



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 12 FEBRUARY 2025 at 5:30 pm

P R E S E N T :

Councillor Surti (Chair)
Councillor Aldred (Vice Chair)

Councillor Cassidy
Councillor Gopal
Councillor Joel

Councillor Kitterick
Councillor Modhwadia
Councillor Mohammed

Councillor Dr Moore
Councillor Singh Patel

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1. APOLOGIES FOR ABSENCE

Councillor Surti as Chair welcomed those present and led on introductions.

Apologies had been received by Councillor Kennedy-Lount.

2. DECLARATIONS OF INTEREST

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

Councillor Kitterick declared an interest in that he had received a call by a member of the public concerning Item 1, Belgrave Gate, and had informed them that he cannot discuss the application and maintains an open mind. Furthermore he had made a representation on Item 2, Granby Street.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held 22nd January 2025 be confirmed as a correct record.

4. **PLANNING APPLICATIONS AND CONTRAVENTIONS**

The Chair informed the Committee that according to the recommendations of officers in the supplementary addendum, Item 2, 107 Granby Street be removed from the agenda.

5. **20231011 - 122-132 BELGRAVE GATE & 1 GARDEN STREET**

20231011 - 122-132 Belgrave Gate & 1 Garden Street

Ward: Castle

Proposal: Demolition of existing buildings; construction of a single, four & five storey building (with basement) for a storage unit that is ancillary to the printing workshop at 37 Orchard Street, 2 x retail units (Class E) and 14 flats (9 x 1bed & 5 x 2bed) (Class C3) (amended plans) (S106 Agreement)

Applicant: Mr Raj Patel

The Planning Officer presented the report.

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

Councillor Kitterick suggested that section 106 refresher training be held for Members of the Committee, which the Head of Planning, Grant Butterworth noted.

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

RESOLVED: That subject to the completion of the s106 Agreement as detailed in the report, permission be granted subject to the following 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 the commencement of any new build development, the site shall be 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, shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme shall be implemented, and a completion report shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the development. 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 any part 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 current UK guidance as outlined in Land Contamination Risk Management (LCRM) from the Environment Agency. (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 saved policy PS11 of the City of Leicester Local Plan.)

3. The development shall be carried out in full accordance with the air quality mitigation measures as set out in Appendix D of the air quality assessment (Miller Goodall, ref: 102885, November 2022). (In the interests of the amenities of nearby residents and in accordance with saved policies PS10 & PS11 of the City of Leicester Local Plan.)

4. Prior to the commencement of any demolition, a Level 3 Building Survey of the slum house at 1 Garden Street shall be carried out, submitted to and approved in writing, by the Local Planning Authority. (To record the details of this heritage asset and in accordance with policy CS18 of the Core Strategy.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

5. (A) No development, other than demolition of the existing buildings on the site (but excluding the excavation of slabs and foundations), shall take place until the implementation of an appropriate programme of archaeological work has been secured, to be undertaken by a competent and experienced organisation in accordance with a Written Scheme of Investigation (WSI) which has previously been submitted to and approved in writing by the Local Planning Authority (LPA). The WSI shall include an assessment of significance, research questions and:

- (i) a programme and methodology for site investigation, excavation and recording of archaeological deposits to an agreed depth below final formation levels, or to undisturbed natural geology;
- (ii) the programme for post-investigation assessment;
- (iii) provision for the analysis of the site investigation and recording;

(iv) provision for the publication and dissemination of the analyses and records of the site investigation;

(v) provision for archive deposition of the analysis and records of the site investigation.

(B) No development other than above-ground demolition (but excluding the excavation of slabs and foundations), shall take place, other than in accordance with the Written Scheme of Investigation approved under (A) above.

(C) The applicant shall notify the LPA of the intention to begin any archaeological works or works which require archaeological supervision at least seven days before commencement. The archaeological work and post-investigation assessment shall be completed in accordance with the programme set out in the WSI approved under (A) above.

(D) In accordance with the WSI approved under (A) above, provision for the analysis, publication and dissemination of results and archive deposition shall be secured prior to occupation of the development.

(E) If the results of the archaeological investigations demonstrate the existence of remains to be preserved in situ, then prior to any development taking place (other than demolition, but excluding the excavation of slabs and foundations), details of all below ground disturbance (including but not limited to basements, foundations, piling configuration, drainage, services trenches, highway works and temporary works), covering relevant areas as approved in advance with the LPA, and to include a detailed Design and Method Statement, shall be submitted to and approved in writing by the LPA. The details shall show the preservation of surviving archaeological remains which are to remain in situ. Development shall be carried out in accordance with the approved details.

(To determine the significance of the heritage assets at a national, regional and local level, and to assess the extent of the loss of any heritage assets of archaeological interest that will result from this development, accordance with Core Strategy policy CS18.)

6. Should the demolition, or any phase of the demolition, not commence within 12 months of the date of the last protected species survey (22nd of July 2024), then a further protected species survey shall be carried out of all buildings, trees and other features by a suitably qualified ecologist. The survey results shall be submitted to and approved in writing, by the Local Planning Authority, and any identified mitigation measures carried out before any development of that phase is begun. Thereafter, the survey should be repeated annually until the development begins. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat and Species Regulations 2010 and CS17 of the Core Strategy.)

7. Prior to the commencement of above ground development,

details for the design and location for the installation of one bat box and one sparrow terrace, shall be submitted to and approved in writing by the Local Planning Authority. No unit in the building on which they are to be installed, shall be used, until they have been installed in accordance with the approved details. (To provide wildlife habitat in accordance with policy CS17 of the Core Strategy).

8. Prior to the commencement of any new build 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 unit 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 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.)

9. Prior to the commencement of any new build development, details of foul drainage shall be submitted to and approved by the Local Planning Authority. No unit shall be occupied, until the foul 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.)

10. Prior to the occupation of any unit, the bin stores as shown on plan SK-20240802-01 shall be provided. They shall be retained for bin storage purposes thereafter. (To ensure the scheme provides acceptable waste storage and collection arrangements and in accordance with policy CS03 in the Core Strategy.)

11. Prior to the occupation of any unit, the measures in the Energy Efficiency & Sustainability Statement Rev P02 (bec buildings services consulting engineers) shall be implemented. They shall be retained thereafter. Proof of installation and operation shall be submitted to and approved by the Local Planning Authority. (In the interests of energy efficiency and minimizing carbon emissions in accordance with policy CS02 of the Core Strategy.)

12. Prior to the commencement of any new build development, details of carbon reduction compared to the agreed baseline shall be submitted to and approved by the Local Planning Authority. No unit shall be occupied, until the development has been completed in accordance with the approved details and confirmation of this shall be submitted to and approved by the Local Planning Authority. They shall be retained thereafter. (In the interests of minimizing carbon emissions in accordance with policy CS02 of the Core Strategy.)

13. Prior to the commencement of development, a Construction Method Statement (CMS), with consideration being given to highway management and safety, the water environment and flood risk management, shall be submitted to and approved by the Local Planning Authority. The approved CMS shall be adhered to throughout the construction period. The CMS shall provide for: (i) the vehicle and pedestrian temporary access arrangements including 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 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 storage and management of waste resulting from excavation works, (viii) the proposed phasing of development and a detailed description of the works in each phase, (ix) the temporary access arrangement to the construction site, (x) procedures to ensure flood risk is managed on site during the period of works for personnel, plant and members of the public, (xi) the procedures to ensure flood risk is not increased anywhere outside of the site for the duration of the works, (xii) the procedures to ensure pollution and sedimentation is minimised to any adjacent watercourse and the procedure to be used in case of a pollution incident, (xiii) the measures that will be undertaken to ensure the structure of any adjacent watercourse is not impacted by the proposed development. (To ensure the satisfactory development of the site, and in accordance with saved policies AM01 & UD06 of the City of Leicester Local Plan and policies CS02 & CS03 of the Core Strategy.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

14. Prior to the commencement of any new build development, details of all street works (including alterations to the footway crossings, kerbs, new highway construction and a new loading bay) and the area between the door in the Belgrave Gate frontage and the highway footway, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the storage unit, all street works must be implemented in accordance with a submitted Traffic Regulation Order focused on the approved details and approved by the Local Highways Authority. (To achieve a satisfactory form of development, and in accordance with saved policy AM01 of the City of Leicester Local Plan and policy CS03 of the Core Strategy.)

15. Prior to the occupation of any flat, the cycle parking shall be provided in accordance with the approved details. It shall be retained thereafter. (To meet the cycle parking needs of residents and to promote the use of sustainable means of transport in accordance with saved policies AM02 and H07 of the City of Leicester Local Plan.)

16. Prior to the occupation of any unit, the Traffic Regulation Orders

(TROs) shall be updated to meet the needs of the scheme in accordance with the submitted details (new loading bay, replacement of existing timed waiting restriction opposite the new loading bay to a 'No Waiting at Any Time' with loading restrictions). (To achieve a satisfactory form of development, and in accordance with policy CS03 of the Core Strategy.)

17. All doors, gates and windows on the frontages to Belgrave Gate and Garden Street shall be inward opening or shall open on a vertical plane, save where they are more than 2.3m above the height of the footways. They shall be retained as such thereafter. (In the interest of highway safety and in accordance with policy CS03 of the Core Strategy.)

18. Prior to the occupation of any flat, the noise insulation measures and ventilation system (as detailed in the Acoustic Assessment by Leema Technologies Ltd (March 2023) & Overheating Assessment (TM59) by Briary Energy (October 2024)) shall be installed. They shall be retained thereafter. (To ensure residents are provided with living environments that are acceptably ventilated and do not overheat in accordance with saved policy PS10 of the City of Leicester Local Plan.)

19. Prior to the occupation of any flat, the communal roof terrace and details of planting on the fourth floor shall be laid out in accordance with plan 1622 SK-20240802-01. It shall be retained and made available to all residents at all times. (To provide residents with an acceptable level of amenity in accordance with saved policy PS10 of the City of Leicester Local Plan.)

20. The basement of the block that faces Belgrave Gate shall only be used for plant and for ancillary storage for the retail units and flats. (In order to ensure it is not used for living accommodation to which it will not provide an acceptable level of amenity in accordance with saved policy PS10 of the City of Leicester Local Plan and policy CS03 of the Core Strategy.)

21. Prior to the commencement of development above ground level: A) a full material schedule (with specification and manufacturer information) for all the proposed materials to be used for external parts of the building, B) 1:20 scale plans of the windows and reveals, C) 1:20 scale plan of the sample panel and D) a sample panel (showing the brickwork detailing (including the sawtooth brick detailing), mortar and bond, capping and a section of the window and window reveal), shall be for A), B) & C) submitted to, and for D) constructed and then viewed and approved in writing, by the Local Planning Authority. Development shall be carried out in accordance with the approved details and sample panel. (In the interests of visual amenity, to maintain the setting of heritage assets, and in accordance with policies CS03 & CS18 of the Core Strategy.)

22. The foundations of any walls of the building which abut the highway footways on the frontages to Belgrave Gate and Garden Street must be designed and implemented so that they do not encroach onto the highway. (To achieve a satisfactory form of development, and in accordance with policy CS03 of the Core Strategy.)

23. The part of the site that is next to Belgrave Gate and currently occupied by the slum house and terrace, shall not be used for car parking or storage following demolition of those buildings. (To avoid that part of the site being a gap in the Belgrave Gate streetscene and to maintain the setting of nearby heritage assets, in accordance with policies CS03 and CS18 of the Core Strategy.)

24. Prior to the commencement of use of the storage unit, the block for the retail units and flats shall be substantially completed. (To avoid the part of the site that is next to Belgrave Gate being a gap in the Belgrave Gate streetscene and to maintain the setting of nearby heritage assets, in accordance with policies CS03 and CS18 of the Core Strategy.)

25. The storage unit shall only be used for purposes that are ancillary to the printing workshop for Meesha Graphics at 37 Orchard Street. (To secure the cohesive redevelopment of the site in accordance with policy CS03 of the Core Strategy.)

26. Development shall be carried out in accordance with the following approved plans:

- Location Plan and Survey, P01, Revision D, received on the 11th of November 2024
 - Proposed Site & Landscape Plan, P10, Revision C, received on the 21st of March 2024
 - Proposed Street Elevations, P30, Revision A, received on the 20th of March 2024
 - Proposed Elevations, P31, Revision B, received on the 4th of April 2024
 - Proposed Elevations, P32, Revision B, received on the 4th of April 2024
 - Materials and Construction, P40, Revision A, received on the 20th of March 2024
 - Indicative Sections, P41, Revision A, received on the 20th of March 2024
 - Proposed Floor Plans, 1622 SK-20240802-01, received on the 4th of August 2024
- (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. Please note this permission is subject to a S106 legal agreement that secures:

- a contribution of £16,028.00 towards the conversion of a tennis

court at Abbey Park into a multi-use games area (MUGA) and/or towards the redevelopment/relandscaping of the open space at the junction of Burleys Way and St. Margarets Way,
- a contribution of £4226.88 towards healthcare provision.

2. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at:

<https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>

3. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway. For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.

4. Temporary direction signing for developments can be provided within the highway. The Highway Authority requires all temporary signing schemes are designed, implemented and maintained to an appropriate and acceptable standard. The temporary signing scheme including details of the sign faces, locations and means of fixing must be submitted for approval. These signs must comply with the Traffic Signs Regulations and General Directions (TSRGD). Applications must be submitted to the Council at least four weeks before the signs are to be erected. Applicants will agree to reimburse the City Council for the full costs involved in the processing of the application and any subsequent planning, design, implementation and maintenance of the signs. The Local Authorities (Transport Charges) Regulations 1998 refers, and charges are set in LCC minor charges report updated annually; available via this link <https://www.leicester.gov.uk/media/181997/minor-fees-and-charges-for-transportation-services-2020-2021.pdf>.

In the event of signs not being removed expeditiously, the Council will remove them and recharge the costs to the promoter. For more information please contact highwaysdc@leicester.gov.uk.

5. As the walls of the building about the highway footways on the frontages to Belgrave Gate and Garden Street, the foundations need to be designed so that they do not encroach onto the highway.

6. 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 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 December 2024, is considered to be a positive outcome of these discussions.

6. 20241710 - CLAREMONT METHODIST CHURCH, CLAREMONT STREET

20241710 - Claremont Methodist Church, Claremont Street

Ward: Belgrave

Proposal: Installation of external ventilation flue to roof of a Place of Worship (Class F1)

Applicant: Mr Mukund Narshi

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 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 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 use authorised by this permission shall not commence until the ventilation system to control the emission of fumes and smell from the premises has been installed as shown on the approved plans and it shall be maintained and operated thereafter in accordance with the manufacturer's instructions, submitted in the Design and Access Statement. (In the interests of the amenities of nearby occupiers, and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan.)
3. Development shall be carried out in accordance with the following approved plans:
 - RPD_CLAREMONT_200924_01 Rev A - Existing/Proposed Floor and Roof Plans - Received 24/01/2025
 - RPD_CLAREMONT_200924_02 Rev A - Existing/Proposed

Elevation Plans - Received 24/01/2025
RPD_CLAREMONT_200924_03 Rev A - Location Plan and
Existing/Proposed Site Plan Received 24/01/2025
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption/transitional arrangement is considered to apply:

Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

2. The property may be suitable for roosting bats, which are protected by law from harm. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst expert advice from a bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls. Further information on bats and the law can be found here [Bats: protection and licences - GOV.UK](https://www.gov.uk/government/topics/bats) (www.gov.uk)

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 2024 is considered to be a positive outcome of these discussions.

7. ANY OTHER URGENT BUSINESS

There being no other urgent business, the meeting closed at 6pm.