



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 31 MARCH 2021 at 5:30 pm

P R E S E N T :

Councillor Riyait (Chair)
Councillor Aldred (Vice Chair)

Councillor Gee
Councillor Joel

Councillor Rae Bhatia
Councillor Valand

Councillor Whittle

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233. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Halford and Councillor Thalukdar.

234. DECLARATIONS OF INTEREST

There were no declarations of interest.

235. MINUTES OF THE PREVIOUS MEETING

AGREED:

That the minutes of the meeting of the Planning and Development Control Committee held on 10 March 2021 be confirmed as a correct record.

At this point the meeting was adjourned for 10 mins to allow the Chair to re-join the meeting following technical issues.

The Vice Chair, Councillor Aldred joined the meeting and declared she had no declarations of interest.

236. PLANNING APPLICATIONS AND CONTRAVENTIONS

RESOLVED:

That the report of the Director of Planning, Development and Transportation dated 31 March 2021 on applications, together with the supplemental report and information reported verbally by Officers, be received and action taken as below.

237. 20210266 - 135 EVINGTON LANE

20210266 - 135 Evington Lane

Ward: Stoneygate

Proposal: Change of use from Dwelling House (Class C3) to Care Home (Class C2) (5 bedrooms)

Applicant: Woodleigh Healthcare Limited

The Planning Officer presented the report.

Mr Patel addressed the Committee and spoke in objection of the application.

Members considered the report and Officers responded to any comments and queries raised.

The Chair moved that, in accordance with the Officer recommendations the application be approved. This was seconded by Councillor Aldred and, upon being put to the vote, the motion was CARRIED.

RESOLVED:

That the application be APPROVED subject to the conditions set out below.

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. 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 the Order, unless otherwise approved in writing by the local planning authority. (To enable consideration of the amenity, parking and highway safety impacts of alternative Class C2 uses, in accordance with Policies CS03, CS06 and CS14 of the Leicester Core Strategy (2014) and saved Policies PS10 of the Local Plan (2006.)
3. This consent shall relate solely to the submitted plans received by the City Council as local planning authority on 17/2/2021, unless otherwise submitted to and approved by the City Council as local planning authority. (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.

238. 20201009 - 37 WELFORD ROAD, REYNARD HOUSE

20201009 - 37 Welford Road, Reynard House

Ward: Castle

Proposal: Construction of additional three floors; construction of single storey, four storey and seven storey extension; Change of use from offices (Class B1a) to student accommodation (Sui Generis) comprising 23 cluster flats (185 student bedrooms) and 82 one bed student studio flats, gym, spa, amenity areas, cycle parking and associated works. (amended plans) (S106 agreement)

Applicant: Study Inn Investments (Welford Road) Limited

The Planning Officer presented the report.

Mr Harris and Mr Doohan – the Planning Agent and Architect, addressed the Committee and spoke in support of the application.

Members considered the report and Officers responded to any comments and queries raised.

The Chair moved that in accordance with the Officer recommendation, the application be approved, subject to a Section 106 agreement to secure developer contributions to off-site green space enhancements and the conditions set out in the report. This was seconded by Councillor Gee and, upon being put to the vote, the motion was CARRIED.

RESOLVED:

That the application be approved subject to a Section 106 agreement to secure developer contributions to off-site green space enhancements and the conditions set out below.

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 flats shall only be occupied by students enrolled on full-time courses at further and higher education establishments or students

working at a medical or educational institution, as part of their medical or education course. The owner, landlord or authority in control of the development shall keep an up to date register of the name of each person in occupation of the development together with course(s) attended, and shall make the register available for inspection by the Local Planning Authority on demand at all reasonable times. (To enable the Local Planning Authority to consider the need for affordable housing and education provision and to assess floor space standards and the suitability of the accommodation for general residential purposes in accordance with policies CS06, CS07 & CS19 of the Core Strategy and policies PS10 & H07 of the City of Leicester Local Plan.)

3. Notwithstanding the approved details, prior to the commencement of development, a materials sample panel drawing (at a scale of 1:20) and materials schedule for the development shall be submitted to approved in writing by the City Council as local planning authority. Prior to the construction of any above ground works the approved sample panel shall be constructed on site, showing all external materials, including brick, brick bond and mortar colour for inspection and approval in writing by the City Council as local planning authority. The development shall be constructed in accordance with the approved sample panel and materials. (In the interest of visual amenity and character and appearance of the area and in accordance with 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).
4. Prior to the occupation of the development the details of the type and location of 3 x bird boxes for black red starts on the green roof and 3 x bat boxes to be incorporated within the elevations of the proposed buildings shall be submitted to and approved in writing with the City Council as local planning authority. The locations should be determined by an ecologist who should also supervise their installation. The development shall be carried out in accordance with the agreed details and their use monitored for a period of two years and results submitted annually to that authority with the agreed features retained thereafter (In the interest of biodiversity and in accordance with Policy CS17 Biodiversity of the Core Strategy.)
5. Prior to the commencement of the development (excluding 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 City Council as local planning authority. This scheme shall include details of: (i) new tree and shrub planting, including plant type, size, quantities and locations; (ii) means of planting, staking, and tying of trees, including tree guards; (iii) other surface treatments; (iv) fencing and boundary treatments; (v) any changes in levels; (vi) the position and depth of service and/or drainage runs (which may affect tree roots), (vii) details of planting design and maintenance of green roof.

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 5 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. The green roof will be maintained to optimise its biodiversity value for a period of 25 years or the life-time of the proposed development whichever is the sooner. A written assessment of the landscaped/habitat areas and use by wildlife/species present shall be submitted every 5 years to the LPA. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE COMMENCEMENT condition).

6. Prior to the commencement of the development above ground level a detailed design plan of the external lighting to be used which shows the locations of lights, their type of light emittance and wavelength, together with a lux contour map showing the variation in light, shall be submitted and approved in writing by the local planning authority. The lighting should be designed to cause minimum disturbance to protected species that may inhabit the site with appropriate areas remaining dark and a maximum of 1 lux on vegetated/water areas where considered necessary. The approved scheme shall be implemented and retained thereafter. No additional lighting should be installed without prior agreement from the Local Planning Authority (In the interests of protecting wildlife habitats and in accordance with policy BE22 and policy CS 17 Biodiversity of the Core Strategy.)
7. Prior to the commencement of the development (excluding demolition) 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 and shall be retained as such. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) 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 agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
8. Prior to the commencement of the development (excluding demolition) 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 accordance with the approved details and shall be retained as such. 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 agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition)

9.
 1. Prior to the commencement of the development (excluding the demolition of existing buildings) the applicant shall have secured the implementation of an appropriate programme of archaeological work to be undertaken by a competent and experienced organisation in accordance with a Written Scheme of Investigation (WSI) for a supervised watching brief, which has been submitted to and approved by the City Council as the local planning authority. The scheme must include an assessment of significance, research questions, and:
 - (i) the programme and methodology of site investigation and recording (with contingency for further excavation if required);
 - (ii) the programme for post-investigation assessment;
 - (iii) provision to be made for analysis of the site investigation and recording;
 - (iv) provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - (v) provision to be made for archive deposition of the analysis and records of the site investigation;
 2. No development shall take place other than in accordance with the Written Scheme of Investigation approved under (1) above.
 3. The development shall not be occupied until the site investigation and post-investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under (1) above, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured, unless agreed in writing with City Council as local planning authority.
(To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the scheme, this is a PRE-COMMENCEMENT condition).
10. No part of the development shall be occupied until a Travel Plan for the development has been submitted to and approved in writing by the City Council as local planning authority and shall be carried out in accordance with a timetable to be contained within the Travel Plan, unless otherwise agreed in writing by the Council. The Plan shall: (a) assess the site in terms of transport choice for staff, users of services, visitors and deliveries; (b) consider pre-trip mode choice, measures to

promote more sustainable modes of transport such as walking, cycling, car share and public transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site as single occupancy vehicle users, so that all users have awareness of sustainable travel options; (c) identify marketing, promotion and reward schemes to promote sustainable travel and look at a parking management scheme to discourage off-site parking; (d) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM12 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

11. Prior to the start of each academic year each student taking up residency in each of the flats shall be provided with the agreed 'New Residents Travel Pack'. (In the interest of sustainable development and in accordance with policy AM02 of the City of Leicester Local Plan and Core Strategy policy CS14).
12. No part of the development shall be occupied until details of the proposed 32 cycle parking spaces located in the amenity area which shall be covered and lit and details of the 99 folding bike storage have been submitted to and approved in writing by the City Council as local planning authority. The approved spaces shall be provided in accordance with the approved details before occupation of the development and retained as such thereafter. (In the interests of the satisfactory development of the site and in accordance with policies AM02 and CS02 of the City of Leicester Local Plan).
13. No part of the development shall be occupied until the bin store has been provided in accordance with the details approved. This provision shall thereafter be retained. (In the interests of the satisfactory development of the site and in accordance with policies H07 of the City of Leicester Local Plan).
14. No part of the development shall be occupied until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated. (For the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
15. 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 City Council as local planning authority. The approved Statement shall be adhered to throughout the construction period. 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).

16. Prior to the commencement of the development (excluding demolition), details of how the development could in so far as its ability to connect to the local district heating network, shall be submitted to and approved in writing by the City Council as local planning authority. The details stated in the Sustainability Energy Report Rev 02 dated 6th January 2021 and details in the Standard Procedures for the Control of Energy in Buildings received 18th January 2021 shall be implemented and retained as such. Further details of the PV panels as shown on plan no.19103 03-03-107 Rev E shall be submitted to and agreed in writing with the City Council as local planning Authority. The development shall be carried out in accordance with all the approved details and retained as such. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition)

17. Prior to the commencement of the development (excluding demolition) details of the ventilation system to allow for:
 - (a) all flats that can't have their windows open for ventilation, to have 4 x air change per hour provided by other means.
 - (b) The ventilation to be controlled independently in each flat giving the occupants to use it or not.
 - (c) ventilation which will not be restricted to a set time period, such as a boost that only runs for 20 minutes or an hour, giving the occupants the choice to have it running 24 hours a day.These details shall be submitted to the City Council as local planning authority and approved in writing, implemented as approved and retained as such thereafter. (In the interests of residential amenity and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

18. The development hereby permitted shall at all times be managed and operated in full accordance with a Management Plan, the details of which shall be submitted to and approved in writing by the local planning authority before the first occupation of any of the flats. The management plan shall set out procedures for:
- (i) how the arrival and departure of students at the start and end of terms will be managed;
 - (ii) how servicing and deliveries will be managed;
 - (iii) the security of the development and its occupiers;
 - (iv) dealing with refuse bins and maintaining the external areas of the site; and
 - (v) dealing with any issues or complaints arising from the occupiers of nearby properties.
- The premises shall be managed in accordance with the approved management plan thereafter.
- (To ensure the development is properly managed so as to minimise its effect on the surrounding area and in the interests of the safety and security of its occupiers in accordance with the aim of Core Strategy Policies CS03, CS06 and CS15 and saved Local Plan Policy PS10 of the City of Leicester Local Plan).

19. This consent shall relate solely to the following plans:

Ground floor	19103-03-100 Rev D
First floor	19103-03-101 Rev F
Second floor	19103-03-102 Rev F
Third floor	19103-03-103 Rev F
Fourth floor	19103-03-104 Rev E
Fifth floor	19103-03-105 Rev E
Sixth floor	19103-03-106 Rev E
Roof	19103-03-107 Rev E
Welford Rd elevation	19103-05-101 Rev E
Norton St elevation	19103-05-102 Rev D
West elevation	19103-05-103 Rev D
South elevation	19103-05-104 Rev D
Section	19103-03-04-001 Rev A
Section	19103-03-04-002
	19103_materials schedule A

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. 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.

2. 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. If any existing building to be demolished abuts the highway boundary, any barriers, scaffolding, hoarding, footway closure etc. required for the demolition works to be undertaken will require a licence. This should be applied for by emailing Licensing@leicester.gov.uk.
4. 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 contact highwaysdc@leicester.gov.uk for advice.

239. ANY URGENT BUSINESS

The meeting closed at 6:59pm