



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 15 NOVEMBER 2023 at 5:30 pm

P R E S E N T :

Councillor Pantling (Chair)
Councillor Aldred (Vice Chair)

Councillor Agath
Councillor Bonham
Councillor Gopal

Councillor Haq
Councillor Dr Moore
Councillor Singh Patel

Councillor Surti

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 Clarke	20221898 48 LITTLE HOLME STREET
Councillor Aldred	20221467 LAND REAR OF 268-270 UPPINGHAM ROAD
Councillor Kitterick	20231214/5 48A LONDON ROAD, THE PARCEL YARD

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34. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Mohammed and Councillor Kennedy-Lount. Councillor Haq was present as substitute for Councillor Kennedy-Lount.

35. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development

Control Committee held 25 October 2023 be confirmed as a correct record.

36. DECLARATIONS OF INTEREST

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

Councillor Moore declared an interest in application 20231278 335 London Road in that she lived close to the application site, she declared that she had an open mind.

Councillor Bonham declared an interest in application 20221214/5 48A London Road, The Parcel Yard that he had done case work for a business in the area impacted by the application and application 20231073 15 Main Street Humberstone that he had previously met with the applicants. For both applications Councillor Bonham would withdraw from the meeting.

Councillor Aldred declared that she was speaking on application 20221467 48 Little Holme Street and would therefore not sit on the Committee for the application.

37. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair noted that the applications would be considered out of the order in the published agenda pack.

38. 20221898 48 LITTLE HOLME STREET

Ward: Westcotes

Proposal: Demolition of factory (Class B2); construction of a 6 and 7 storey building containing student accommodation (Sui Generis), 2 storey building housing plant and cycle/bin storage, with associated ancillary works and landscaping (as amended).

Applicant: CC Leicester Limited

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

Karl Scholz, on behalf of the applicant, addressed the Committee and spoke in support of the application.

Vijay Mistry and Sophie Rose Asquith addressed the Committee and spoke in opposition to the application.

Councillor Adam Clarke, as Ward Councillor, addressed the Committee and spoke in opposition to the application,

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and moved that in accordance with the Officer recommendation and the addendum report, that the application be approved. This was seconded by Councillor Agath and upon being put to the vote, the motion was REJECTED.

The Committee at this point received advice on the options available to them.

The Chair moved that the application be deferred for re-consideration and more information in respect of parking, massing, and noise issues. This was seconded by Councillor Haq, and upon being put to the vote, the motion was CARRIED.

RESOLVED: Deferred for re-consideration and more information in respect of parking, massing and noise issues

39. 20221467 LAND REAR OF 268-270 UPPINGHAM ROAD

Ward: Thurncourt

Proposal: Construction of x2 two storey dwellinghouses (2 x 4 bed) (Class C3); associated parking and landscaping (amended plans 28/3/2023)

Applicant: Easy Property Group

The Planning Officer presented the report.

Asif Govaria, the applicant, addressed the Committee and spoke in support of the application.

Jiten Raikundalia addressed the Committee and spoke in opposition to the application.

Councillor Aldred, as Ward Councillor, addressed the Committee and spoke in opposition to the application.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and points raised by the Committee and moved that in accordance with the Officer recommendation, the application be approved. This was seconded by Councillor Bonham, and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted subject to conditions

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 as shown on the approved plans. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. No part of the development shall be occupied until footway / verge crossing(s) have been provided at each vehicular access in accordance with guidance in the Leicester Street Design Guide. (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.)
4. The parking area shall be provided before the occupation of any part of the development and shall be retained and kept available for that use. (To ensure that parking can take place in a satisfactory manner; and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
5. 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. No flat shall be occupied/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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
6. Prior to the commencement of development details of drainage, shall be submitted to and approved by the local planning authority. No property shall be occupied 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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
7. The dwellings and their 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 dwellings are adaptable enough to match lifetime's changing needs in accordance with Policies CS03 and CS06 of the Leicester Core Strategy (2014)).

8. Development must take place in strict accordance with Section 4 of the Arboricultural Impact Assessment & Method Statement (RJ Tree Services Ltd, dated 09 September 2022, received by the City Council as local planning authority on 09/09/2022) and the Tree protection plan (as received by the City Council as local planning authority on 09/09/2022) (To ensure that trees proposed to be retained on site and trees surrounding the site are not harmed and in accordance with Local Plan saved policy UD06).
9. The approved landscaping scheme (drawing title: Detailed soft landscape proposals, no 21-047-01, revision C, bea landscape design ltd, received 18/5/2023) shall 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 CS3.)
10. Prior to above ground works, details of the type and location of x2 bat tiles/boxes and x2 bird boxes to be incorporated within the elevations of the proposed buildings have been submitted to and agreed in writing with the City Council as local planning authority. The locations should be determined by an ecologist who should also supervise their installation. The development shall be carried out in accordance with the agreed details and the agreed features retained thereafter (In the interest of biodiversity and in accordance with Policy CS 17 Biodiversity of the Core Strategy).
11. Should the development not commence within 24 months of the date of the last protected species survey (December 2022), then a further protected species survey shall be carried out by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and agreed in writing with the local planning authority and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey should 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 2017 and CS17 of the Core Strategy).

12. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling or provision of any outbuilding of types specified in Part 1, Classes A, AA, B, D and E shall be carried out without express planning permission having previously been obtained from the Local Planning Authority. (Given the nature of the site, the form of development is such that work of these types may unacceptably reduce amenity space on site or lead to an unacceptable loss of amenity to occupiers of neighbouring properties, or be a design that is out of keeping with the character and appearance of the area; and in accordance with Core Strategy (2014) policy CS03 and saved policy PS10 of the City of Leicester Local Plan (2006)).
13. Development shall be carried out in accordance with the following approved plans:
Planning Application - Proposal Drawing Plot A, Ref DSA-20147-PL-PRO-01-C, received 28/03/2023
Planning Application - Proposal Drawing Plot B, Ref DSA-20147-PL-PRO-02-C, received 28/03/2023
Planning Application - Proposal Drawing Site Plan, Ref DSA-20147-PL-PRO-03-B, received 28/03/2023
(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 2023 is considered to be a positive outcome of these discussions.
2. To meet condition 7 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.
3. Condition 11 refers to alterations/extensions that you are normally

allowed to carry out to houses without planning permission. In this case the City Council wants to be able to control any alterations and extensions to preserve the appearance of the property or protect the amenities of neighbouring properties. You should contact the City Council (telephone (0116) 454 1000) if you are considering such works.

40. 20231214/5 48A LONDON ROAD, THE PARCEL YARD

20231214 - 48A London Road, The Parcel Yard

Ward: Castle

Proposal: Demolition of 48 London Road

Applicant: Leicester City Council/Network Rail

20231215 - 48A London Road, The Parcel Yard

Ward: Castle

Proposal: Listed Building Consent for proposed demolition of 48 London Road

Applicant: Leicester City Council/Network Rail

At this point Councillor Singh-Patel left the meeting, Councillor Bonham stood down from the Committee for this item, and Councillor Aldred resumed her place on the Committee.

It was noted that two separate applications were being considered together in this item and would require two separate votes.

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

David Beale, on behalf of the applicant, addressed the Committee and spoke in support of the application.

Councillor Kitterick, as Ward Councillor, addressed the Committee and spoke in opposition to the application.

Members of the Committee considered the application and Officer responded to questions and queries raised by the Committee.

The Chair summarised the application and points raised by the Committee and moved that in accordance with the Officer recommendation and the addendum report, the application for the demolition of 48A London Road be approved. This was seconded by Councillor Aldred, and upon being put to the vote the motion was REJECTED.

The Chair moved the application for the demolition of 48A London Road be deferred for further information and consideration on matters relating to the justification and necessity for programming and deliverability of the demolition phase ahead of the main comprehensive scheme and funding arrangements,

commitments, and programme risks. This was seconded by Councillor Haq, and upon being put to the vote the motion was CARRIED.

The Chair moved that the application for Listed Building Consent be deferred for further information and consideration on matters relating to the justification and necessity for programming and deliverability of the demolition phase ahead of the main comprehensive scheme and funding arrangements, commitments, and programme risks. This was seconded by Councillor Aldred, and upon being put to the vote the motion was CARRIED.

RESOLVED: Deferred for further information and consideration of matters relating to:

- **the justification and necessity for programming and deliverability of the demolition phase ahead of the main comprehensive scheme**
- **Funding arrangements, commitments and programme risks**

41. 20231073 15 MAIN STREET HUMBERSTONE

Ward: Humberstone & Hamilton

Proposal: Change of use of the ground floor from a public house/ restaurant (Sui generis) to a community centre (Class F2); reconfiguration of the car park; and cycle store at rear (amended plans 25/10/2023)

Applicant: Abbas Momin

Councillor Bonham remained stood down from the Committee for this application.

The Planning Officer presented the report.

Alex Prowse on behalf of the application addressed the Committee and spoke in support of the application.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and points raised by the Committee and moved that in accordance with the Officer recommendation, the application be approved. This was seconded by Councillor Haq and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted subject to conditions

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 community centre use shall not be carried on outside the hours of 1000-2200 daily. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
3. The use as a community centre shall not commence until the front area of hardstanding has been marked and laid out in accordance with details shown on the revised parking layout (Drawing No.: 25058-02C-1 Rev C), including the "sign with diagram 616 at entrance". The markings shall be retained and the front area of hardstanding shall not be used for any purpose other than access and vehicle parking for the lifetime of the use. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
4. The external enclosed areas at the south and west of the site shall not be used for any purpose other than servicing, cycle parking, bin storage or other storage associated with the community centre use. (In the interests in neighbouring amenity, and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan and NPPF 2023 paragraph 130f)
5. The use as a community centre shall not commence until the glazing/ventilation package A referred to in paragraph 8.6 and one of the secondary ceiling options referred to in paragraph 10.5 of the Noise Assessment (Acute Acoustics, Ref 2782, Rev B) have been installed. Such measures are to be retained in situ for the lifetime of the development. (In the interests of residential amenity in accordance with policy H07 of the City of Leicester Local Plan 2006)
6. The use as a community centre shall not commence until the cycle shelter has been installed in the rear courtyard in the location as shown on the approved site block plan and in accordance with details of the appearance of the cycle shelter which will have been agreed in advance in writing with the City Council as local planning authority. The shelter shall be retained for the lifetime of the use. (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).
7. Development shall be carried out in accordance with the following approved plans:
MPD-1235-PLA-02-B – SITE LOCATION PLAN &
EXISTING/PROPOSED PLANS
MPD-1235-PLA-04-B – PROPOSED ELEVATIONS
received on 25/10/2023.
(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 2023 is considered to be a positive outcome of these discussions.

42. 20231278 335 LONDON ROAD

Ward: Knighton

Proposal: Change of use from dwellinghouse (Class C3) to day nursery (Class E); construction of single storey extension at front; single storey extension at rear; associated parking (amended plans received 3/10/2023 and 17/10/2023)

Applicant: Mr Amit Patel

At this point Councillor Bonham resumed his place on the Committee.

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

Jack Wilkins, on behalf of the applicant, addressed the Committee and spoke in support of the application.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and points raised by Committee Members and moved that in accordance with the Officer recommendation and the addendum report, the application be approved. This was seconded by Councillor Aldred and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted subject to conditions

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 any work above ground level and notwithstanding the materials details provided within the application form, the materials to be used on all external elevations shall be submitted to and approved by the City

Council as local planning authority. The details shall include:

- a 2m x 2m brick sample panel including mortar and bonding;
- Window and door frame section details and door joinery details at 1:5 scale or 1:10 scale where appropriate;

The development shall be carried out in accordance with the approved details and shall be retained as such for the lifetime of the development. (To ensure that the details are agreed in time to be incorporated into the development and in the interests of visual amenity and the character and appearance of the area, and in accordance with Core Strategy policy CS03).

3. Traffic flow within the site shall be managed by a one-way system with vehicular access to the site from London Road and the vehicular egress from the site to Knighton Drive and shall be operated as such for the lifetime of the development. (In the interests of the satisfactory development of the site and in accordance with policies AM01, AM02 and AM11 of the City of Leicester Local Plan).
4. Before the occupation of any part of the development, 'WAY IN', 'WAY OUT' and 'NO ENTRY' signs shall be installed in accordance with the approved details and retained as such. (For the safety and convenience of pedestrians and other road users, and in accordance with saved Local Plan policies AM01 and AM02 and Leicester Core Strategy policy CS3.)
5. No part of the development shall be occupied until the five parking areas shown on the approved plans are surfaced and marked out in accordance with details shown on the approved plans and shall be retained for parking and not used for any other purpose. Notwithstanding the approved plans, the garage shall be used as one vehicle parking space and retained as such thereafter. (To ensure that parking can take place in a satisfactory manner, in the interest of highway safety, and in accordance with policies AM01 and AM11 of the City of Leicester Local Plan and Core Strategy policy CS03)
6. No part of the development shall be occupied until four secure cycle parking spaces have been provided to the front of the site for parent and visitor use and three cycle parking spaces have been provided within the existing garage in accordance with the approved plans and retained thereafter. (In the interests of the satisfactory development of the site and in accordance with policies AM02 and AM11 of the City of Leicester Local Plan).
7. The development be carried out in accordance with the Travel Plan received on 05/07/2023. The Travel Plan shall be carried out in accordance with the timetable contained within the Travel Plan. The monitoring of travel modes (including travel surveys) shall be carried out 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).

8. The use hereby approved shall not be carried on outside the hours of 07:30 to 18:00 Monday to Friday and at no other time. (In the interests of the amenity of neighbouring occupiers, in accordance with Policy CS03 of the Leicester Core Strategy (2014) and saved Policies PS10 and PS11 of the Local Plan (2006).
9. All trees within the application site and neighbouring sites that are shown to be retained shall be protected from damage during building operations, in accordance with the Tree Protection Plan and Impact Assessment both received on 05/07/2023. 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 all 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 City Council 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 saved policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS18).
10. The approved use shall be operated in accordance with the nursery management plan received on 09/10/2023, aimed at minimising disturbance to nearby residents and maintaining highway safety, and shall be operated at all times thereafter. (In the interests of the amenity of neighbouring occupiers, in accordance with saved Policies PS10 and PS11 of the Local Plan (2006).).
11. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or any order amending or revoking and replacing that Order with or without modification, the premises shall not be used for any purpose other than day nursery within Class E of the Order. (To enable consideration of the amenity, parking and highway safety impacts of alternative Class E uses, in accordance with Policies CS03 and CS15 of the Leicester Core Strategy (2014) and saved Policies PS10 and PS11 of the Local Plan (2006).)
12. Development shall be carried out in accordance with the following approved plans:
Proposed Site Plan, 21090/DSA/BP/GF/EXT/A/002 Rev P02, received 06/07/2023

Proposed Site Layout, DWG//4279/001 Rev P03, received 09/10/2023
Proposed Ground Floor Plan, 21090/DSA/FP/XX/XX/A/003 Rev P08,
received 17/10/2023
Proposed First Floor Plan, 21090/DSA/FF/XX/XX/A/008 Rev P01,
received 17/10/2023
Proposed Roof Plan, 21090/DSA/SL/RP/XX/A/007 Rev P02, received
03/10/2023
Proposed Elevations, 21090/DSA/ELE/XX/XX/A/004 Rev P04, received
03/10/2023
Proposed General Arrangement, 21090/DSA/SL/GF/XX/A/006 Rev B,
received 09/10/2023
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. With regards to the Travel Pack the contents of the pack are intended to raise the awareness and promote sustainable travel. The applicant should seek advice from Leicester City Council's Travel Plan Officer
2. The effect of condition 11 of this planning permission is that future changes of use of the property will require planning permission from the City Council as local planning authority. (Permitted development rights for this property have been restricted).
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 (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 2023 is considered to be a positive outcome of these discussions.

(i) 20231313 2-4 GOPSALL STREET

It was noted that this application had been withdrawn prior to the meeting.

43. ANY URGENT BUSINESS

There being no further business, the meeting closed at 9.32pm.