



Leicester  
City Council

Minutes of the Meeting of the  
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 4 AUGUST 2021 at 5:30 pm

P R E S E N T:

Councillor Riyait (Chair)

Councillor Dr Moore  
Councillor Nangreave

Councillor Thalukdar  
Councillor Valand

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.

Councillor:

Application details:

Councillor Joshi

20202182 - 115 Uppingham Road

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**30. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Aldred and Councillor Joel.

**31. 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.

**32. MINUTES OF THE PREVIOUS MEETING**

AGREED:

That the minutes of the meeting of the Planning, Development and Control Committee 23 June 2021 be confirmed as a correct record.

### **33. REVISED TERMS OF REFERENCE AND REVISED PLANNING PLANNING GOOD PRACTICE GUIDANCE FOR MEMBERS**

The City Barrister and Head of Standards submitted a report in relation to the Planning and Development Control Committee revised Terms of Reference and revised Planning Good Practice Guidance for Members.

The Legal Officer presented the reports and Officers responded to Members comments as follows:

- Officers clarified several points in relation to non-committee members or speakers not having a right to reply and Members of the Committee who wished to speak on an application not being required to stand down for the entirety of the meeting. It was noted that these were not legislative procedures but were at the Chairs discretion and/ or guided by advice from the Monitoring Officer.
- It was reiterated to Members that regular use of mobile phones during the meeting was not encouraged.
- Some minor typographical errors were noted.

RESOLVED:

that the revised Terms of Reference for the Planning and Development Control Committee be noted.

RESOLVED:

that the revised Planning Good Practice Guidance for Members of the Planning and Development Control Committee be noted.

### **34. 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.

The Head of Planning noted that following finalisation of the reports, the Government published changes to the National Planning Policy Framework (NPPF). Officers therefore included this information in the supplementary report to highlight the implications of the changes in relation to each of the applications/ reports. Officers would additionally highlight changes in the content when presenting each of the reports.

It was noted that a Members training session on the newly published changes to the NPPF would take place on a date to be agreed.

RESOLVED:

That the report of the Director of Planning, Development and Transportation dated 4 August 2021, on applications, together with the supplemental report and information reported verbally by officers, be received and action taken as below:

### **35. 20210881 26 COLWELL ROAD**

Ward: Fosse

Proposal: Demolition of single storey building at rear;  
Construction canopy to front, single storey extension at side and rear; installation of render at front and alterations to medical centre (Class E) (Amended plans received 08/07/2021)  
Applicant: Dr Boora

The Planning Officer presented the report and drew Members' attention to the supplementary report, which set out an amended description, policy considerations, an additional representation received in objection to the application and further considerations.

Ms Sarah Panter, on behalf of the applicant, addressed the Committee and spoke in support of the application.

Mr Paul Bayliss, on behalf of an objector, addressed the Committee and spoke in objection to 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 Thalukdar 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 new walls and roof of the side and rear extensions shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Not more than three consulting rooms shall be permitted on the premises.

(The site is incapable of accommodating the car parking requirements that would be generated by more consulting rooms, and which would be required under the terms of Policy AM11 of the City of Leicester Local Plan and CS15 of the Core Strategy.)

4. The use shall not be carried on outside the hours of 0830 - 1800 hours Monday to Friday. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
5. Before the occupation of the proposed extension the new door facing 24 Colwell Road shall be fitted with obscure glazing and retained as such. (In the interests of the amenity of occupiers of 24 Colwell Road and in accordance with policy PS10 of the City of Leicester Local Plan).
6. No part of the development shall be occupied until secure cycle parking as shown on approved plans shall be provided and retained thereafter. (In the interests of the satisfactory development of the site and in accordance with policy AM02 of the City of Leicester Local Plan).
7. No part of the development shall be occupied until footway crossing(s) have been provided at each vehicular access in accordance with the Leicester Street Design Guide, June 2020. (To ensure a satisfactory means of access to the highway, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
8. No part of the development shall be occupied until the redundant footway crossings has been reinstated and associated H-bar marking removed in accordance with the Leicester Street Design Guide, June 2020". (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 CS3.)
9. This consent shall relate to the amended plans reference nos. 1462-HCD-XX-ZZ-DR-A- 007 Rev G, -10 Rev D, -11 Rev E, -15 Rev D, -16 Rev B received by the City Council as local planning authority on 08/07/2021 and location plan reference no. -005 Rev B received on 30/06/2021. (For the avoidance of doubt.)

#### NOTES FOR APPLICANT

1. No consent is granted or implied for the advertisement shown on the submitted plans, for which a separate application may be necessary.
2. 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.

**36. 20211037 15A EVINGTON LANE**

Ward: Stoneygate

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

The Planning Officer presented the report and drew Members' attention to the supplementary report, which set out policy considerations, a further representation which requested for photos to be shown at Committee and further considerations.

Mr Sachin Parmar, on behalf of the applicant, addressed the Committee and spoke in support of the application.

Ms Fehmida Dalal, addressed the Committee and spoke in objection to the application.

Members considered the report and submission of the speakers, 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 the conditions set out in the report. This was seconded by Councillor Whittle and, upon being put to the vote, the motion to approve 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. The new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. The cheeks and roof of the dormer shall be constructed in materials to match the existing roof. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
4. Before the occupation of the proposed extensions the windows of the front dormer and the windows of the side dormer extension facing 15b

Evington Lane shall be fitted with sealed obscure glazing (with the exception of top opening light) and retained as such. (In the interests of the amenity of occupiers of 15a and 15b Evington Lane and in accordance with policy PS10 of the City of Leicester Local Plan).

5. The flat roof of the single storey rear extension shall not be used as a balcony or an outdoor amenity space. (In the interests of the amenity and privacy of 7, 9, 13 and 15b Evington Lane in accordance with policy PS10 of the City of Leicester Local Plan).
6. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any order amending or revoking and replacing that Order with or without modification, no development that would otherwise fall with Classes AA, A, B, C and E of Part 1 (of Schedule 2) of that Order shall be carried out within the curtilage of the dwellinghouse hereby approved without planning permission having first been obtained from the local planning authority. (To ensure that any further development at the site does not unacceptably affect the privacy and amenity of the neighbour occupiers and the character and appearance of the area, and to ensure that adequate amenity space for future occupiers of the development is retained on the site, in accordance with Policy CS03 of the Leicester Core Strategy (2014) and saved Policy PS10 of the Local Plan (2006)).
7. This consent shall relate solely to the submitted plans ref DSA-21019-PL-ES-01 received by the City Council as local planning authority on 27/04/2021 and the amended plans ref DSA-21019-PL-PRO-01 rev C received by the City Council as local planning authority on 28/06/2021, 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 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).
2. The effect of condition 6 of this planning permission is that all future alterations and extensions to the dwelling, and the construction of outbuildings within the curtilage of the dwelling, will require planning permission from the City Council as the local planning authority. (Permitted development rights for this dwelling have been restricted).

### **37. 20202182 115 UPPINGHAM ROAD**

Ward: North Evington

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

The Senior Planning Officer presented the report and drew Member's attention to the supplementary report which set out policy considerations and further considerations.

Mr N Okeke, the applicant, addressed the Committee and spoke in support of the application.

Councillor Joshi then addressed the Committee as a Ward Councillor, speaking in support of 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 refused for the reasons set out in the report. This was seconded by Councillor Whittle and upon being put to the vote, the motion to refuse was CARRIED.

**RESOLVED:**

that the application be REFUSED for the reasons set out below:

**REASONS FOR REFUSAL**

1. The proposal, by reason of use, outside seating area and its design and lack of an active frontage to Uppingham Road together with the display of advertisement boards would on a prominent site fail to take account of the setting and context of the area, and represents poor design that is contrary to policy CS03 of the Leicester Core Strategy and paragraph 126 and 134 of the National Planning Policy Framework 2021
2. The proposal, by reason of its siting, design and the height of the proposed building together with the display of the proposed advertising boards, would have a significant detrimental impact on the setting of the Grade II listed building of St Barnabas Church, 28 St Barnabas Road contrary to policy CS18 of the Leicester Core Strategy and paragraph 199 of the National Planning Policy Framework 2021.

**NOTES FOR APPLICANT**

1. The City Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application no pre-application advice was sought before the application was submitted and no negotiations have taken place during the course of the application. The City Council has determined this application by

assessing the proposal against all material considerations, including planning policies and any representations that may have been received. As the proposal is clearly unacceptable, it was considered that further discussions would be unnecessary and costly for all parties.

**38. 20190377 32, 34 & 36 BARKBYTHORPE ROAD**

Ward: Troon

Proposal: DEMOLITION OF EXISTING 3 DWELLINGS;  
CONSTRUCTION OF 18 DWELLINGS INCLUDING  
ASSOCIATED EXTERNAL WORKS (AMENDED PLANS. (S106  
agreement)

Applicant: MRS P.P. WALKER

The Planning Officer presented the report and drew Members attention to the supplementary report which set out an amended recommendation in relation to a Section 106, amended conditions and notes, policy considerations and further considerations.

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

The Chair moved that the application be approved subject to the conditions set out in the report, the amendments set out in the supplementary report and a Section 106 agreement in accordance with the officer recommendation. This was seconded by Councillor Dr Moore and, upon being put to the vote, the motion to approve was CARRIED.

**RESOLVED:**

that the application be APPROVED subject to the amendments set out in the supplementary report, a Section 106 agreement and 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. Prior to the commencement of the development details of all the materials to be used for the development shall be submitted to and approved in writing with the City Council as local planning authority. The development shall be carried out in accordance with the approved materials. (In the interests of visual amenity, 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).
3. Prior to the commencement of any development a detailed landscaping scheme 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 by the City Council as local planning authority. This scheme shall include details of: (i) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means of planting, staking, and tying of trees, including tree guards; (iv) other surface treatments; (v) boundary treatments; (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots). The approved LEMP scheme 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 five 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. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03 and CS17. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

4. Before any equipment, machinery or materials are brought on to the site for the purposes of the development, all existing trees, shrubs or hedges to be retained on the site shall be protected by fencing in accordance with British Standard BS 5837:2012. The location of the protective fencing shall not be within the root protection area of any retained trees. The fencing shall be maintained until all equipment, machinery and any surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and no alteration to the ground level shall be made without the prior written approval of the local planning authority unless this is clearly indicated on the approved plans. (To minimise the risk of damage to trees and other vegetation in the interests of amenity, and in accordance with policy 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.)
5. Prior to occupation of each dwelling, bird and bat boxes/bricks shall be installed to that dwelling in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The boxes/bricks shall be retained thereafter. (In the interest of biodiversity and in accordance with Policy CS17 of the Core Strategy).
6. Prior to the commencement of the development a further protected species survey shall be carried out at the site by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and approved in writing with the local planning authority

and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey shall be repeated biennially, and any mitigation measures reviewed by the local planning authority until the development commences. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000), the Habitat & Species Regulations 2010 and CS 17 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.)

7. Prior to occupation of each dwelling, hedgehog boxes and gaps or holes within fences to allow free movement of hedgehogs shall be installed to that respective plot in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The boxes and gaps or holes in fences shall be retained thereafter. (In the interest of biodiversity and in accordance with Policy CS17 of the Core Strategy).
8. Prior to the commencement of the 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. Appropriate measures shall be taken as a result to protect the development from hazards associated with landfill gas. Those details shall be submitted to and agreed in writing with the City Council as local planning authority and the approved measures shall be installed in accordance with these details and retained thereafter. (The site is within 250m 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 and in accordance with policy 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.)
9. No development shall be carried out until the site has been investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, has been submitted to and approved in writing by the City Council as local planning authority. The approved remediation scheme shall be implemented, and a completion report shall be submitted to and approved in writing by the City Council as local planning authority before any part of the development is occupied. Any parts of the site where contamination was previously unidentified and found during the development process shall be subject to remediation works carried out and approved in writing by the local planning authority prior to the occupation of the development. The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the

preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11". (To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 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).

10. Prior to the commencement of the development full details of the Sustainable Drainage System (SuDS) together with the implementation, long term maintenance and management of the system shall be submitted to and agreed in writing with the local planning authority. No property shall be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) 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 secure surface water runoff and to secure other related benefits in accordance with Core Strategy Policy CS02. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
11. Prior to the commencement of the development full design details of the proposed heating system shall be submitted to and approved in writing with the local planning authority. The approved scheme shall then be implemented and retained. (To ensure that the development reduces greenhouse gas emissions and contributes towards the mitigation of climate change and 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).
12. Prior to the commencement of the development an acoustic survey shall be carried out to assess noise from nearby industrial units, noise from Barkbythorpe Road and other identified noise sources. The developer shall then (subject to the findings of the noise assessment) carry out an insulation scheme, including ventilation arrangements, in accordance with details which shall have first been approved in writing the local planning authority. The sound insulation scheme shall be designed to comply with the relevant World Health Organisation Guidelines Community Noise for noise sensitive development and BS8233:2014. (In the interest of residential amenity and in accordance with City of Leicester Local Plan policy PS10 and PS11 and Core Strategy Policy CS03.)

13. 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 in accordance with the Council's standards contained in the Street Design Guide. (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.)
14. No part of the development shall be occupied until the 2 metre by 2 metre sight lines on each side of each vehicular access have been provided, 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.)
15. All street works shall be constructed in accordance with the Council's standards contained in the Street Design Guide. (To achieve a satisfactory form of development, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
16. 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 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).
17. Prior to the first occupation of each unit, the occupiers of that dwelling shall be provided with a 'Residents Travel Pack' details of which shall be submitted to and approved in writing by 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)

18. (A) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation following the submission of an archaeological desk-based assessment has been submitted to and approved in writing by the City Council as local planning authority in respect of a supervised watching brief and excavation where required. The scheme shall include an assessment of significance and research questions; and: (1) the programme and methodology of site investigation and recording; (2) the programme for post investigation assessment; (3) provision to be made for analysis of the site investigation and recording; (4) provision to be made for publication and dissemination of the analysis and records of the site investigation; (5) provision to be made for archive deposition of the analysis and records of the site investigation; (6) nomination of a competent person or persons or organization to undertake the works set out within the Written Scheme of Investigation.
- (B) No demolition or development shall take place other than in accordance with the Written Scheme of Investigation approved under (A) above.
- (C) 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 (A) 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 development, this is a PRE-COMMENCEMENT condition).
19. The dwellings and the 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 dwellings 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 CS06)
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.)

22. 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

1. The sound insulation scheme should consider incorporating mechanical ventilation to allow windows to remain closed irrespective of the external conditions if identified as being necessary by the agreed noise survey. Windows should not be permanently sealed closed but should be able to be kept closed, by choice, whilst allowing to enjoy an adequate source of amenity.
2. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway. For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact [highwaysdc@leicester.gov.uk](mailto:highwaysdc@leicester.gov.uk). 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](mailto:highwaysdc@leicester.gov.uk) for advice.
3. The City Council, as local planning authority has acted positively and

proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process. 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.

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 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.

### **39. 20210988 305 NEW PARKS BOULEVARD**

Ward: Western

Proposal: Construction of a single storey extension at side and front of house (Class C3); (Amended 16/07/2021)

Applicant: Mr Mick Linthwaite

The Senior Planning Officer presented the report. The supplementary report also noted policy considerations and further considerations.

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 Nangreave 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 new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)

3. This consent shall relate solely to the amended plans received by the City Council as local planning authority on 16/07/2021. (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.

#### **40. 20211307 96 KERRYSDALE AVENUE**

Ward: Rushey Mead

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

The Senior Planning Officer presented the report and drew Members' attention to the supplementary report which set out an amended description, amended conditions, an additional note to the applicant, policy considerations and further considerations.

Members considered the report and supplementary report, there were no comments or 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 and the amendments/ additions set out in the supplementary report. This was seconded by Councillor Valand and, upon being put to the vote, the motion to approve was CARRIED.

#### **RESOLVED:**

that the application be APPROVED subject to the amendments/ additions set out in the supplementary report and 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 new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Before the occupation of the proposed extension new windows facing 98 Kerrysdale Avenue shall be fitted with sealed obscure glazing (with the exception of top opening light) and retained as such. (In the interests of the amenity of occupiers of 98 Kerrysdale Avenue and in accordance with policy PS10 of the City of Leicester Local Plan).
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.

This development may require a permit under Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the Melton Brook, designated a 'mainriver'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:  
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

#### **41. CLOSE OF MEETING**

The meeting closed at 8.21pm.