clearance) 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 in writing by the local planning authority. No flat 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: (1) full design details, (2) a timetable for its implementation, and (3) 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).

6. Prior to the commencement of development details of drainage (with the exception of demolition and site clearance), shall be submitted to and approved in writing by the local planning authority. No flat 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).

7. Prior to the commencement of (1) demolition and/or (2) development, a Construction Method Statement, with consideration being given to the water environment and flood risk management, shall be submitted to and approved in writing by the local planning authority for the demolition and development phases of the development. The approved Construction Method Statement shall be adhered to throughout the construction period. The Statement shall provide for: (1) the vehicle and pedestrian temporary access arrangements including the parking of vehicles of site operatives and visitors; (2) the loading and unloading of plant and materials; (3) a dust management plan; (4) the storage of plant and materials used in the development; (5) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (6) wheel washing facilities; (7) measures to control the emission of dust and dirt during construction; (8) a scheme for storage and management of waste resulting from excavation works (9) the proposed phasing of development and a detailed description of the works in each phase (10) the temporary access arrangement to the construction site; (11) procedures to ensure flood risk is managed on site during the period of works for personnel, plant and members of the public (12) the procedures to ensure flood risk is not increased anywhere outside of the site for the duration of the works; (13) the procedures to ensure pollution and sedimentation is minimised to any adjacent watercourse and the procedure to be used in case of a pollution incident; (14) the measures that will be undertaken to ensure the structure of any adjacent watercourse is not impacted by the proposed development. (To ensure the satisfactory development of the site, and in accordance with policies AM01 & UD06 of the City of Leicester Local Plan and Core Strategy policy CS02 & CS03).

(To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

12. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. If Piling or any other foundation designs using penetrative methods is proposed to be used, a piling risk assessment shall be submitted and approved in writing by the local planning authority prior to the commencement of any development (other than demolition and site clearance). The development shall be carried out in accordance with the approved details. (To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the developments can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PS11 of the City of Leicester Local Plan and paragraph 174 of the NPPF).

16. Prior to the commencement of development (with the exception of demolition) a detailed landscape and ecological management plan (LEMP) showing the treatment and maintenance of all parts of the site which will remain unbuilt upon shall be submitted to and approved in writing with the local planning authority. This scheme shall include details of: (1) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (2) new tree and shrub planting, including plant type, size, quantities and locations; (3) means of planting, staking, and tying of trees, including tree guards; (4) other surface treatments; (5) fencing and boundary treatments, including details of the entrance gates; (6) any changes in levels; (7) the position and depth of service and/or drainage runs (which may affect tree roots); (8) a detailed plan of the biodiversity enhancements on the site such as meadow creation and hedgerow improvements including a management scheme to protect habitat during site preparation and post-construction; (9) details of planting design and maintenance; (10) details of the make and type of 4 x bat integrated bat bricks and 4 x swift nest bricks under the guidance and supervision of a qualified ecologist. The approved LEMP shall contain details on the after-care and maintenance of all soft landscaped areas and be carried out within one year of completion of the development. For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

Recommendation: Conditional approval	
20231214	48A London Road, The Parcel Yard
Proposal:	Demolition of 48 London Road
Applicant:	Leicester City Council/Network Rail
App type:	Operational development - full application
Status:	
Expiry Date:	16 November 2023
JL	WARD: Castle

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Amended Description: No

Amended Recommendation: No

Amended Conditions: Minor changes to wording on conditions 3, 7, 9 and 11. New condition 13 and original conditions 13 and 14 renumbered.

Further Considerations:

Since drafting the report, it has been confirmed that the lime tree to the front of 48A London Road is to be retained. Therefore, it is considered necessary to include a condition to ensure that this tree is appropriately protected during demolition and any potential construction works.

All trees on the site to be retained shall be protected from damage during building operations, in accordance with section 4 of the BS 5837 Arboricultural Report & Impact Assessment (EMEC Arboriculture, July 2022) received by the local planning authority on 27 June 2023. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.)

To clarify the policy assessment undertaken by the officers in reaching the recommendation, at p105 of the report, I would amend the 2nd paragraph previously drafted as:

'In principle I consider the proposal would be of significant public benefit in terms of its contribution to a major redevelopment and enhancement of Leicester's Railway station.'

To be replaced with:

'In principle I consider the proposal or fall-back position would be of significant benefit in terms of contribution to a major redevelopment and/or enhancement of Leicester's Railway station which would outweigh the much more limited negative heritage impacts and those associated with the loss of a community facility.'

Recommended Revised Conditions

Revised conditions are confirmed as set out below to address the tree issue.

In addition a change to clarify the intent of condition 3 in respect of specifying 'redundant' modern addition is also **recommended**.

3. Following demolition but prior to the commencement of development works, further details confirming the extent of external repair / alteration works shall be submitted to and approved in writing by the local planning authority. This shall include:
 - i) window & door schedule of repair;
 - ii) methodology for masonry cleaning, including sample cleaning schedule;
 - iii) specification of works to remove any redundant modern additions and visual clutter;
 - iv) methodology of repairs to masonry.

(To preserve the special significance of the Grade II Listed Building and in accordance with Core Strategy policy CS18).

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction periods. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) the loading and unloading of plant and materials; (iii) the storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works. (To ensure the satisfactory development of the site, and in accordance with policies AM01, UD06 of the City of Leicester Local Plan and Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

9. The development hereby permitted shall be carried out in strict accordance with the details contained in 10054277-ARL-XX-XX-MS-ZZ-0004-C1-Parcel_Yard_Demolition_Method_Statement Revision: 01 March 2023, received by the Local Planning Authority on 27 June 2023. (In the interests of the amenity of nearby residential occupiers in relation to noise levels during demolition and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan).

11. Demolition works shall be commenced within the bat hibernation season between 1st October and 1st March, as the site was not noted to be suitable for hibernating bats; or alternatively, if work is to be undertaken outside of this period, a further survey to determine the presence or otherwise of bats shall be undertaken. (In the interests of protected species and in accordance with Policy CS17 of the Core Strategy and Habitat and Species Regulations 2017).

13. All trees on the site to be retained shall be protected from damage during building operations, in accordance with section 4 of the BS 5837 Arboricultural Report & Impact Assessment (EMEC Arboriculture, July 2022) received by the local planning authority on 27 June 2023. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.)
14. Prior to the commencement of demolition, details of the storage of the granite setts to be removed shall be submitted to and approved in writing by the Local Planning Authority. (To ensure the satisfactory development of the site, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
15. Should an application for the redevelopment of Leicester Railway Station not be granted or applied for, the fallback scheme, including landscaping shall be implemented in full accordance with the following drawings within 24 months of practical completion of the demolition of the buildings on the site:

Fallback Plans - Roof Plan, 177016-ARC-ZZ-RF1-DRG-EAR-907009 P02;
Fallback Plans - Lower Ground Floor, 177016-ARC-ZZ-000-DRG-EAR-097007 P02 and
Fallback Plans - Ground Floor, 177016-ARC-ZZ-001-DRG-EAR-097008 P02,
received by the local planning authority on 27 June 2023.

and

Parcel Yard Fall-Back Option Landscape Concept Plan, 10054277-ARC-ZZ-LSC-1001 REV A and
Fallback Elevations - SW, N & NW, 177016-ARC-ZZ-ZZZ-DRG-EAR-201004 P01,
received by the local planning authority on 28 June 2023.

(For the avoidance of doubt and to ensure that the site is developed to a satisfactory condition).

16. The development hereby permitted shall be carried out in full accordance with the following drawings:

Site Plans – Location Plan, 177016-ARC-ZZ-ZZZ-DRG-EAR-08100 P02;
Site Plans – Site Plan, 177016-ARC-ZZ-ZZZ-DRG-EAR-081001 P02;
Post Demolition Plans – Lower Ground Floor, 177016-ARC-ZZ-000-DRG-EAR-097004 P02;
Proposed Demolition Plans – Lower Ground Floor, 177016-ARC-ZZ-000-DRG-EAR-097001 P04; and

Post Demolition Plans – Roof Plan, 177016-ARC-ZZ-RF1-DRG-EAR-097006 P02,
Received by the local planning authority on 27 June 2023

Proposed Demolition Plans – Ground Floor, 177016-ARC-ZZ-001-DRG-EAR-097002 P04;
Post Demolition Plans – Ground Floor, 177016-ARC-ZZ-001-DRG-EAR-097005 P02;
Proposed Demolition Plans – Roof Plan, 177016-ARC-ZZ-RF1-DRG-EAR-097003 P04;
Demolition Elevations – NE & SE, 177016-ARC-ZZ-ZZZ-DRG-EAR-201004 P03;
Demolition Elevations – SW & NW, 177016-ARC-ZZ-ZZZ-DRG-EAR-201003 P04; and
Post Demolition Elevations – SW, N & NW, 177016-ARC-ZZ-ZZZ-DRG-EAR-201005 P01,
Received by the local planning authority on 28 June 2023

Site Layout Plan, 10054277-AUK-XX-XX-DR-ZZ-0007-P1;
Demolition Extents, 10054277-AUK-XX-XX-DR-ZZ-0008-P1; and
Traffic Management Plan, 10054277-AUK-XX-XX-DR-ZZ-0009-P1,
Received by the local planning authority on 13 July 2023

(For the avoidance of doubt)

Recommendation: Conditional approval	
20231215	48A London Road, The Parcel Yard
Proposal:	Listed Building Consent for proposed demolition of 48 London Road
Applicant:	Leicester City Council/Network Rail
App type:	Listed building consent
Status:	
Expiry Date:	16 November 2023
JL	WARD: Castle

Page Number on Main Agenda: 117

Amended Description: No

Amended Recommendation: No

Amended Conditions: Minor change to condition 3

Further Considerations:

Minor alteration to wording of conditions as set out below to clarify the intent of the condition in respect of specifying 'redundant' modern additions.

CONDITIONS

3. Following demolition but prior to the commencement of development works, further details confirming the extent of external repair / alteration works shall be submitted to and approved in writing by the local planning authority. This shall include:

- i) window & door schedule of repair;
- ii) methodology for masonry cleaning, including sample cleaning schedule;
- iii) specification of works to remove any redundant modern additions and visual clutter;
- iv) methodology of repairs to masonry.

(To preserve the special significance of the Grade II Listed Building and in accordance with Core Strategy policy CS18).

Recommendation: Conditional approval	
20231278	335 London Road
Proposal:	Change of use from dwellinghouse (Class C3) to day nursery (Class E); construction of single storey extension at front; single storey extension at rear; associated parking (amended plans received 3/10/2023 and 17/10/2023)
Applicant:	Mr Amit Patel
App type:	Operational development - full application
Status:	
Expiry Date:	16 November 2023
RB	WARD: Knighton

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Amended Description: No

Amended Recommendation: No

Further Information/Representations

Additional information has been received by the applicant in regard to the number of staff anticipated to be working at the nursery on a typical day. The numbers are projected based on the levels of staffing and requirements at other nurseries operated by the applicant.

The anticipated staff requirement is for: 6 Babies at a 1:3 ratio would require 2 staff; 15 toddlers at a 1:5 ratio would require 3 staff; 26 preschool children at a 1:13 ratio would require 2 staff (provided both staff are qualified teachers); a manager and a part time cook.

The nursery would require 9 members of staff when operating at capacity. Two members of staff to be present at all times.

Two Ofsted inspection assessments undertaken within the past year for two other nurseries the applicant runs within the city have been provided, both of which are rated outstanding.

Further Considerations

I consider that the level of staffing required is typical of a nursery this size and can be accommodated as proposed.

The quality of different nurseries run by the applicant do not relate to the current proposal. Each planning application should be assessed on its own merits.

Recommendation: Refusal	
20231313	2-4 Gopsall Street
Proposal:	Change of use of ancillary workshop at rear of flats to become self-contained dwellinghouse (2-bed) (Class C3); & alterations to building
Applicant:	Mr H Patel
App type:	Operational development - full application
Status:	
Expiry Date:	16 November 2023
SS1	WARD: Wycliffe

Page Number on Main Agenda: 139-148

Amended Description: No

Amended Recommendation: No

Representations None

Further Considerations None.

The **application has been withdrawn by the applicant** so no further action is to be taken.

