

SECOND DESPATCH

MEETING OF THE PLANNING AND DEVELOPMENT CONTROL COMMITTEE

WEDNESDAY, 4 AUGUST 2021

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

5. PLANNING APPLICATIONS AND CONTRAVENTIONS Appendix B

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.

4 August 2021:

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

- Supplementary Report (Addendum)
- Officers Presentation

Officer contacts

Ayleena Thomas, tel: 0116 454 6369 email: ayleena.thomas @leicester.gov.uk / Aqil Sarang, tel: 0116 454 5591 email: aqil.sarang@leicester.gov.uk / Jacob Mann, tel: 0116 454 5843 email: jacob.mann@leicester.gov.uk /

Democratic Support, Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Wards: see individual reports



Planning & Development Control Committee Date: 4th August 2021

SUPPLEMENTARY REPORT ON APPLICATIONS AND CONTRAVENTIONS:

INDEX

APPLICATION ORDER

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29		20210881	26 Colwell Road	FS
39		20190377	32, 34 & 36 Barkbythorpe Road	TR
55		20210988	305 New Parks Boulevard	WT
59		20211307	96 Kerrysdale Avenue	RM
65		20211037	15A Evington Lane	ST
75		20202182	115 Uppingham Road	NE

20210881	26 Colwell Road		
Proposal:	to front, single storey	torey building at rear; Construction canopy extension at side and rear; installation of erations to medical centre (Class E) ived 08/07/2021)	
Applicant:	Dr Boora		
App type:	Operational development - full application		
Status:			
Expiry Date:	14 July 2021		
AVB	TEAM: PD	WARD: Fosse	

Amended Description: Yes – cladding changed to render

Policy Considerations

On the 20th July 2021 the 2019 National Planning Policy Framework (NPPF) was revised.

NPPF 2019 Para Ref in Report	New 2021 NPPF Para Reference	Additional Considerations
Paragraph 2	Paragraph 2	Unchanged so no further
Applications must be determined in accordance with the development plan unless material consideration indicate otherwise	Applications must be determined in accordance with the development unless material consideration indicate otherwise plan	consideration needed
Paragraph 11 (Presumption in favour of Sustainable Development)	Paragraph 11 (Presumption in favour of Sustainable Development)	The sub notes have changes in the paragraph numbers. However, the consideration remains unchanged.
Paragraph 91 & 92 (Promoting healthy and safe communities)	Paragraph 92 & 93 (Promoting healthy and safe communities)	Unchanged so no further consideration needed
To provide positively and use of shared spaces, community facilities to enhance the sustainability of communities	To provide positively and use of shared spaces, community facilities to enhance the sustainability of communities	

Paragraph 108 (Promoting Sustainable Transport) states that development proposals should take up appropriate opportunities to promote sustainable transport modes; ensure safe and suitable access can be achieved for all users and; any significant impact (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.	Paragraph 110 (Promoting Sustainable Transport) has added the following: c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46;	No change to the consideration in the main report.
Paragraph 109 (Sustainable Transport)	Paragraph 111 (Sustainable Transport)	No further consideration
Paragraph 124 (Achieving Well Designed Places)	Paragraph 126 (Achieving Well Designed Places)	The design aspect is included within the main report.
Paragraph 127 (Achieving Well Designed Places)	Paragraph 130 (Achieving Well Designed Places)	No further consideration
Paragraph 163 (Planning and Flood Risk)	Paragraph 166 (Planning and Flood Risk)	No further consideration

Representations

An objection has been received disputing the information provided by the applicants on the following grounds:

- Proposal will result in additional staff (6 full time employees) and patients over and above the level of staffing currently experienced (stated as 1 GP, a nurse and receptionist) that will lead to higher demand for parking and congestion in the area;
- No provision for disabled parking which will impact on people with limited mobility and
- The surgery will be open longer than previously resulting in additional patients, traffic, noise/air pollution and have a detrimental impact on the mental health of residents in the street.

Further Considerations

Description corrected to reflect that part of the front will be rendered and not cladded.

The revised NPPF does not result in any additional assessment that has not already been covered in the main report.

The issues raised by the objector has been covered in the main report.

20190377	32, 34 & 36 BARKBYTH	ORPE ROAD
	DEMOLITION OF EXISTI	NG 3 DWELLINGS; CONSTRUCTION
Proposal:	OF 18 DWELLINGS INCL	UDING ASSOCIATED EXTERNAL
	WORKS (AMENDED PLA	NS. (S106 agreement)
Applicant:	MRS P.P. WALKER	
App type:	Operational development	- full application
Status:		
Expiry Date:	31 August 2021	
AS	TEAM: PM W	ARD: Troon

Amended Recommendation: Yes – S106 has been signed and engrossed.

Amended Conditions and Notes

New condition 20 (finished floor level) and 21 (visibility splays) and previous condition 20 now 22. New note to applicant regarding access housing.

Policy Considerations

On the 20th July 2021 the 2019 National Planning Policy Framework (NPPF) was revised.

NPPF 2019 Para Ref in Report	New 2021 NPPF Para Reference	Additional Considerations
Paragraph 2 Applications must be determined in accordance with the development plan unless material consideration indicate otherwise	Paragraph 2 Applications must be determined in accordance with the development plan unless material consideration indicate otherwise	Unchanged so no further consideration needed
Paragraph 11 (Presumption in favour of Sustainable Development)	Paragraph 11 (Presumption in favour of Sustainable Development)	Unchanged so no further consideration needed
Paragraph 64 (Provision of Affordable Housing)	Paragraph 65 (Provision of Affordable Housing)	Unchanged so no further consideration needed
Paragraph 102 (Transport issues to be considered at the earliest stage)	Paragraph 104 (Transport issues to be considered at the earliest stage)	Unchanged so no further consideration needed

Paragraph 122 (Achieving appropriate densities) Planning policies and decisions should support development that makes efficient use of land, taking into account criteria. Paragraph 123 Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site	124 (Achieving appropriate densities) Planning policies and decisions should support development that makes efficient use of land, taking into account criteria. Paragraph 125 Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In	No further consideration
Paragraph 124 (Achieving Well Designed Places)	these circumstances: Paragraph 126 (Creation of High Quality, Beautiful and Sustainable Buildings)	No further consideration
Paragraph 126 (Design Expectations)	Paragraph 128 (Design Expectations)	
Paragraph 127 (Achieving Well Designed Places) Paragraph 130 (Quality of	Paragraph 130 (Visually attractive, create places that are safe, inclusive and accessible and which promote health and wellbeing)	
approved permissions should not be diminished)	Paragraph 132 (Design quality considered throughout the evolution	

Section 14 (Meeting the	and assessment of individual proposals) Paragraph 134 (Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Development that is not well designed should be refused) Paragraph 135 (ensure that the quality of approved development is not materially diminished between permission and completion) No change to this section	No further consideration
challenge of climate change, flooding and coastal change)	number	
Paragraph 170 (Planning policies and decisions should contribute to and enhance the natural environment)	Paragraph 174 (Planning policies and decisions should contribute to and enhance the natural environment)	No further consideration
Paragraph 175 (Habitats and Biodiversity)	Paragraph 180 – improve biodiversity in and around developments should be integrated as part of their design or enhance public access to nature is appropriate	No further consideration
Paragraph 178 (Good conditions and pollution)	Paragraph 183 (Good conditions and pollution)	Unchanged so no further consideration needed
Planning policies and decisions should ensure that: a site is suitable for its proposed use taking account of ground conditions and any risks arising from land	Planning policies and decisions should ensure that: a site is suitable for its proposed use taking account of ground conditions and any risks arising from land	

instability and contamination Paragraph 179	instability and contamination Paragraph 180	Unchanged so no further consideration needed
Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.	Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.	
Paragraph 189 (Proposal affecting Heritage assets) Heritage assets should be conserved in a manner appropriate to their significance	Paragraph 194 (Proposal affecting Heritage assets) Heritage assets should be conserved in a manner appropriate to their significance	Unchanged so no further consideration needed

Further Considerations

A condition (no. 20) relating to finished floor level to protect the development from the risk of flooding has been added. A further condition (21) has been added regarding visibility splays to Barkbythorpe Road in the interest of highway safety. An informative note to applicant (4) has been added to make the developer aware of the requirement to meet the Category 2, M4(2).

The S106 agreement has been completed so the recommendation is now for an approval subject to the conditions stated in the main report, together with two additional conditions, the note to the applicant below along with the provisions of the completed S106 agreement

The revised NPPF does not result in any additional assessment that has not already been covered in the main report.

CONDITIONS

20. Finished floor levels within the proposed development shall be set no lower than existing finished floor levels and flood proofing/resilience techniques

shall be incorporated in accordance with 'Improving the Flood Performance of New Buildings' (Department of Communities and Local Government, 2007). (To minimise the risk of damage in times of flooding, and in accordance with policy CS02 of the Core Strategy).

- 21. Prior to the commencement of the development above ground level an updated visibility splay drawing showing 54m visibility splays in both directions on Barkbythorpe Road shall be submitted to and agreed in writing with the local planning authority and they shall be retained thereafter. (In the interests of the safety of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
- This consent shall relate solely to the following plans:

P001 site location P003d proposed site plan

P004b visibility splays

P005b speed table

P006c landscape

P101b type A1 & A2 plans

P102c type A1 elevations

P103c type A2 elevations

P201a type B floor plans

P202c type B elevations

P301b type C plans

P302c type C elevations

P401b type S plans

P402b type S elevations

P501a type T plans

P502c type T elevations

P801b street elevations

P901a plot 1 & 2 garage

P902a single garage

(For the avoidance of doubt)

NOTES FOR APPLICANT

4. To meet condition 19, all those delivering the scheme (including agents and contractors) should be alerted to this condition, and understand the detailed provisions of The Building Control Body for this scheme must be informed at the earliest opportunity that the units stated are to be to Category 2 M4(2) requirements. Any application to discharge this condition will only be considered if accompanied by a building regulations completion certificate/s as stated above.

20210988	305 New Parks Bould	evard		
Proposal:	Construction of a sing house (Class C3); (An	le storey extension at side and front of nended 16/07/2021)		
Applicant:	Mr Mick Linthwaite	Mr Mick Linthwaite		
App type:	Operational developm	Operational development - full application		
Status:				
Expiry Date:	17 June 2021	17 June 2021		
DJ	TEAM: PD	WARD: Western		

Policy Considerations

On the 20th July 2021 the 2019 National Planning Policy Framework (NPPF) was revised.

The table below summarises and updates the paragraphs that were set out in the main agenda with the revised paragraphs as set out in revised NPPF 2021.

NPPF 2019 Para Ref in Report	New 2021 NPPF Para Reference	Additional Considerations
Paragraph 127 (Achieving Well Designed Places)	Paragraph 130 (Achieving Well Designed Places)	Unchanged so no further consideration
Paragraph 130 (Achieving Well Designed Places) Permission refused for poor design	Paragraph 134 (Achieving Well Designed Places) Development that is not well designed should be refused	The design aspect has been considered within the main report.

Further Considerations

The changes to the NPPF do not change the considerations given to the recommended approval for this application.

20211307	96 Kerrysdale Avenu	ie
Proposal:	Construction of single storey extension at front and rear; two storey extension at side and rear; single storey detached outbuilding at rear of house (Class C3) (Amended plans received on 03/08/2021)	
Applicant:	Sima Chauhan	
App type:	Operational development - full application	
Status:		
Expiry Date:	18 August 2021	
JP2	TEAM: PD	WARD: Rushey Mead

Amended Description: Yes – amended plans

Amended Conditions: Condition 4 and Note to Applicant 1 amended

Policy Considerations

On the 20th July 2021 the 2019 National Planning Policy Framework (NPPF) was revised.

NPPF 2019 Para Ref in Report	New 2021 NPPF Para Reference	Additional Considerations
Paragraph 127 (Achieving Well Designed Places)	Paragraph 130 (Achieving Well Designed Places)	Unchanged so no further consideration
Paragraph 130 (Achieving Well Designed Places)	Paragraph 134 (Achieving Well Designed Places)	The design aspect has been considered within the main report.
Permission refused for poor design	Development that is not well designed should be refused where it fails to reflect local design policies and guidance and government guidance on design contained in the National Design Guide and National Model Design Code	

Further Considerations

The ground floor layout has been altered from a prayer room, shower room and study to a larger playroom to allow outlook from and light into this principal room from the front elevation in accordance with the Residential Amenity SPD.

The proposed windows on the side elevation of the ground floor facing 98 Kerrysdale Avenue have also been altered. The amended proposal is acceptable.

The revised NPPF does not result in any additional assessment that has not already been covered in the main and supplementary reports.

The description, plan condition 4 and Note to Applicant (Note 1) have been changed to reflect the amended plans.

CONDITIONS

4. Development shall be carried out in accordance with the following approved plans:

Proposed Location Plan & Proposed Site Plan, 20/450/PL01, REVISION B, received 03/08/2021.

Proposed Plans, 20/450/PL03, REVISION B, received 03/08/2021.

Proposed Elevations, 20/450/PL04, REVISION C, received 03/08/2021.

Proposed Outbuilding Plans & Elevations, 20/450/PL05, REVISION A, received 24/05/2021.

(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 2019 is considered to be a positive outcome of these discussions.

20211037	15A Evington Lane	15A Evington Lane	
Proposal:	Raised ridge height; construction of dormer extensions at front; single storey and dormer extensions at side; single storey and dormer extensions at rear; alterations to bungalow (Class C3) (amended plans received 28/06/2021)		
Applicant:	Mr. Nathani	Mr. Nathani	
App type:	Operational development - full application		
Status:			
Expiry Date:	5 August 2021	5 August 2021	
RB	TEAM: PD	WARD: Stoneygate	

Policy Considerations

On the 20th July 2021 the 2019 National Planning Policy Framework (NPPF) was revised.

NPPF 2019 Para Ref in	New 2021 NPPF Para	Additional
Report	Reference	Considerations
Paragraph 2 Applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise	Paragraph 2 remains unchanged	Unchanged so no further consideration needed
Paragraph 12 focuses on requiring good design.	Paragraph 12 focuses on requiring good design.	Unchanged so no further consideration needed
Paragraph 108 of the NPPF (2019) Proposals should take up appropriate opportunities to promote sustainable transport modes; ensure safe and suitable access can be achieved for all users.	Paragraph 111 of the NPPF (2021) Proposals should take up appropriate opportunities to promote sustainable transport modes; ensure safe and suitable access can be achieved for all users. National guidance, including the National Design Guide and the National Model Design Code and; any significant impact (in terms of	No further consideration

	capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.	
Paragraph 124 (Achieving Well Designed Places)	Paragraph 130 (Achieving Well Designed Places)	Unchanged so no further consideration
Paragraph 127 127 (Achieving Well Designed Places)	Paragraph 130 (Achieving Well Designed Places)	Unchanged so no further consideration needed
Paragraph 130 (Achieving Well Designed Places)	Paragraph 134 (Achieving Well Designed Places)	The design aspect has been considered within
Permission refused for poor design	Development that is not well designed should be refused	the main report.

Representations

A further representation has been received requesting for photographs to be shown at the committee meeting.

Further Considerations

The revised NPPF does not result in any additional assessment that has not already been covered in the main report.

The photographs will be included in the presentation to the Committee.

20202182	115 Uppingham Roa	d	
Proposal:	Construction of single storey building to accommodate car wash, valet service and window tinting business (Sui Generis) (Amended plans received 26/5/2021)		
Applicant:	Mr N Okeke	Mr N Okeke	
App type:	Operational development - full application		
Status:			
Expiry Date:	16 July 2021		
ACB	TEAM: PE	WARD: North Evington	

Policy Considerations

On the 20th July 2021 the 2019 National Planning Policy Framework (NPPF) was revised.

NPPF 2019 Para Ref in Report	New 2021 NPPF Para Reference	Additional Considerations
Paragraph 11 (Presumption in favour of Sustainable Development)	Paragraph 11 (Presumption in favour of Sustainable Development)	The sub notes have changes in the paragraph numbers. However, the consideration remains unchanged.
Paragraph 109 (Severe impact on highway)	Paragraph 111 (Severe impact on highway)	Unchanged so no further consideration
Paragraph 120 (Alternative uses for land)	Paragraph 122 (Alternative uses for land)	Unchanged so no further consideration
Paragraph 124 (Achieving Well Designed Places)	Paragraph 126 (Achieving Well Designed Places)	The design aspect is included within the main report.
Paragraph 127 (Achieving Well Designed Places)	Paragraph 130 (Achieving Well Designed Places)	Unchanged so no further consideration
Paragraph 130 (Permission refused for poor design)	Paragraph 134 (Development that is not well designed should be refused)	The changes to the paragraph add further weight to the proposed reason for refusal
Paragraph 155 (Development and flood risk)	Paragraph 159 (Development and flood risk)	Unchanged so no further consideration

Paragraph 193 (Impact	Paragraph 199 (Impact	Unchanged so no further
on designated heritage	on designated heritage	consideration
assets)	assets)	

Further Considerations

The changes to the NPPF have effectively emphasised that more weight be placed on the design of development and I consider that the proposal represents development that is not well designed.

Planning & Development Control Committee 4th August 2021





Planning Applications Index

Planning & Development Control Committee 4th August 2021

20190377

32, 34 & 36 BARKBYTHORPE

ROAD

20211037

15A Evington Lane

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<u>20202182</u>

115 Uppingham Road

20211307

96 Kerrysdale Avenue

20210881

26 Colwell Road

<u>20210988</u>

305 New Parks Boulevard

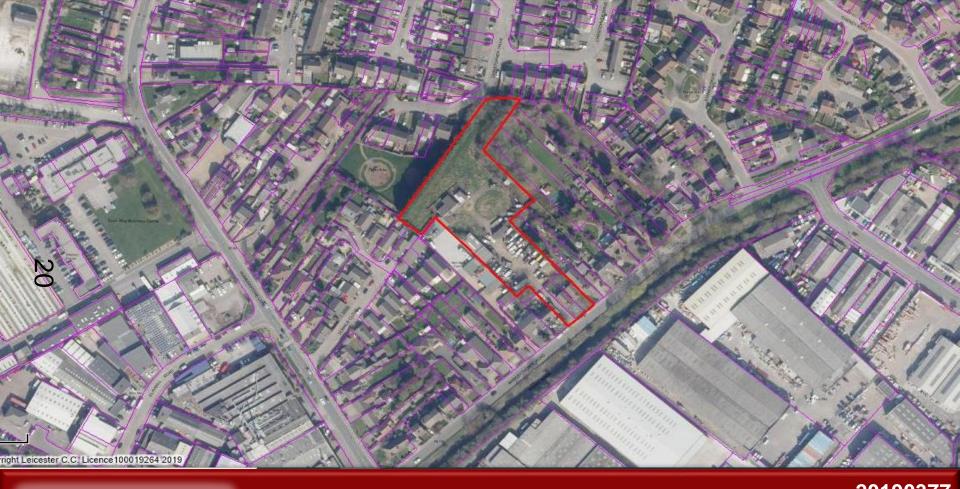


32, 34 & 36 BARKBYTHORPE ROAD 20190377

P&DCC 4 August 2021











View of existing access between No 32a & 34

20190377 32, 34 & 36 BARKBYTHORPE ROAD





View of west of site

20190377 32, 34 & 36 BARKBYTHORPE ROAD

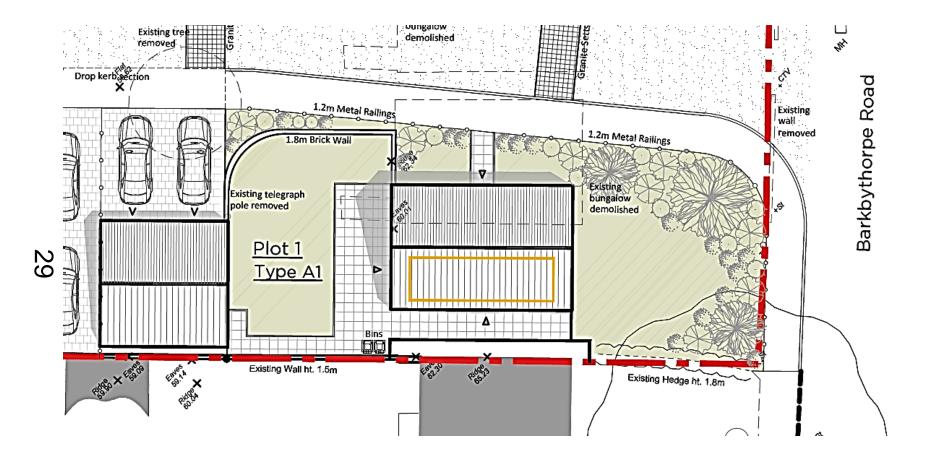


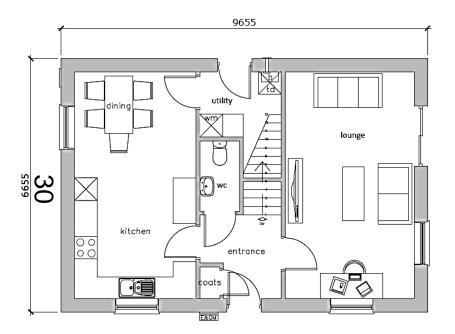


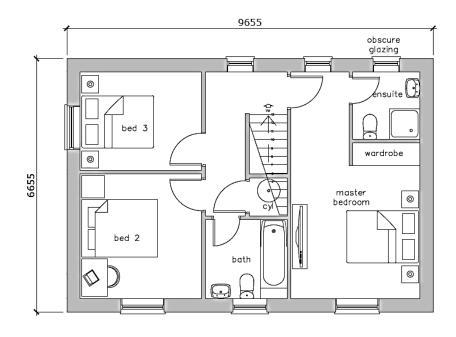


View towards Barkbythorpe Road

20190377 32, 34 & 36 BARKBYTHORPE ROAD 28

















View from Barkbythorpe Road (North)

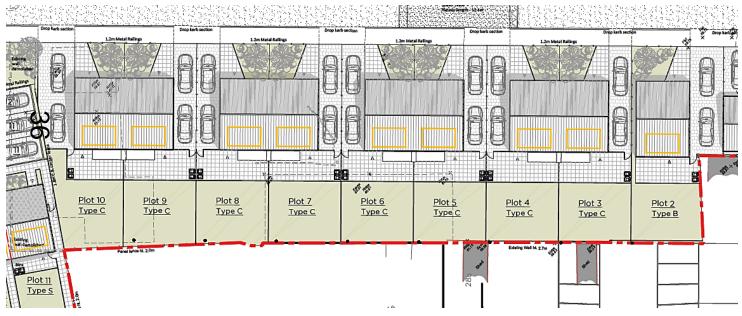


View fron Barkbythorpe Road (North)



View 1

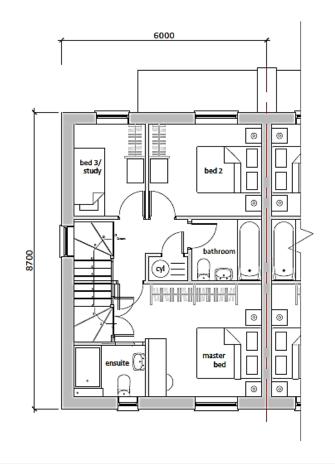


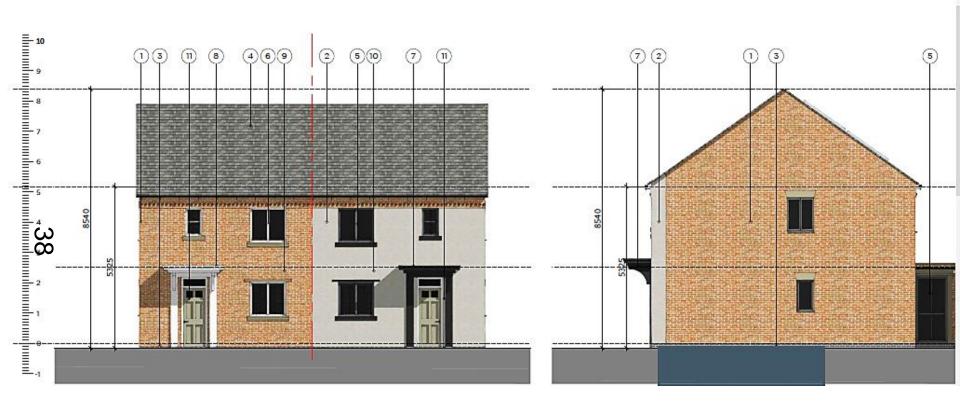


House Type B & Cs-1 detached & 8 semi detached Layout

20190377

32, 34 & 36 BARKBYTHORPE ROAD

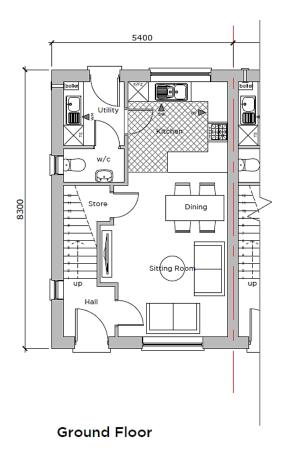


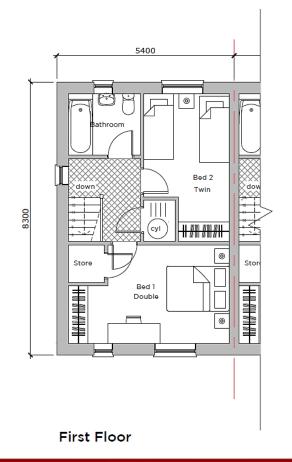






View 2

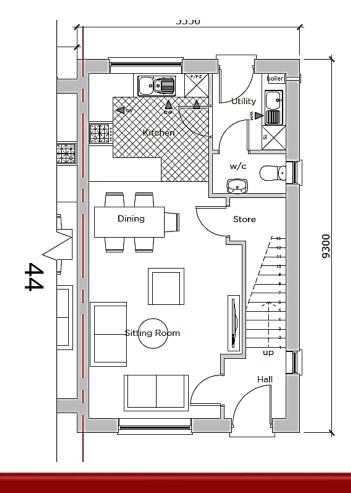


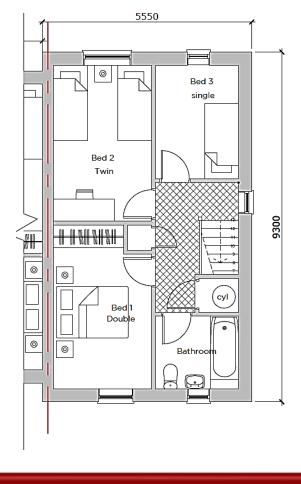
















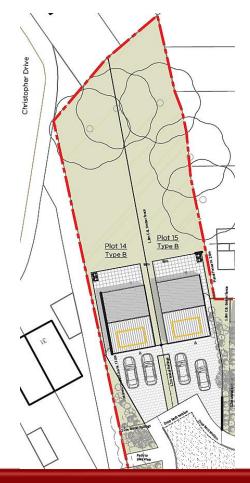




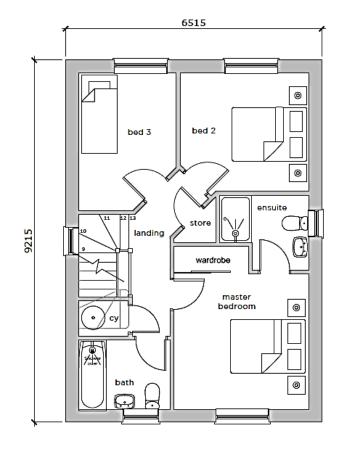
View 6



Southern Street Elevation







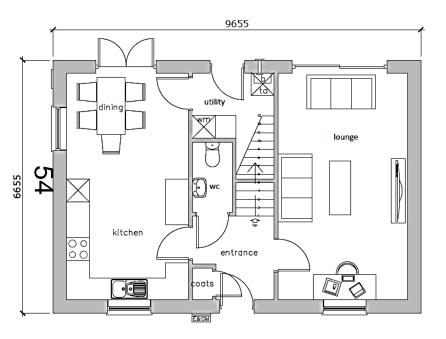


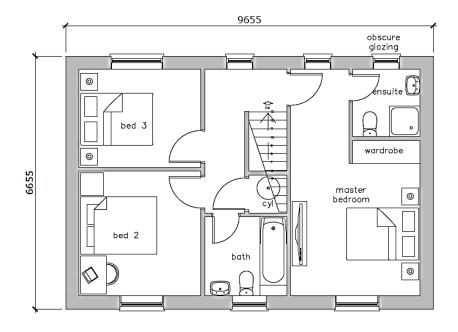




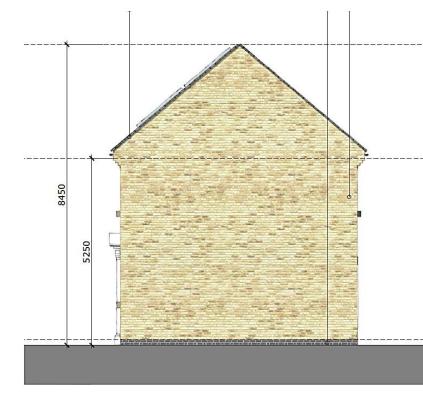
View 5

















View 4



View 3

Barkbythorpe Road Street Elevation



Northern Street Elevation

115 Uppingham Road 20202182

P&DCC 4 August 2021











Long view south side of Uppingham Road



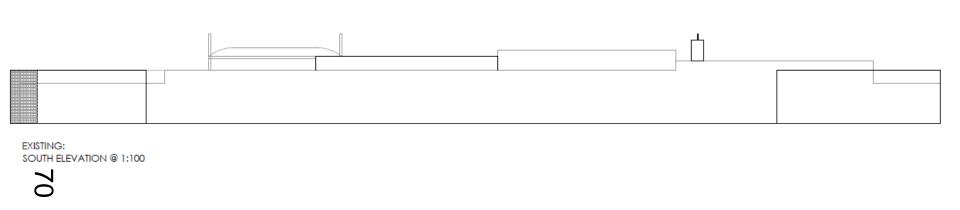


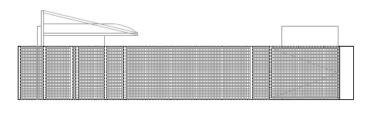




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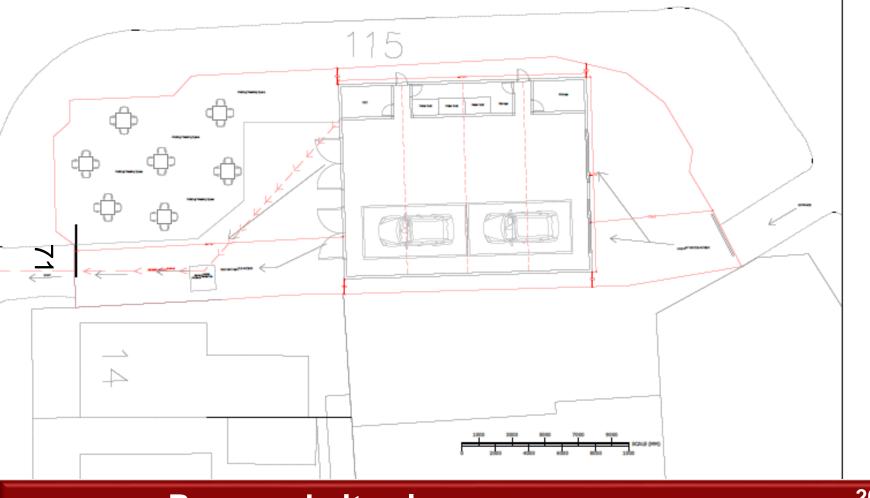
Existing site plan

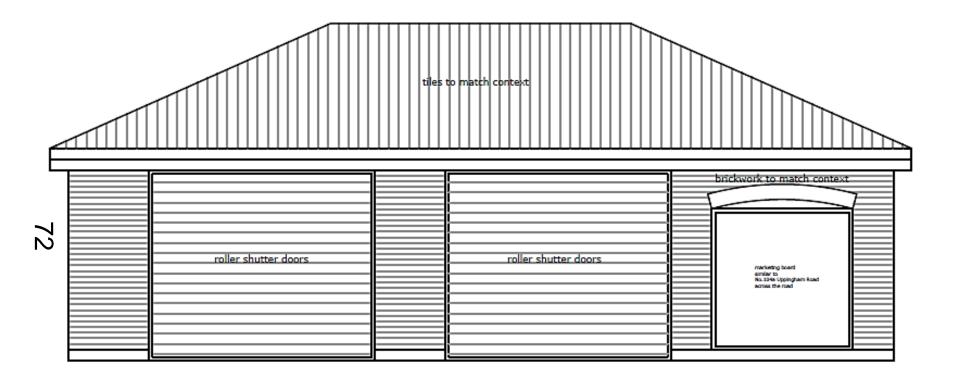


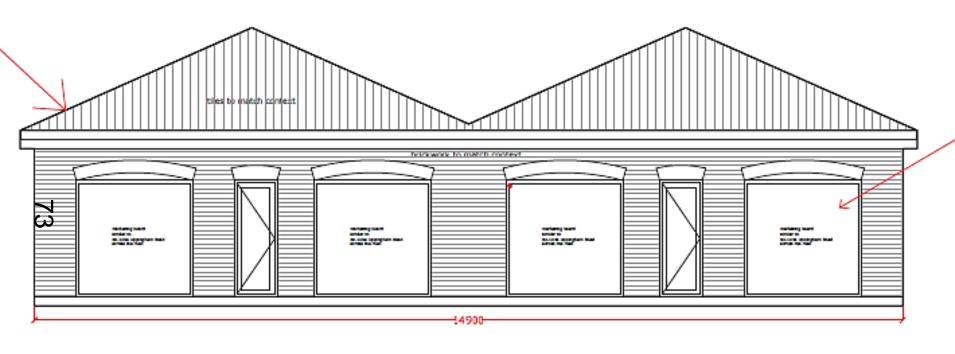


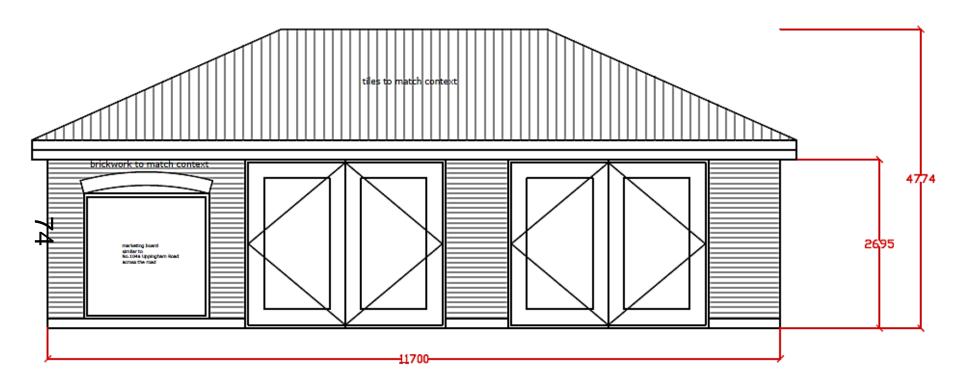
EXISTING: EAST ELEVATION @ 1:100

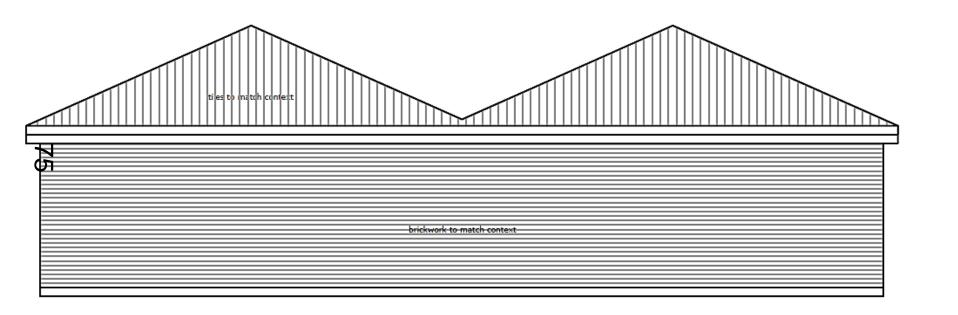
EXISTING: WEST ELEVATION @ 1:100











26 Colwell Road 20210881

P&DCC 4 August 2021









20210881 Street elevation looking south towards Buckminster Road 26 Colwell Road



20210881 Front elevation 26 Colwell Road



20210881 Front elevation 26 Colwell Road



20210881 rear elevation 26 Colwell Road



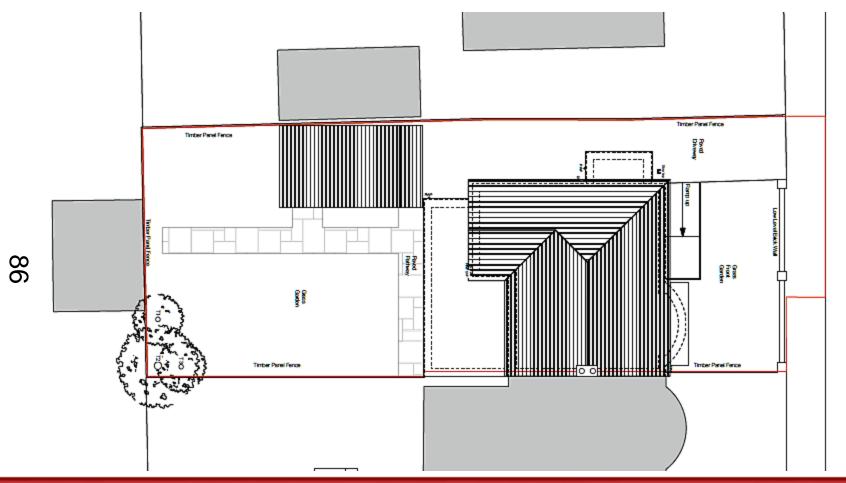
20210881 rear elevation 26 Colwell Road



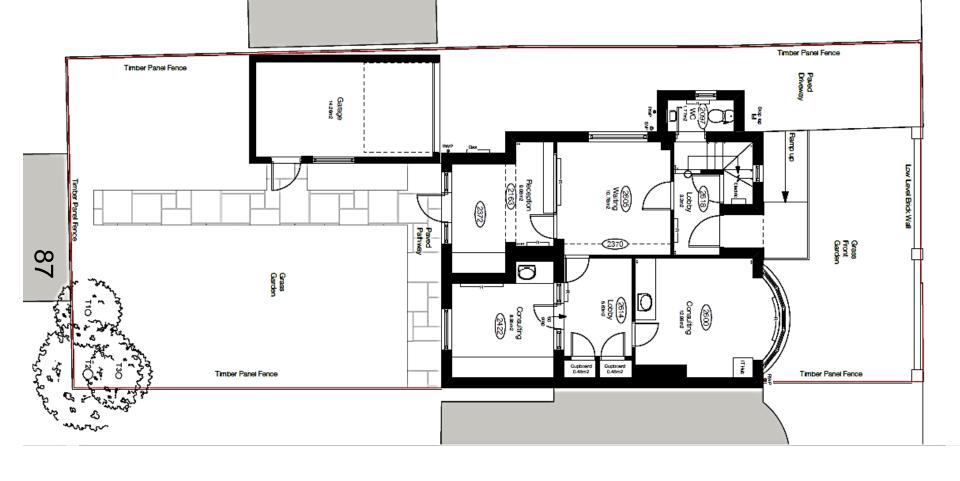
20210881 rear boundary to 24 Colwell Road



20210881 Rear Garden 26 Colwell Road



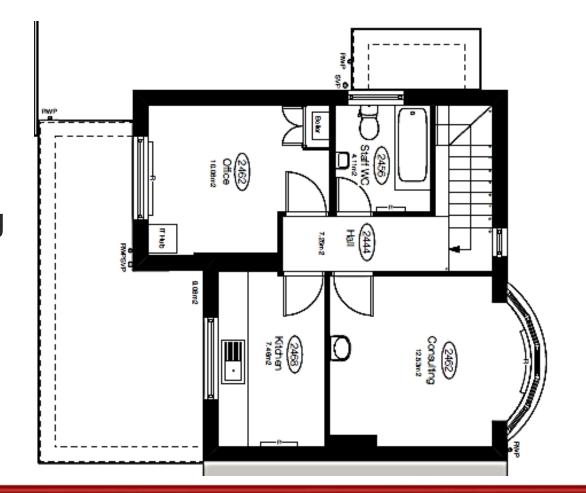
20210881 26 Colwell Road



Existing

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floor





EXISTING FRONT ELEVATION

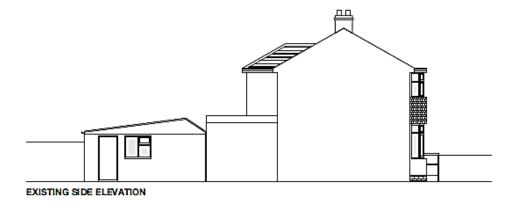


EXISTING REAR ELEVATION



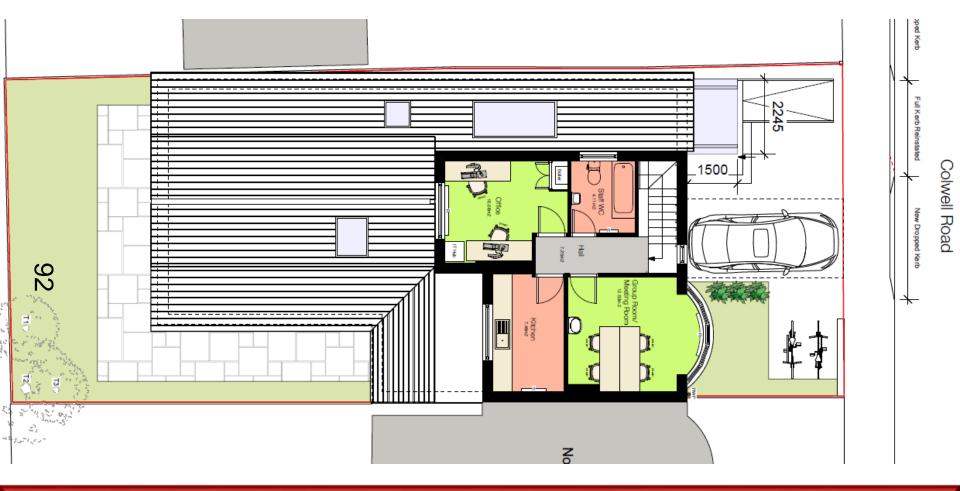


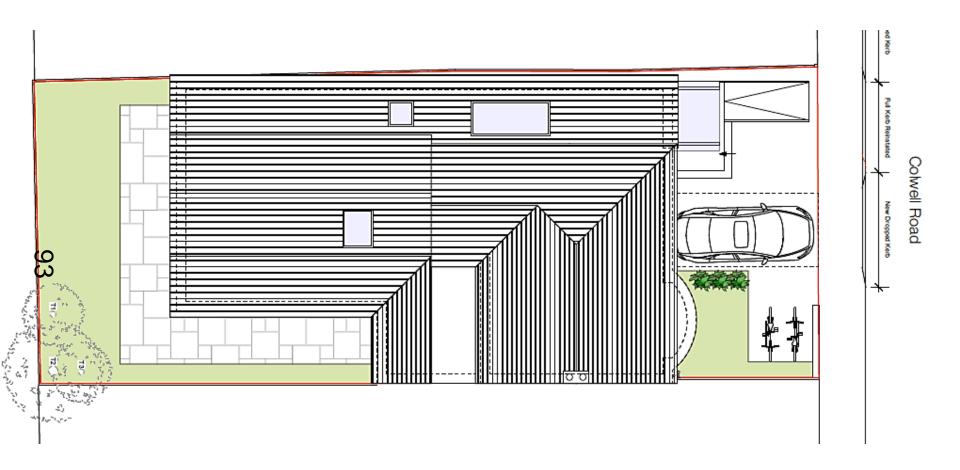
EXISTING SIDE ELEVATION

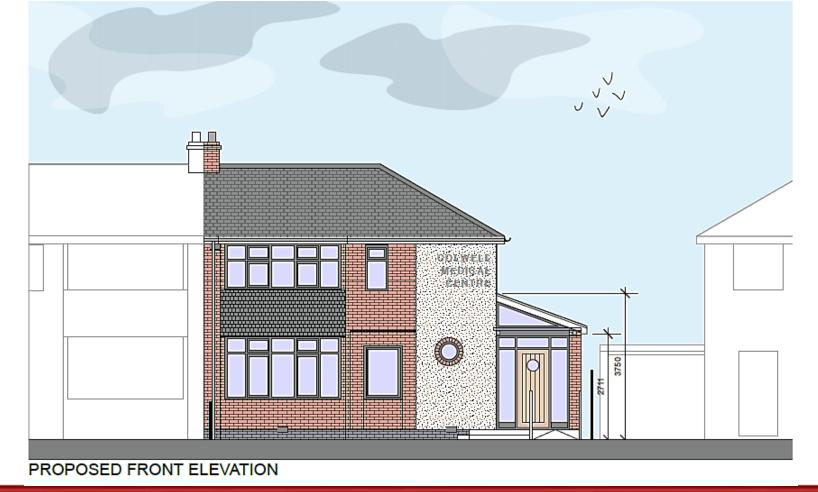




20210881 Proposed ground floor 26 Colwell Road













305 New Park Boulevard 20210988

P&DCC 04/08/2021

Leicester City Council

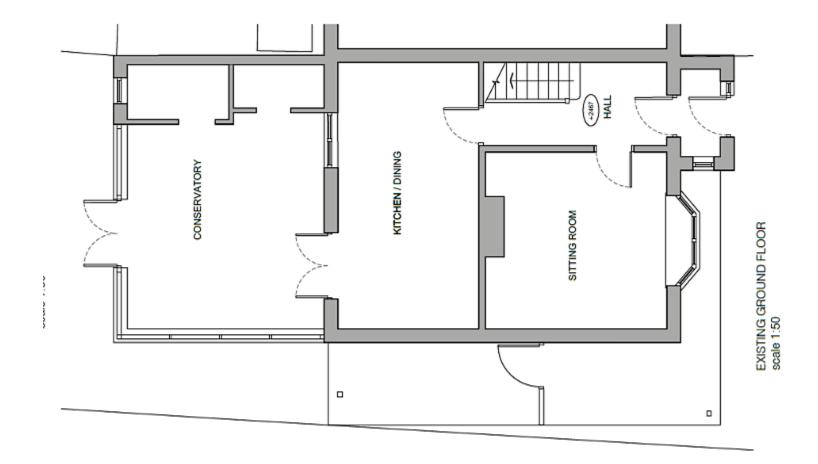








Side elevation viewed from the rear



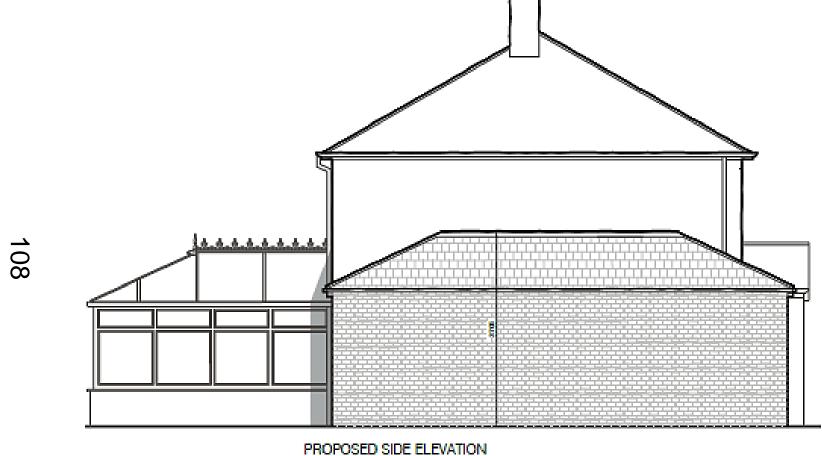




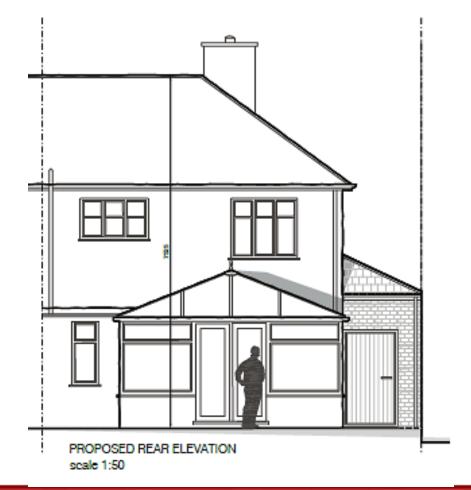
scale 1:50







PROPOSED SIDE ELEVATION scale 1:50



15a Evington Lane <u>20211037</u>

P&DCC 14th July 2021









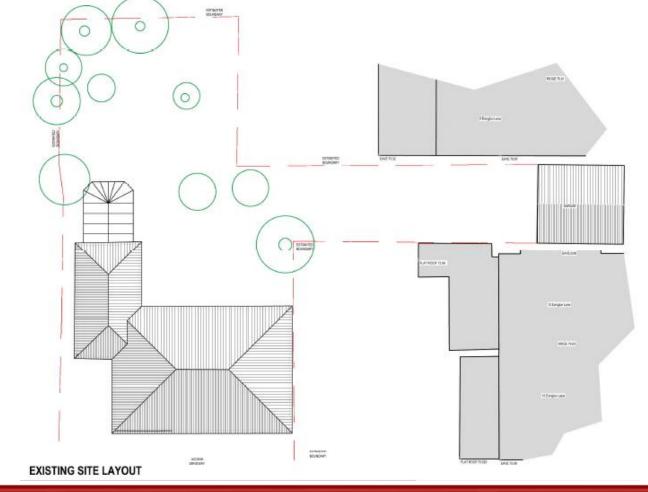




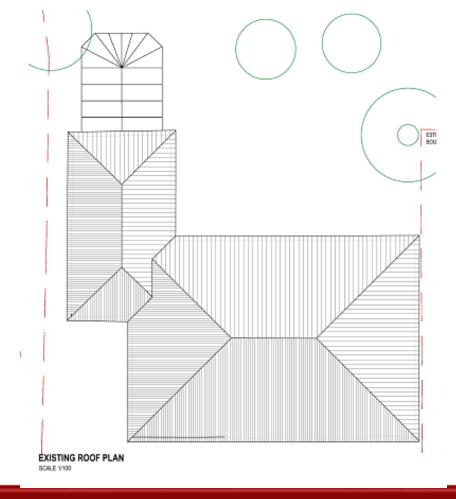
Existing rear garden

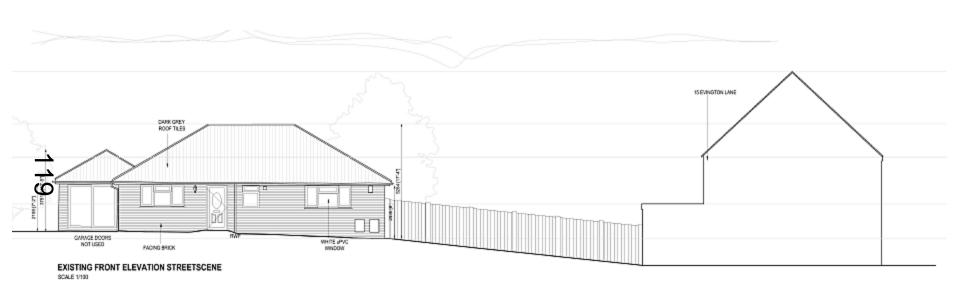


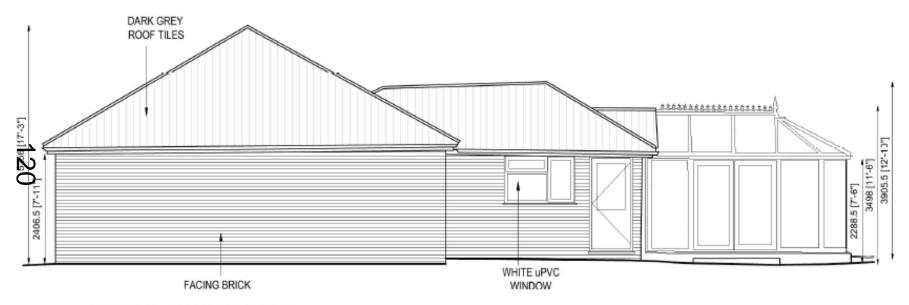
View from 9 Evington Lane



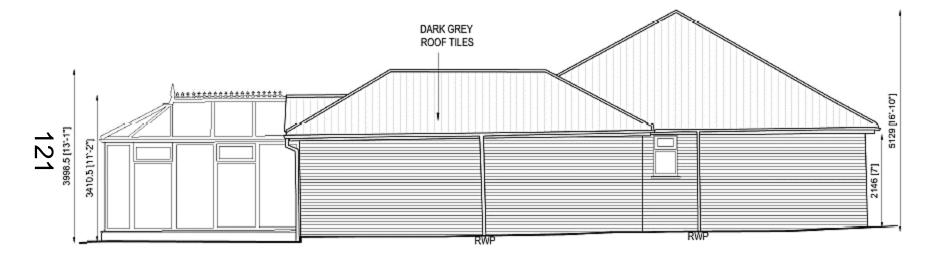




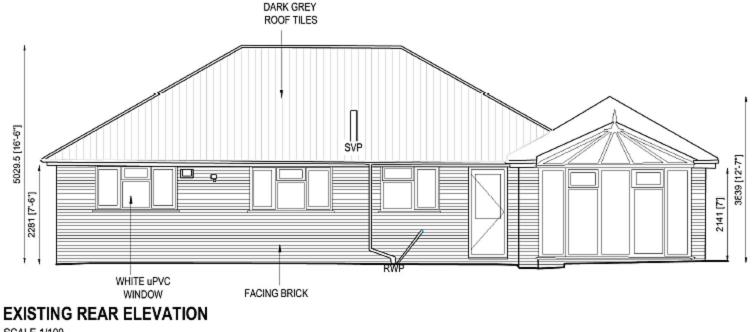


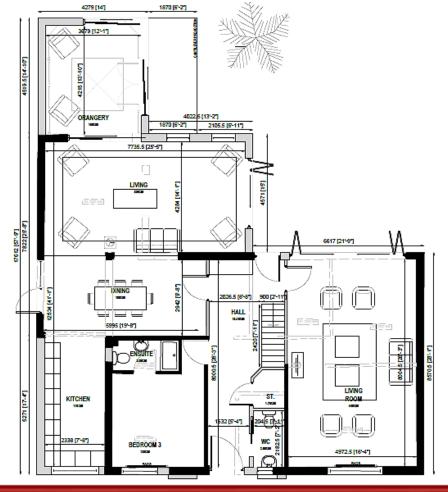


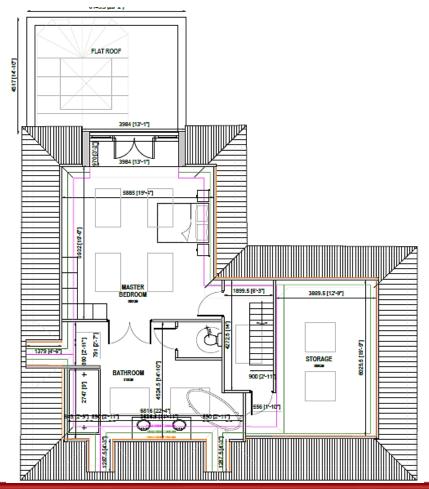
EXISTING SIDE ELEVATION

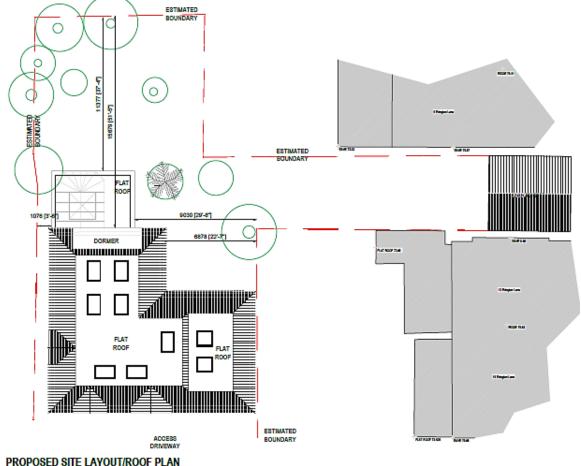


EXISTING SIDE ELEVATION

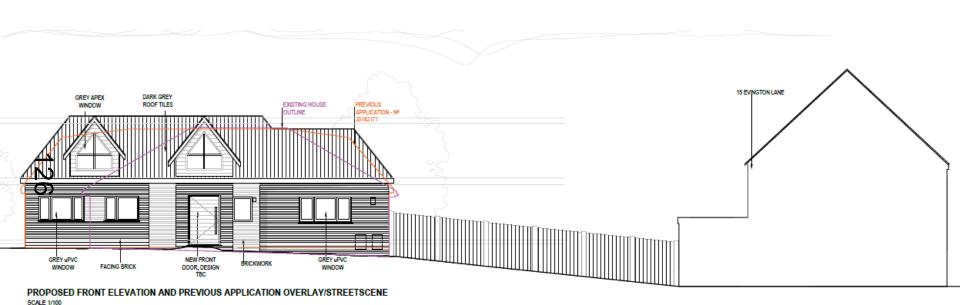




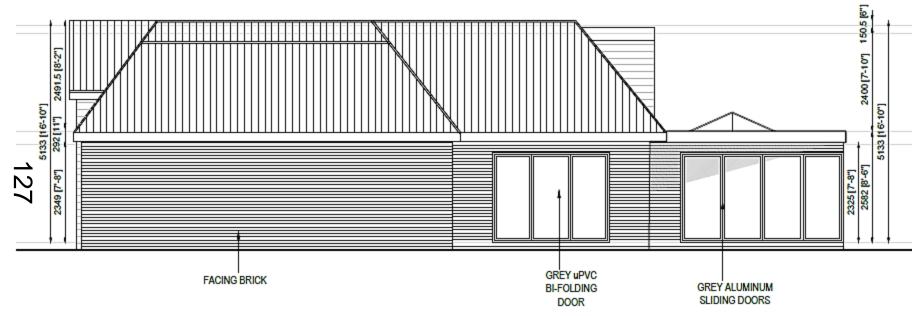




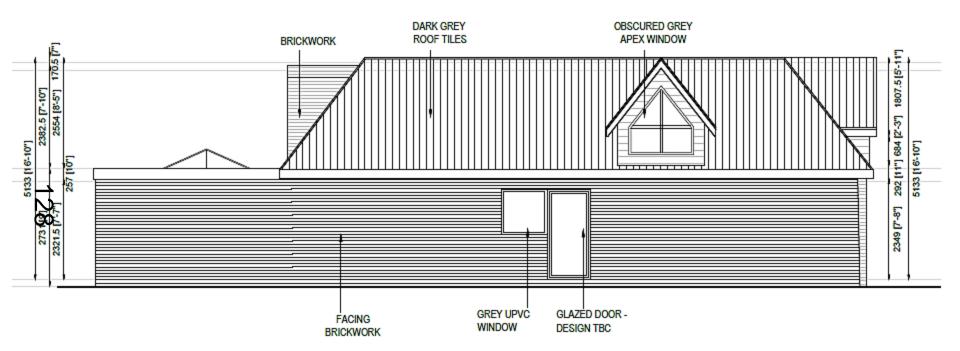
PROPOSED SITE LAYOUT/ROOF PLAN



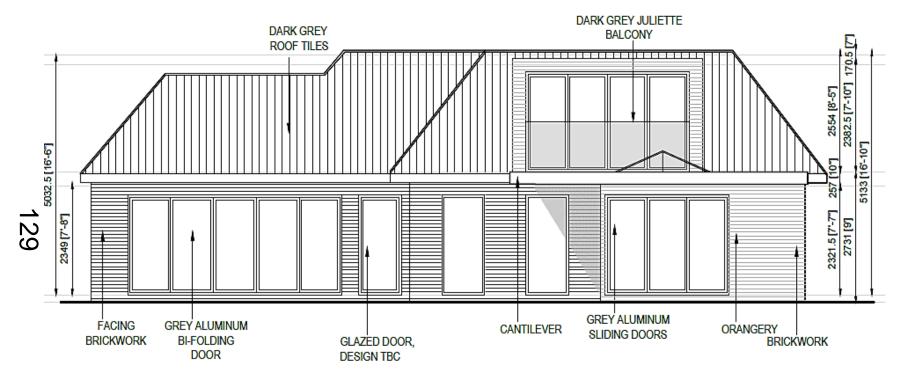
Proposed front elevation



PROPOSED SIDE ELEVATION



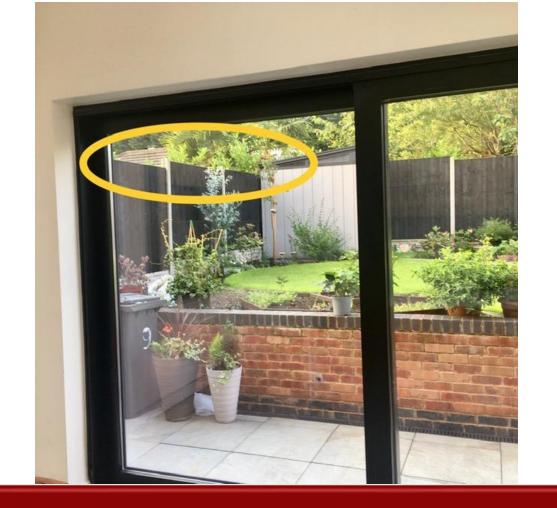
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION

Objector's Photographs

Objector's Photographs





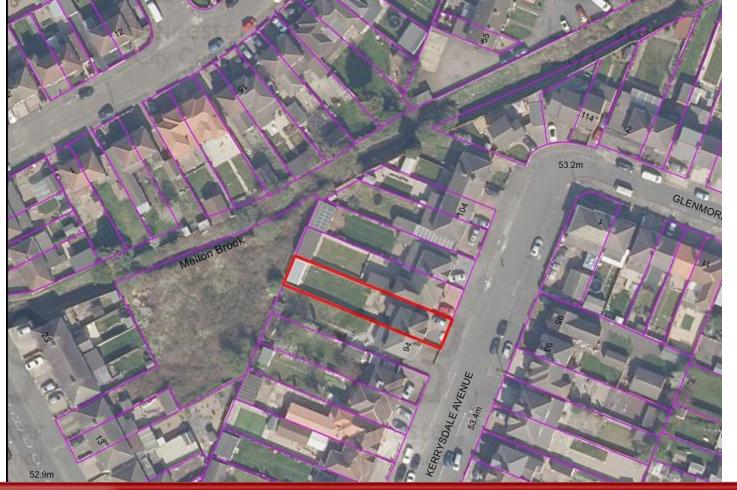
96 Kerrysdale Avenue 20211307

P&DCC 04 August 2021











Front elevation



Rear elevation







Rear view of the garden

