



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 16 SEPTEMBER 2020 at 5:30 pm

P R E S E N T :

Councillor Riyait (Chair)

Cllr Gee	Cllr Thalukdar
Cllr Halford	Cllr Whittle
Cllr Rae Bhatia	

In accordance with the provisions of Procedure Rule 42 of Part 4A of the Council's Constitution, the following Councillors attended the meeting and, at the invitation of the Committee, spoke on the items indicated but did not vote:

Councillor:	Application Details:
Councillor Willmott	20201461 122 CANON STREET

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161. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Aldred, Joel and Valand.

162. WELCOME

The Chair welcomed everyone to the meeting, reminding them that this was a virtual meeting, as permitted under Section 78 of the Coronavirus Act 2020 to enable meetings to take place whilst observing social distancing measures.

At the invitation of the Chair, officers present at the meeting introduced themselves.

163. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda, including under the Council's Good Practice Guidance for Member Involvement in Planning and Development Management Decisions.

Each member of the Committee present at the meeting introduced themselves in turn and stated that they had no such interests.

164. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held on 5 August 2020 be confirmed as a correct record.

165. HUMBERSTONE VILLAGE AREA 20MPH ZONE - OBJECTION TO PROPOSED SPEED CUSHIONS

The Director of Planning, Development and Transportation submitted a report setting out objections received to proposals for speed cushions to be added within a 20 miles per hour scheme in the Humberstone Village area.

The Special Projects Manager introduced the report, outlining the proposals.

RESOLVED:

That the Director of Planning, Development and Transportation note when considering whether or not to make the proposed traffic regulation order that this Committee supports the addition of speed cushions within the 20 miles per hour zone in the Humberstone Village area.

166. LETCHWORTH ROAD NORTH & DOVELANDS AREAS - PROPOSED 20MPH ZONE OBJECTIONS TO PROPOSED SPEED CUSHIONS

The Director of Planning, Development and Transportation submitted a report setting out objections received to proposals for speed cushions to be included within a proposed 20 miles per hour scheme for the Letchworth Road North and Dovelands area.

The Special Projects Manager outlined the proposals, noting that there was a lot of community support for them. When designing the scheme, the number of cushions had been minimised and roundels included where appropriate to reduce the impact of the new features. Nevertheless, eight objections to the proposed speed cushions along Letchworth Road had been received.

In response to questions from the Committee, the Special Projects Manager confirmed that a number of residents had reported "rat running" in the area and it was hoped that the proposals for this scheme would help reduce this by reducing the volume of traffic generally. A survey of traffic had been

undertaken as part of the preparation of the scheme and a post-implementation survey also would be undertaken, to help assess the effect of the whole scheme.

RESOLVED:

- 1) That the amendments made to the proposed 20 miles per hour scheme for Letchworth Road North and Dovetails area at the design stage be welcomed; and
- 2) That the Director of Planning, Development and Transportation note when considering whether or not to make the proposed traffic regulation order that this Committee supports the proposals for the inclusion of speed cushions within the proposed 20 miles per hour scheme for Letchworth Road North and Dovetails area.

167. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair announced that he would take the planning reports in a different order to that given in the agenda, due to the attendance of members of the public and Ward Councillors who had registered to speak.

RESOLVED:

That the report of the Director of Planning, Development and Transportation dated 16 September 2020 on applications, together with the supplemental report and information reported verbally by officers, be received and action taken as below.

168. 20201461 122 CANON STREET

Ward: Rushey Mead

Proposal: Construction of Single Storey Temporary Building at Front of Surgery (Class D1)

Applicant: Dr B Modi

The Planning Officer presented the report and drew Members' attention to the supplementary report, which set out representations received in support of the application.

Dr Modi, the applicant, addressed the Committee and spoke in support of the application.

Councillor Willmott, then addressed the Committee as a Ward Councillor, and spoke in support of the application.

Members considered the report and supplementary report, and officers responded to the comments and queries raised.

Members of the Committee agreed that space already available at the surgery premises was very restricted. It therefore would not be possible to find the

additional space needed as a result of social distancing requirements arising from the current Covid-19 epidemic. This meant that the surgery could not provide adequate waiting room accommodation, which would be particularly problematic as this winter's flu vaccination programme progressed. Community health needs therefore could be considered to outweigh the visual and residential amenity impact of the temporary building in this instance.

Officers advised that, if permission was granted for a temporary building, this could not be for an undefined period and Members also should give consideration to whether any appropriate conditions should be applied. It therefore was suggested that a period of 12 months could be appropriate, along with other conditions including use of the temporary building only in conjunction with the use of the existing surgery, removal of the temporary building and cessation of the temporary building, and relating any consent to the plans previously submitted.

Members suggested that, if it could be ensured that the temporary building would be removed after 12 months, consideration could be given to approving this application, contrary to the officer recommendation. It was noted that, if such permission was granted, any extension of the temporary permission could only be considered if a formal application was received by the local planning authority.

The Chair therefore moved that, contrary to the officer recommendation, the application be approved subject to conditions requiring the site to be returned to its current condition within 12 months, allowing the temporary building to only be used in conjunction with the existing surgery, and requiring the temporary building to be in accordance with the plans already received by the local planning authority. This was seconded by Councillor Halford and, upon being put to the vote, the motion to approve was CARRIED.

RESOLVED:

That, in view of social distancing requirements and restrictions introduced through the Coronavirus Act 2020 in response to the current Covid-19 pandemic, and the surgery's limited accommodation, this application be approved contrary to the officer recommendation and subject to the conditions set out below:

CONDITIONS

1. The building shall be removed and the land restored to its former condition not later than 16 September 2021 unless consent for a further period of time has been granted before that date. (The proposal does not represent a satisfactory form of permanent development)
2. The building shall only be used for purposes related to the use of the site as a surgery. (In the interests of the amenities of neighbouring occupiers and in accordance with Policy PS10 of the City of Leicester Local Plan)

3. This consent shall relate solely to the submitted plans received by the City Council as local planning authority on 3 August 2020, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt)

169. 20201329 62-66 HIGH STREET OUTSIDE

Ward: Castle

Proposal: Double sided free standing digital sign

Applicant: Clear Channel UK Ltd

The Planning Officer presented the report.

The meeting paused while Mr Gellini left and rejoined the meeting in an attempt to resolve technical issues.

The meeting then paused further while the Chair left and rejoined the meeting in order to resolve technical issues.

Following confirmation that both Mr Gellini and the Chair had successfully re-connected, Mr Gellini addressed the Committee and spoke against the application.

Members considered the report and officers responded to the comments and queries raised.

The Chair moved that, in accordance with the officer recommendation, the application be approved subject to the conditions set out in the report. This was seconded by Councillor Gee and, upon being put to the vote, the motion to approve was CARRIED.

RESOLVED:

that the application be APPROVED subject to the conditions as set out below:

CONDITIONS

1. The proposed advertisement spaces shall display static images only and not animated, scrolling, intermittent or flashing images, or directions to drivers at any time. The rate of change between successive images shall be no greater than 1 second with no swiping or other animated transition methods between successive images. The minimum display time each successive advertising image shall be no less than 10 seconds per image. (In the interests of visual amenity and the character and appearance of the High Street Conservation Area and in the interests of highway safety and in accordance with Core Strategy policies CS03, CS14 and CS18.)

2. The maximum luminance signs displayed on the advertisement spaces shall not exceed 600cd/m². (In the interests of visual amenity and the character and appearance of the High Street Conservation Area and in the interests of highway safety and in accordance with Core Strategy policies CS03, CS14 and CS18.)
3. The functionality of the advertisement spaces shall have a default mechanism to switch it off in the event of a malfunction or during periods of maintenance. (In the interests of highway safety and in accordance with Core Strategy policy CS14.)
4. This consent shall relate solely to the submitted plans received by the City Council as local planning authority on 17.07.20 (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 2019.

170. 20200178 19 DE MONTFORT STREET

Ward: Castle

Proposal: Construction of single storey and first storey extensions at rear to create single storey flat (1 x 1 bed) at rear of office; part change of use from offices (Class B1(a)) to two flats (2 x studios) (Class C3)

Applicant: Mr Holt

The Planning Officer presented the report.

Members considered the report and officers responded to the comments and queries raised.

The Chair moved that, in accordance with the officer recommendation, the application be approved subject to the conditions set out in the report. This was seconded by Councillor Gee and, upon being put to the vote, the motion to approve was CARRIED.

RESOLVED:

that the application be APPROVED subject to the conditions as set out below:

CONDITIONS

1. Start within three years
2. Before the commencement of the development a 1 metres² brick sample (showing brick type, bonding and mortar) shall be submitted to and agreed by the City Council as local planning authority. The works shall be carried out in accordance with these agreed details. (To preserve the character and appearance of the New Walk Conservation Area and in the interests of good design and the visual amenity of the area and in accordance with Core Strategy policies CS03 and CS18.) (To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
3. Before the commencement of the development a sample of the materials to be used for the roof shall be submitted to and agreed by the City Council as local planning authority. The works shall be carried out in accordance with these agreed details. (To preserve the character and appearance of the New Walk Conservation Area and in the interests of good design and the visual amenity of the area and in accordance with Core Strategy policies CS03 and CS18.) (To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
4. Prior to the commencement of development section details at a scale of 1:10 of the windows and doors shall be submitted to and agreed by the City Council as local planning authority. The works shall be carried out in accordance with these agreed details and retained as such. (To preserve the character and appearance of the New Walk Conservation Area, and in accordance with Core Strategy policy CS18.) (To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
5. No waste bins shall be stored in front of the property on De Montfort Street. (In the interests of the visual amenity of the conservation area and in accordance with policy PS10 of the City of Leicester Local Plan and Core Strategy Policies CS03 and CS18.)
6. No part of the development shall be occupied until secure and covered cycle parking for four cycles has been provided and retained thereafter. (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).
7. This consent shall relate solely to the amended plans received by the City Council as local planning authority on 17.08.20. (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 2019.

171. 20190494 87-95 HINCKLEY ROAD

Ward: Westcotes

Proposal: change of use from police station (sui generis) to 30 residential apartments (11x Studio, 19x 1bed) (Class C3)

Alterations (Amended Plans Rec 25/10/19)

Applicant: K Enterprise Limited

The Planning Officer presented the report, which Members then considered.

The Chair moved that, in accordance with the officer recommendation, the application be approved subject to the conditions set out in the report. This was seconded by Councillor Halford and, upon being put to the vote, the motion to approve was CARRIED.

RESOLVED:

that the application be APPROVED subject to the conditions as set out below:

CONDITIONS

1. Start within three years
2. Prior to the commencement of development full design details of on-site renewable energy generation and energy efficiency measures shall be submitted to and approved in writing by the City Council as local planning authority. No flat shall be occupied until evidence demonstrating satisfactory operation of the details, including on-site installation, has been submitted to and approved in writing by the City Council as local planning authority. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy. This is a PRE-COMMENCEMENT condition).
3. Prior to the commencement of development an acoustic survey shall be undertaken and details of a noise insulation scheme (including mechanical ventilation arrangements) to prevent the transmission of noise into the development and to prevent the transmission of noise to adjacent properties shall be submitted to the City Council as local planning authority and agreed in writing. The scheme shall be

implemented in accordance with the approved details prior to occupation of any flat. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan, this is a PRE-COMMENCEMENT condition).

4. Prior to the commencement of development details of drainage, 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 full 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. This is a PRE-COMMENCEMENT condition).
5. Prior to the commencement of development details of a Sustainable Drainage System (SuDS) shall be submitted to and approved in writing by the local planning authority. No flat shall be occupied until the system has been implemented in full accordance with the approved details. It shall be retained and maintained thereafter. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy, this is a PRE-COMMENCEMENT condition).
6. No part of the development shall be occupied until secure and covered cycle parking has been provided in accordance with written details previously approved in writing by City Council as local planning authority. The cycle parking provision shall be retained thereafter. (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).
7. Prior to the first occupation of each unit, the occupiers of each of the flats shall be provided with a 'Residents Travel Pack' details of which shall be submitted to and approved in writing by the City Council, as the local planning authority in advance. The contents of the Travel Pack shall consist of: information promoting the use of sustainable personal journey planners, walking and cycle maps, bus maps, the latest bus timetables applicable to the proposed development, and bus fare discount information. (In the interest of promoting sustainable development, and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy).
8. Notwithstanding any details shown on the submitted plans, prior to the occupation of any part of the development, all parking areas shall be surfaced and marked out in accordance with details which shall first have been submitted to and approved in writing by the City Council as local planning authority. These areas shall be retained for parking thereafter and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner, and in accordance with policy AM12 of the City of Leicester Local Plan and Core Strategy policy CS03.)

9. Prior to the occupation of any part of the development the refuse bin storage and refuse collection provision shall be provided and available for use in accordance with details which shall be first submitted to and approved in writing by the City Council as local planning authority. The areas shall be retained and kept available for that use thereafter. (In the interests of the amenities of the surrounding area, and in accordance with policies H07 and PS10 of the City of Leicester Local Plan and Core Strategy policy CS03)
10. Prior to the occupation of any part of the development, a parking management plan shall have been submitted to and approved in writing by the City Council as local planning authority. The development shall then be managed in accordance with the approved parking management plan. (To ensure that parking can take place in a satisfactory manner, and in accordance with policies AM01 and AM12 of the City of Leicester Local Plan and Core Strategy policy CS3.)
11. The external elevations on the rear elevation shall be constructed in facing bricks to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
12. The flats and their associated parking and approach shall be constructed in accordance with 'Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement. On completion of the scheme and prior to the occupation of the dwelling a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the City Council as local planning authority certifying compliance with the above standard. (To ensure the dwelling is adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS6)
13. This consent shall relate solely to the amended plans ref. no. RPD/JAN/2019/006/06 and RPD/OCT/2019/006/WM received by the City Council as local planning authority on 25/10/2019, and plan no. RPD/JAN/2019/006/01 received by the City Council as local planning authority on 03/05/2019. (For the avoidance of doubt)

NOTES FOR APPLICANT

1. As the existing building abuts the highway boundary, and barriers, scaffolding, hoarding, footway closures, etc. required in connection with the change of use works to be undertaken will require a license. This should be applied for by emailing Licensing@leicester.gov.uk.
2. With regards to the Travel Pack the contents of the pack are intended to raise the awareness and promote sustainable travel, in particularly for trips covering local amenities. The applicant should seek advice from Leicester City Council's Travel Plan Officer.
3. No permission is granted or implied for alterations to the external appearance of the property other than those shown on the approved

plans, for which a separate planning permission may be required.

4. In respect of condition 9, the applicant is advised to contact Waste Management on Waste.management@leicester.gov.uk to discuss the specific requirements for this development.
5. To meet condition 12 All those delivering the scheme (including agents and contractors) should be alerted to this condition, and understand the detailed provisions of Category 2, M4(2). 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.
6. 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 2019 is considered to be a positive outcome of these discussions.

172. CLOSE OF MEETING

The meeting closed at 7.28 pm