



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 23 JUNE 2021 at 5:30 pm

P R E S E N T :
Councillor Riyait (Chair)
Councillor Aldred (Vice Chair)

Councillor Nangreave
Councillor Pandya

Councillor Thalukdar
Councillor Whittle

In accordance with the provisions of the Constitution (Part 4A, Rule 42) the following Councillors attended the meeting and with the sanction of the Committee spoke on the items indicated but did not vote.

| <u>Councillor:</u> | <u>Application details:</u> |
|------------------------------|--|
| Councillor Dr Lynn Moore | 20210017 - 26 Southernhay Road |
| Councillor Adam Clarke | 20210017 - 26 Southernhay Road |
| Councillor Patrick Kitterick | 20201018 - 107 Granby Street, Last Plantagenet |

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16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Valand.

Councillor Dr Moore was in attendance to make a representation to the Committee and not in her role as a Committee member.

17. 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 Members Involvement in Planning and Development Management Decisions.

The Committee Members present at the meeting introduced themselves in turn and stated they had no such interests.

The Chair and Vice Chair noted that they had received information on the Granby Street, Last Plantagenet application but would be considering the application with an open mind.

18. MINUTES OF THE PREVIOUS MEETING

AGREED:

That the minutes of the meeting of the Planning, Development and Control Committee 2 June 2021 be confirmed as a correct record.

19. PUBLIC SPEAKING

The Legal Advisor presented a report submitted by the City Barrister and Head of Standards with the proposed revised Public Speaking Rules to allow for the continued option for remote public speaking during the time of Covid 19 and going forward for reasons of convenience and accessibility.

It was noted that the Regulations which allowed for “ virtual meetings” had expired , and meetings were once again required to be held with Elected Members physically present in one location and also to be open for public access in person at the meeting location. . However, IT provisions were being put in place in future to offer continued remote access to meetings for public speakers in addition to the option for public speaking in person in the meeting room.

The report and the addendum report showed the changes to the rules for the Planning and Development Control Committee from June 2021. The IT was not yet in place and operational, but Officers were now aiming for it to be ready for the next meeting. Potential Public Speakers will be given notice if issues continue which could result on any delay to the roll out of the scheme.

The Chair of the Committee and Members of the Committee unanimously supported the changes.

RESOLVED:

That the City Barrister and head of Standards note that the Members of the Committee Approve the Report and the changes to the public speaking rules.

20. SCHEME OF DELEGATION TO OFFICERS

The Director of Planning Development and Transportation submitted a report on the Scheme of Delegations.

It was noted that Appendix 2 set out the amended version of the scheme and the only substantive change was at part A. Officers suggested that the scheme continues as amended and that advised that the Terms of Reference of the Committee were set out in the Councils Constitution which were currently under review.

The Chair and Members of the Committee. Unanimously supported the changes and approved the Report

RESOLVED:

That the Members the Committee approve the report and the amended Scheme of Delegation.

21. 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 who had registered to speak and in the interests of people in the public gallery.

RESOLVED:

That the report of the Director of Planning, Development and Transportation dated 23 June 2021, on applications, together with the supplemental report and information reported verbally by officers, be received and action taken as below:

22. 20210017 - 26 SOUTHERNHAY ROAD

20210017 - 26 Southernhay Road

Ward: Knighton

Proposal: Installation of 4 x air conditioning units to side and rear of house (Class C3)

Applicant: Skyline Architecture Ltd

The Planning Officer presented the report.

Mr Lakhani addressed the Committee and spoke in objection to the application.

Councillor Dr Moore ward Councillor for Knighton and Deputy City Mayor for Environment and Transportation Councillor Clarke (speaking in his capacity as Heritage Champion) addressed the Committee and spoke in objection of the application.

Members of the Committee considered the report and expressed concerns on the grounds of visual amenity, noise disturbance to neighbouring residents, and the potential contribution of these Air Conditioning Units to global warming. Officers responded to the comments and queries raised, and reminded Members that technical Noise Officers had given comments and proposed conditions to overcome the noise issues identified; also if the Application was refused and Appealed evidence to support the members reasons for refusal would be required to substantiate a refusal on noise grounds.

The Chair moved that the application be approved subject to the conditions set out in the report. This was seconded by Councillor Nangreave and upon being put to the vote, the motion was REFUSED.

Members of the Committee then shared their reasons for rejecting the application, on the grounds that the significant noise caused to the adjoining residents in this residential area could not be satisfactorily mitigated as

suggested by the conditions proposed.

The Chair moved the motion to reject the proposal, this was seconded by Councillor Whittle and upon being put to the vote the motion to reject was CARRIED.

RESOLVED:

That the application be REJECTED on the basis of unacceptable noise impacts upon the adjoining residents contrary to Leicester Local Plan Policy PS10, with the detailed wording of refusal delegated to Officers in consultation with the Chair and Vice Chair of Committee.

23. 20201018 - 107 GRANBY STREET, LAST PLANTAGENET

20201018 - 107 Granby Street, Last Plantagenet

Ward: Castle

Proposal: Change of use from drinking establishment (Class A4) and offices (Class B1) to student accommodation (56 x studios) (Sui Generis) at first – fourth floors and part-ground floor and basement, with commercial use at part-basement and ground levels - restaurant/drinking establishment; Alterations (Amended Plans)(S106 Agreement)

Applicant: Kotecha

The Planning Officer presented the report.

Mr Hussain the applicants agent then addressed the Committee and spoke in support of the application.

Councillor Kitterick then addressed the Committee and spoke in objection to the application.

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

The Chair moved that the application be approved as per the Officer recommendation. This was seconded by Councillor Pandya 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 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 information submitted as part of the application, before the development is begun, samples of the materials to be used on all external elevations and roofs, showing (but not necessarily limited to) window frames, glass panels, ventilation panels/louvres, filling material for the stonework and cladding, shall be provided and approved in writing by the City Council as local planning authority. No works shall be carried out other than in accordance with approved details. (In the interests of visual amenity and to preserve the special character of the area and in accordance policies CS03 and CS18 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).
4. Prior to any rooftop work commencing, a detailed design plan of 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 NPPF (2019) Para 180, Policy BE22 of the Local Plan and Policy CS 17 Biodiversity of the Core Strategy.)
5. Prior to any occupation of the flats, a detailed landscape and ecological management plan (LEMP) showing the treatment and maintenance of all parts of the site which will provide landscape and biodiversity features shall be submitted to and agreed in writing with the City Council as local planning authority. This scheme shall include details of: i) details of the planting design and maintenance of a roof-top garden ii) details of the make and type of 5 x bird boxes/tiles/bricks and 3 x bat boxes/tiles/bricks to be erected on buildings and 4 invertebrate boxes under the guidance and supervision of a qualified ecologist. The

approved LEMP shall contain details on the after-care and maintenance of all soft landscaped areas and be carried out within six months 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 and maintained for a period of not less than 25 years or the lifetime of the development. (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).

6. No flat shall be occupied until details of a Residents Travel Pack have been submitted to and approved in writing by the local planning authority. The contents of the Residents 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. Each new resident shall be given a Residents Travel Pack on occupation of their flat. (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)
7. 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) use and allocation of cycle storage,
 - (v) parking arrangements for disabled residents relying on a private car,
 - (vi) dealing with refuse bins and maintaining the external areas of the site; and
 - (vii) 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).
8. 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).

9. Prior to the commencement of the development, full design details of on-site installations to provide energy efficiency measures, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with 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)
10. No flat shall be occupied until the mechanical ventilation system, approved as part of this planning application has been fully installed and is operational. A ventilation rate of 4 air changes per hour must be available on demand in all habitable rooms, in the interests of thermal comfort, and the operation of the ventilation system must not cause internal noise levels within the development to exceed those specified in BS8233:2014. The approved mechanical ventilation system shall be maintained and retained thereafter. (To achieve satisfactory living conditions for future occupiers of the development and in accordance with policy PS11 of the City of Leicester Local Plan.)
11. No development shall take place, including any works of stripping out 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) measures to control the emission of dust and dirt during construction;
 - (vi) a scheme for recycling/disposing of waste resulting from stripping out 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).
12. No flat shall be occupied until the cycle parking area has been provided in accordance with details submitted as part of this application. The cycle parking 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).

13. Notwithstanding the details contained within the Travel Plan submitted as part of this application, no part of the development shall be occupied until a Travel Plan for the development has been 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 AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

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

501123 PL-101

501123 PL-106

501123 PL-108

501123 PL-120, received by the Local Planning Authority on 20 April 2021,

501123 PL-107A, received by the Local Planning Authority on 5 May 2021,

501123 PL-109B, received by the Local Planning Authority on 21 May 2021, and

501123 PL-118A

501123 PL-119A, received by the Local Planning Authority on 27 May 2021.

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.

2. With regards to the Travel Pack or similar resources, its contents 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 where necessary.
3. 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.
4. 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.

24. 20210800 - 7 FOXCROFT CLOSE

20210800 - 7 Foxcroft Close

Ward: Braunstone Park & Rowley Fields

Proposal: Construction of single storey extension to front of house (Class C3); alterations (amended plans 26/05/2021)

Applicant: MISS SANDRA VELMA ELIZABETH SAMUEL

The Planning Officer presented the report.

Members of the Committee considered the report.

The Chair moved that the application be approved subject to the conditions set out in the report. This was seconded by Councillor Nangreave 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. Prior to the commencement of development, adequate provision shall be made by the developer for a full site survey to ascertain the ground conditions and potential danger from landfill gas and appropriate measures to protect the development from hazards associated with landfill gas shall be submitted to and approved in writing by the City Council as Local Planning Authority, and the works carried out in the accordance with the approved details. (The site is within 250 metres of a landfill site known to have accepted wastes and it is considered that there is a perceptible risk of landfill gas adversely affecting it. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
3. 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.)
4. This consent shall relate to the amended plan ref no. 002/786 Rev A, 003/786 Rev A, 004/786 Rev A, 005/786 Rev A, 006/786 Rev A and 007/786 Rev received by the City Council as local planning authority on 26/05/2021. (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. 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.

25. THE LEICESTER (CONSOLIDATION) TRAFFIC REGULATION ORDER 2006 (AMENDMENT) (ELECTRIC VEHICLE CHARGING BAYS VARIOUS ROADS, LEICESTER) (NO. 305) ORDER 2021 OBJECTORS' REPORT

The Director of Planning, Development and Transportation submitted a report setting out the objectors report for the Leicester (Consolidation) Traffic Regulation Order 2006 (amendment) (Electric Vehicle Charging bays, various roads, Leicester).

The Traffic Regulation Order Project Officer outlined the report and proposals.

The Committee considered the proposals for the scheme and queried how the

bays would be managed, how much the scheme would cost the authority and would the scheme generate an income for the authority.

Councillor Adam Clarke in his capacity as Deputy City Mayor for Environment and Transportation addressed the Committee on points of clarification with the permission of the Chair

RESOLVED:

That the Director of Planning Development and Transportation be asked to note when considering whether or not to make the proposed Traffic Regulation Order that this Committee were supportive of the programme and scheme to further promote sustainable transport and that the objections be noted and dialogue continue with the local residents of the area.

26. OBJECTION TO KEYTHORPE STREET AREA PROPOSED ONE-WAY STREET RESTRICTIONS WITH AN EXEMPTION FOR PEDAL CYCLES

The Director of Planning, Development and Transportation submitted a report setting out the objectors report for the proposed one way street restriction to the Keythorpe Street area.

The Traffic Regulation Order Project Officer outlined the report and proposals. It was noted that there had been 12 overall objections, where one individual had objected to the entire scheme and 11 objectors to the flow of the traffic. Following amendments to the proposal, 6 objectors withdrew their objections, 5 had not responded and 1 still thought the proposals would cause congestion.

The Committee considered the proposals and the improved layout of the scheme following work done to mitigate objections.

RESOLVED:

That the Director of Planning, Development and Transportation be asked to note when considering whether or not to make the proposed Traffic Regulation Order that this Committee is supportive of the proposal of the one way street restrictions for the Keythorpe Street area.

27. OBJECTION TO NANSEN ROAD PROPOSED ONE-WAY STREET RESTRICTION WITH AN EXEMPTION FOR PEDAL CYCLES

The Director of Planning, Development and Transportation submitted a report setting out the objectors' report for the proposal of one way street restriction to Nansen Road.

The Traffic Regulation Order Project Officer described the area as a busy for majority of the day, comprising of industrial units and residential dwellings. It was noted that the street was most busy during the school drop off and pick up times and the proposal would benefit the entire area.

The Committee considered the proposal and recognised the work done to

mitigate objections.

RESOLVED:

That the Director of Planning, Development and Transportation be asked to note when considering whether or not to make the proposed Traffic Regulation Order that this Committee is supportive of the proposal for one way restrictions with traffic calming measures to Nansen Road.

28. ANY URGENT BUSINESS

None

29. CLOSE OF MEETING

The Meeting closed at 7:57pm.