



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 23 AUGUST 2023 at 5:30 pm

P R E S E N T:

Councillor Aldred (Chair)

Councillor Agath
Councillor Bonham
Councillor Gopal

Councillor Haq
Councillor Mohammed
Councillor Dr Moore

Councillor Surti

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8. APOLOGIES FOR ABSENCE

Councillor Aldred as Chair led on introductions.

Apologies for absence were received from Councillor Pantling and Councillor Singh-Patel.

Councillor Kennedy-Lount had also shared his apologies and Councillor Haq was in attendance as his substitute.

Councillor Kitterick had also provided his apologies as he was only in attendance to provide a representation as a Ward Councillor.

9. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held on 12 July 2023 be confirmed as a correct record.

10. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

Councillor Dr Moore declared that she had an interest in application 20231045 44 Thurnview Road in that she worked in a similar background and that she would consider the application with an open mind.

Councillor Agath, declared that he would also declare that he had received email communication from the objectors on application 20231045 44 Thurnview Road but had only forwarded them onto the Ward Councillor and would consider the application with an open mind.

Councillor Haq declared that he was the Ward Councillor for application 20231045 44 Thurnview Road but would consider the application with an open mind.

11. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair introduced the process of how each application would be heard and noted that applications would be considered in the same order as published on the agenda.

12. 20230641 - 66 BURLEYS WAY

20230641 - 66 Burleys Way

Ward: Castle

Proposal: Change of use of part of ground floor and all of first floor from shop (Class E) to place of worship, public hall, and day care centre (Classes F1 and E) (Amendments received 4 July and 2 August 2023)

Applicant: Mr Omorinola Osunmakinde

The Planning Officer presented the report and drew Members attention to the addendum report.

Councillors Kitterick, as Ward Councillor addressed the Committee in support of the application.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and points raised by Committee Members and moved that in accordance with the Officer recommendation and the addendum report, the application be approved. This was seconded by Councillor Bonham and open being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted 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. No part of the development shall be occupied until secure and covered cycle parking has been provided and retained thereafter, in accordance with the approved plans. (In the interests of the satisfactory development of the site and in accordance with policies AM02 and H07 of the City of Leicester Local Plan).
3. The use shall be carried out in accordance with the approved Travel Plan received by the City Council as local planning authority on the 2 August 2023. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).
4. The use shall not be carried on outside the hours of 7:00 to 22:00 daily. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
5. Development shall be carried out in accordance with section 15 'Noise management' of the approved Noise Impact Assessment received on the 4th July 2023 by City Council as local planning authority. (To safeguard the amenity of the adjoining properties, and in accordance with policy PS10 of the City of Leicester Local Plan.)
6. There shall be no call to prayer, aural announcement, amplified music, nor voices played externally. (In the interests of the amenities of nearby occupiers, and in accordance with saved policies PS10 and PS11 of the 2006 City of Leicester Local Plan.)
7. Development shall be carried out in accordance with the following approved plans:
Proposed Floor Plans, 22303/ PL03, received 13 April 2023
Location map and Site Plan, 22303/ PL01, revision B, received 4 July 2023
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. 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 2021 is considered to be a positive outcome of these

discussions.

13. 20231045 - 44 THURNVIEW ROAD

20231045 - 44 Thurnview Road

Ward: Evington

Proposal: Change of use from dwellinghouse (Class C3) to a children's home (Class C2) (AMENDED PLAN RECEIVED 26/07/2023)

Applicant: Mr Masoom Bhatt

The Planning Officer presented the report and drew Members attention to the addendum report.

Masoom Bhatt, the applicant addressed the Committee in support of the application.

Mr Pratap Modhwadia, addressed the committee and spoke in objection to the application.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and points raised by Committee Members and moved that in accordance with the Officer recommendation and the addendum report, the application be approved. This was seconded by Councillor Dr Moore and open being put to the vote, there were 4 Members of the Committee who voted to support the application and 4 Members of the Committee that voted to reject the application. following the Chairs casting vote the motion was CARRIED.

RESOLVED: permission was granted 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 change of use hereby approved shall not take place until sound insulation along the party wall has been installed in accordance with the details set out in the submitted Noise Report (received 01/06/2023) along the party walls as shown on the approved drawing numbered 5600 Rev. B (received 26/07/2023). The sound insulation so installed shall thereafter be retained. (To safeguard amenity at the adjoining semi-detached house, and in accordance with Policy CS03 of the Leicester Core Strategy (2014) and Policies PS10 & PS11 of the City of Leicester Local Plan (2006)).

3. The change of use hereby approved shall not take place until the existing vehicular access and footway crossing serving the site has been widened to provide independent access to the three car parking spaces shown on the approved plans. (To ensure a satisfactory means of access to the highway for the three car parking spaces shown on the approved plans, and in accordance with Policy CS03 of the Leicester Core Strategy (2014)).
4. All street works shall be constructed in accordance with the Leicester Street Design Guide, June 2020. (To achieve a satisfactory form of development and in accordance with Policy CS03 of the Leicester Core Strategy (2014) and saved Policy AM01 of the City of Leicester Local Plan (2006)).
5. The change of use hereby approved shall not take place until the three car parking spaces shown on the approved plans have been provided. The parking spaces shall thereafter be retained and kept free of obstruction and available for vehicle parking in connection with the approved use. (To ensure a satisfactory level of car parking space is provided and retained on the site, and in accordance with Policy CS15 of the Leicester Core Strategy (2014) and saved Policy AM12 of the City of Leicester Local Plan (2006)).
6. The change of use hereby approved shall not take place until facilities for the storage of waste and recycling material arising from the home have been installed in accordance with details that shall first have been submitted to, and approved in writing by, the local planning authority. The facilities shall thereafter be retained in accordance with the details so approved and the bins shall be stored in the approved position except, in any calendar week, on the day prior to and the day of collection. (In the interests of visual amenity, and to ensure that on-site car parking provision is not prejudiced by the indiscriminate siting of bins on the forecourt, and in accordance with Policies CS03 and CS15 of the Leicester Core Strategy (2014) and Policies AM11 & PS10 of the City of Leicester Local Plan (2006)).
7. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or any order amending or revoking and replacing that Order with or without modification, the premises shall not be used for any purpose other than for a care home within Class C2 of that Order, unless otherwise approved in writing by the local planning authority. (To enable consideration of the character, amenity, parking and highway safety impacts of alternative Class C2 uses, in accordance with Policies CS03, CS06 and CS15 of the Leicester Core Strategy (2014) and saved Policies AM01, AM02, AM12, PS10 and PS11 of the City of Leicester Local Plan (2006)).
8. Development shall be carried out in accordance with the following approved plans: Location Plan and 5600-01 (Existing and Proposed

Block Plan) - both rec'd 01/06/2023; and 5600 Rev. B (Existing and Proposed Planning Layout) - rec'd 26/07/2023. (For the avoidance of doubt).

NOTES FOR APPLICANT

1. 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.
2. 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 new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.
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 2021 is considered to be a positive outcome of these discussions.

14. **20230499 - 52 WINTERSDALE ROAD**

20230499 - 52 Wintersdale Road

Ward: Thurncourt

Proposal: Construction of two storey extension at side, single & two storey extension at rear of house; alterations to house (Class C3)(amended on 20/07/2023)

Applicant: Mr Amrit Pal

The Planning Officer presented the report.

Members of the Committee considered the application and Officers provided details on the representations that had been received.

The Chair summarised the application and points raised by Committee Members and moved that in accordance with the Officer recommendation, the application be approved. This was seconded by Councillor Haq and open being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted 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 new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Development shall be carried out in accordance with the following approved plans:
Location/Site plans & All plans and elevations 2023/03/58/A Received 20/07/2023
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material planning considerations, including planning policies and representations that may have been received and subsequently determining 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 2021.
2. Due to the site's location and historic use, the site has been identified as being at risk of contaminated land and landfill gas dangers. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

15. 20230576 - 54 GRASMERE STREET

20230576 - 54 Grasmere Street

Ward: Saffron
Proposal: Demolition of single storey outbuilding at rear;
construction of single storey extension at rear of house (Class
C3)
Applicant: Mr Ramesh Patel

The Planning Officer presented the report.

The Chair summarised the application and points raised by Committee Members and moved that in accordance with the Officer recommendation, the application be approved. This was seconded by Councillor Haq and open being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted 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 new walls and roof shall be constructed in materials as described in the application form received on 04/04/2023. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Development shall be carried out in accordance with the following approved plans:
Location, Site & Existing Floor Plans & Elevations -
CS/0D/001/Existing/PA - Received 04/04/2023
Proposed Floor Plans & Elevations - CS/0D/002/Proposed/PA -
Received 04/04/2023
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material planning considerations, including planning policies and representations that may have been received and subsequently determining 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 2021.

16. ANY URGENT BUSINESS

17. CLOSE OF MEETING

The meeting closed at 7.06pm