



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 3 AUGUST 2022 at 5:30 pm

P R E S E N T:

Councillor Riyait (Chair)

Councillor Broadwell
Councillor Chamund
Councillor Joshi

Councillor Dr Moore
Councillor Pandya
Councillor Thalukdar

Councillor Valand

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1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Aldred and Westley.

2. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held 20 April 2022 be confirmed as a correct record.

3. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

Councillor Joshi declared that he had received correspondence from the applicants for applications 20212995 17a Duxbury Road and 20213098 Larch Street and Longcliffe Road. Councillor Joshi declared he had an open mind on both applications and was happy to participate.

4. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair noted that the applications would be taken out of order.

5. 20212995 17A DUXBURY ROAD

20212995 - 17A Duxbury Road

Ward: North Evington

Proposal: Construction of single storey, two storey and first floor extension to community centre; single storey side extension to mosque (Sui Generis); installation of cladding to community centre and alterations (Amended plans received 26/05/2022, 16/06/2022, 27/06/2022 and 27/07/2022)

Applicant: Mr Rajani

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

Iain Garnell addressed the Committee and spoke in support of the application.

Cath Bayley 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 speakers, and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report and the addendum. 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 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 any works above the ground level, full details of all external materials, including all manufacturer details, shall be submitted in writing to the City Council as Local Planning Authority and a full size sample panel providing all materials to be used for external finishes and showing their construction together shall be constructed on site for inspection and approval in writing by the City Council as Local Planning Authority. The development shall only be constructed in accordance with the approved materials and details of construction. (In the interest of visual amenity and character and appearance of the area and in accordance with Core Strategy policy CS03).

3. Prior to the commencement of development 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 by the local planning authority. The use shall not commence 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 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, this is PRE-COMMENCEMENT condition)
4. Prior to the commencement of development details of drainage, shall be submitted to and approved by the local planning authority. The use shall not commence until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy, this is PRE-COMMENCEMENT condition.)
5. There shall be no external amplified call to prayer or aural announcement of activities to take place or taking place within the building without the prior submission of details to and approval by the City Council as local planning authority. (In the interests of residential amenity and in accordance with policy PS10 of the City of Leicester Local Plan.)
6. The use shall at all times be managed and operated in full accordance with a Management Plan the details of which shall first be submitted to and approved in writing by the local planning authority before the first use of the development. The management plan shall set out procedures for the use and number of people attending at any one time and arrangements for appointments, management of attendees on and around the premises and other matters as appropriate. The management plan shall be publicly viewable (via the planning register at <https://www.leicester.gov.uk/planning-and-building/planning-applications/search-planning-applications/>) and shall identify a single point of contact. (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 and CS15 and policy PS10 of the City of Leicester Local Plan).
7. Prior to the use of the development at the community centre the details of the air conditioning units and noise assessment report is submitted and approved by the City Council as local planning authority and it

shall be maintained and operated thereafter in accordance with the manufacturer's instructions (In the interests of the amenities of nearby occupiers, and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan.)

8. All external doors and windows shall be kept closed, other than for access and egress, in all rooms when amplified/live music or speech is taking place. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
9. There shall be no live or amplified music played within the building or within the curtilage of the site which would be detrimental to the amenities of occupiers of nearby properties. (In the interests of the amenity of occupiers of nearby houses in accordance with policies PS10 and PS11 of the City of Leicester Local Plan).
10. The use shall not be carried on outside the hours of 0800 to 2200 daily. (In the interests of the amenities of nearby occupiers, and in accordance with policies CL08 and PS10 of the City of Leicester Local Plan)
11. No part of the development shall be occupied until an updated 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 AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).
12. Before the development is begun, all existing TPO trees on the site shall be protected by fences erected not within the root protection area as shown on existing tree survey and protection plan. No materials whatsoever shall be stored, rubbish dumped, fires lit or buildings

erected within these fences; no changes in ground level shall be made within the spread of any tree, shrub or hedge without the previous written approval of the local planning authority. No trees shall be used as anchorages, nor shall any items whatsoever be affixed to any retained tree. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

13. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated May 2022 (ref: DRL-FRA-0001.F01.00) and the following mitigation measures detailed within the FRA:
 - Safe access/egress
 - Emergency Flood plan
 - Flood resistance and resilience measuresThe mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the Lead Local Flood Authority. (To minimise the risk of damage in times of flooding, and in accordance with policy CS02 of the Core Strategy).
14. No more than 10 special events, including weddings and religious festivals (excluding funeral preparation), shall take place within the buildings in any one calendar year, and shall be subject on each occasion to the City Council, as local planning authority, being given at least 21 days' notice of each event. (In the interests of the amenity of nearby occupiers and in the interests of pedestrian and highway safety in accordance with policies PS10 and PS11 of the City of Leicester Local Plan and Policy CS08 of the Core Strategy.)
15. No part of the development shall be occupied until secure and covered cycle parking has been provided and retained thereafter, in accordance with written details previously approved by City Council as local planning authority. (In the interests of the satisfactory development of the site and in accordance with policies AM02 of the City of Leicester Local Plan).
16. Before the development is occupied, 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 lights shall be maintained and operated in accordance with the details submitted so as to avoid any additional light pollution to nearby residential properties. No additional lighting should be installed without prior agreement from the Local Planning Authority (In the interests of protecting neighbouring amenity and in accordance with National Planning Policy Framework (2021))

Paragraph 185, saved policies PS10 and BE22 of the 2006 Local Plan)

17. Development shall be carried out in accordance with the following approved plans:
Location and Block Plan - 463-05 Rev B received 16/06/2022
Proposed Mosque floor plans and elevations - 463-03 Rev D received 16/06/2022
Proposed Community Centre floor plans and elevations- 463-04 Rev B received 27/06/2022
Proposed Community Centre section - 463-10 received 26/05/2022
Existing tree survey and protection plan - 463-07 received 27/07/2022
(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.
2. 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.

6. 20213098 LARCH STREET AND LONGCLIFFE ROAD

20213098 - Larch Street and Longcliffe Road

Ward: North Evington

Proposal: Installation of security fencing, gates, infill panels to balconies and bin enclosures to maisonettes (Class C3)(Amended Plans received 13th June)

Applicant: PA Housing

The Planning Officer presented the report.

Dale Radford addressed the Committee and spoke in support of the application.

Omar Ghanchi 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 Moore and upon being put to the vote, the motion was CARRIED.

RESOLVED:

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

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 metal mesh fencing and gates shall be colour coated dark green in a durable finish and the metal balcony infill panels shall be colour coated black in a durable finish. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. The gates shall be fitted so that they can be secured in an open position if and when needed. (In the interest of easy access and in accordance with policy CS03 of the Core Strategy.)
4. Development shall be carried out in accordance with the following approved plans:
Security fencing proposal, 101-423/(P)001, received 13 June 2022
Boundary Treatment Plan, 101-423/(P)002H, received 13 June 2022
Site Location Plan, 101-423/(P)005B, received 13 June 2022
Balcony Treatment Plan, 101-423/(P)003A, received 24 December 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.

2. The applicant is advised to contact Waste Management Team to arrange security access to waste storage areas.

7. 20220639 8 BRANCASTER CLOSE

20220639 - 8 Brancaster Close

Ward: Abbey

Proposal: Retrospective application for change of use from house (4 bed) (Class C3) to four self contained flats (4X 1 bed) (Class C3); demolition of existing garage at no. 9; installation of 1.8m high timber fence (amended plans received 26.04.2022, 16.06.2022)

Applicant: Mr & Mrs Gawera

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

Liz Morley 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 Pandya and upon being put to the vote, the motion was APPROVED as a result of the Chair's casting vote.

RESOLVED:

That the application be APPROVED subject the conditions set out below:

CONDITIONS

1. Within 3 months from the date of this decision, three secure and covered cycle parking spaces shall be provided and retained thereafter, in accordance with the approved plans. (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).
2. Within three months from the date of this decision, two parking space(s), as shown on the approved plans, shall be provided and shall be retained for vehicle parking. (To secure adequate off-street parking provision, and in accordance with policy AM12 of the City of Leicester Local Plan and Core Strategy policy CS3.)
3. Within 3 months from the date of this decision, the proposed permeable paving shall be installed as shown in the approved plans and retained thereafter. (To reduce surface water runoff in accordance with policy

CS02 of the Core Strategy).

4. Within 3 months from the date of this decision, a bin storage area shall be provided and retained thereafter, in accordance with the approved plans. (In the interests of the satisfactory development of the site and in accordance with policy H07 of the City of Leicester Local Plan).
5. The development shall be carried out in accordance with the following approved plans:
 - PL-08 A201 Proposed first floor plan Rev A dated 21/03/2022
 - PL-08 A203 Proposed Elevations Rev A dated 21/03/2022
 - PL-08 A202 Proposed Roof Plan Rev A dated 21/03/2022
 - PL-08 A207 Proposed Site Plan Rev B dated 26/04/2022
 - PL-08 A200 Proposed ground floor plan Rev B dated 16/06/2022
 - PL-08 A200 Location plan Rev B dated 16/06/2022
 - PL-08 A200 Block plan Rev B dated 16/06/2022(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.

8. 20220694 141 UPPERTON ROAD

20220694 - 141 Upperton Road, Elms Park View

Ward: Westcotes

Proposal: Construction of dormer extension and installation of rooflight at front of house (Class C3)

Applicant: Mr Peter Barron

The Planning Officer presented the report.

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 Officer recommendation, the application be approved. The 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 cheeks and roof of the dormer shall be constructed in lead roll as stated in the application form. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Development shall be carried out in accordance with the following approved plans:
Proposed dormer window and internal alterations, PB.22.URL.001, received 28 March 2022.
(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 2021.

9. 20220424 31 CLAREFIELD ROAD

20220424 - 31 Clarefield Road

Ward: Western

Proposal: Construction of single storey extension at front and first floor extension to side of house (Class C3) (Amendments received 27.6.202)

Applicant: Mr Gurjeet Rajania

The Planning Officer presented the report.

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 approved. The was seconded by Councillor Joshi, 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 external elevations shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. Before the occupation of the new utility space, the window facing 29 Clarefield Road shall be fitted with sealed obscure glazing to Pilkington level 4 or 5 (or equivalent) (with the exception of top opening light) and retained as such. (In the interests of the amenity of occupiers of 29 Clarefield Road 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:
Existing Plans & Elevations, 2021-29 -PL-01, received 10 May 2022
Proposed Plans & Elevations - rev 2, 2021-29-PL-02, REVISION 2, received 27 June 2022
(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.

10. CLOSE OF MEETING

The meeting closed at 7.40pm.