



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 8 DECEMBER 2021 at 5:30 pm

P R E S E N T :

Councillor Riyait (Chair)

Councillor Joel
Councillor Malik
Councillor Dr Moore

Councillor Pandya
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.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Aldred.

2. DECLARATIONS OF INTEREST

Councillor Whittle declared that he had received an email in relation to application 20201991 118 Evington Valley Road but did not have an interest to declare and would be considering the application with an open mind.

Councillor Moore declared that she had received an email in relation to application 20201991 118 Evington Valley Road but did not have an interest to declare and would be considering the application with an open mind.

Councillor Thalukdar declared that he had received an email in relation to application 20201991 118 Evington Valley Road and 20211919 59 Stoughton Road North but did not have an interest to declare and would be considering the applications with an open mind.

Councillor Malik declared that he had received an email in relation to application 20201991 118 Evington Valley Road but did not have an interest to declare and would be considering the application with an open mind.

Councillor Joel declared that she had received an email in relation to

application 20201991 118 Evington Valley Road but did not have an interest to declare and would be considering the application with an open mind.

The Chair declared that he had received an email in relation to application 20201991 118 Evington Valley Road but did not have an interest to declare and would be considering the application with an open mind.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee on 17 November 2021 be confirmed as a correct record.

4. PLANNING APPLICATIONS AND CONTRAVENTIONS

RESOLVED:

That the report of the Director of Planning, Development and Transportation dated 8 December 2021 on applications, together with the supplemental report and information reported verbally by Officers, be received and action taken as below.

5. 20201991 118 EVINGTON VALLEY ROAD

Ward: Spinney Hills

Proposal: Change of use of first and second floor from office ancillary to industrial use to self-contained flat (1 x 3 bed) (Class C3); enclosed staircase at rear; alterations (amended 07.09.21)

Applicant: MR HARVIR SINGH

The Planning Officer presented the report and drew Members' attention to the supplementary report.

Councillor Misbah Batool addressed the Committee and spoke in support of the application.

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

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officer recommendation, the application be refused. The was seconded by Councillor Whittle, and upon being put to the vote, the motion was APPROVED.

RESOLVED:

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

REASONS FOR REFUSAL

1. The submitted noise assessment does not appear to take into account the impact of noise from the first floor of the industrial use (at the rear of the application site) on future occupiers of the proposed flat. As such the residential amenity of future occupiers cannot be assured by reason of general noise and disturbance contrary to saved City of Leicester Local Plan policies PS10 and PS11, and paragraphs 130, 174 and 187 of the National Planning Policy Framework.
2. The rear of the proposed residential property faces the service and delivery yard of the existing industrial units on site with the access and egress to Marina Road approximately 90 metres away. This will result in an unsatisfactory, impractical and unsafe arrangement for future occupiers either exiting or returning via this route through to Marina Road or taking bins out to Marina Road on collection days. It would also compromise the safe use of the service yard area by the existing industrial uses on the site. As such the proposal conflicts with saved City of Leicester Local Plan policy PS10, Core Strategy policy CS14 and paragraphs 110 and 111 of the National Plan Policy Framework.

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 advice was given during the application process. Notwithstanding that advice 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 was clearly unacceptable and could not be reasonably amended it was considered that further discussions would be unnecessary and costly for all parties.
2. For the avoidance of doubt, this application is refused on the basis of the following drawings received by the City Council as local planning authority:
2020/03/091/A, mixed plans received on 07/09/2021.

(i) 20211919 59 STOUGHTON DRIVE NORTH

Ward: Stoneygate

Proposal: Construction of two two-storey extensions to front; two first-floor extensions to side; single storey

extension to rear; installation of new cladding and render;
replacement of windows to religious and education centre
(Class F1) (Amendments received 19 November 2021)
Applicant: Evington Muslim Centre

The Planning Officer presented the report.

Gulam Husain addressed the Committee and spoke in support of the application.

Rowan Roenisch addressed the Committee and spoke in objection to the application.

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

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers 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 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 on the approved plans and the Cladding and Render Specifications received on 24 August 2021. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. Before first use of the proposed extensions new windows facing 61 Stoughton Drive North shall be fitted with sealed obscure glazing (with the exception of top inward opening light) and retained as such. (In the interests of the amenity of occupiers of 61 Stoughton Drive North 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 and details:
Site location Plan, received 2 August 2021
Existing Plans and Elevations, 100-001/ 1, received 2 August

2021

Proposed Window Locations, 100-001/ 3 A, received 19 November 2021

Window Details New and Replacement, 100-001/ 4 A, received 19 November 2021

Apex Window Detail, received 24 August 2021

Proposed Plans & Elevations, 100-001/ 2 A, received 19 November 2021

Technical Sheet 10.02.39-GBR Decorative Render Finishes, received 24th August 2021

Wood Grain Composite Cladding System, received 24 August 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 2021 is considered to be a positive outcome of these discussions.

(ii) 20212237 LEICESTERSHIRE COUNTY CRICKET CLUB, GRACE ROAD

Ward: Aylestone

Proposal: Works to eight (8) trees and the felling of five (5) trees protected by Tree Preservation Order (TPO) 284

Applicant: Clark

The Planning Officer presented the report, a Trees and Woodlands Officer was also present to advise on the trees concerned.

Councillor Nigel Porter 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 in accordance with the Officer recommendation, the

application be approved subject to the conditions set out in the report. This was seconded by Councillor Pandya and upon being put to the vote the motion was CARRIED.

RESOLVED:

That the application be APPROVED subject to the conditions outlined below:

CONDITIONS

1. The works shall be completed within two years from the date of this consent. (To enable the City Council to review the situation if the trees grow and develop.)
2. All works shall be carried out in accordance with British Standard for Tree Work BS 3998:2010. (In the interests of the health and amenity value of the trees and in accordance with Policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
3. In the first planting season following the removal of each tree, a replacement tree shall be planted at or near to the original location. The replacement trees shall be 14-16 stem girth, Extra heavy standard and of British native species, unless an alternative scheme has first been submitted to and approved by the City Council as local planning authority. All replacement trees shall be maintained until establishment following planting. Any tree that dies, becomes seriously damaged or is removed shall be replaced by another of the same specification at the same place in the first available planting season. (In the interests of the amenity of the area, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

6. ANY URGENT BUSINESS

There being no other business, the meeting closed at 7.12pm.