



Leicester  
City Council

Minutes of the Meeting of the  
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 13 MARCH 2019 at 5:30 pm

P R E S E N T :

Councillor Cassidy (Chair)  
Councillor Aldred (Vice-Chair)

Councillor Dr Barton    Councillor Khote  
Councillor Cutkelvin    Councillor Rae Bhatia  
Councillor Govind    Councillor Thalukdar  
Councillor Halford

In accordance with the provisions of Procedure Rule 42 of Part 4A of the Council's Constitution, the following Councillors attended the meeting and, at the invitation of the Committee, spoke on the items indicated but did not vote:

Councillor:	Application Details:
Councillor Clarke	20172690 10 Canal Street, Aylestone 20182505 145 Lutterworth Road, Land to rear of
Councillor Dr Moore	20180611 58 Stoneygate Road
Councillor Porter	20172690 10 Canal Street, Aylestone

Also present:

Councillor Chamund  
Councillor Osman

\* \* \* \* \*

**157. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Dr Chowdhury.

## **158. DECLARATIONS OF INTEREST**

Members were asked to declare any interest they had in the business on the agenda, including under the Council's Good Practice Guidance for Member Involvement in Planning and Development Management Decisions.

Councillor Aldred declared that she had received an e-mail in relation to planning application 20172690 10 Canal Street Aylestone, an e-mail from the Stoneygate Conservation Area Society in relation to planning application 20180611 58 Stoneygate Road and an e-mail from the Leicester Disabled People's Access Group in relation to agenda item 5, "York Road Improvement Scheme – Objection to Proposed Raised Speed Reducing Features". She further declared that she had not opened these e-mails and approached the meeting with an open mind.

Councillor Dr Barton declared that she had received an e-mail in relation to planning application 20180611 58 Stoneygate Road and she approached the meeting with an open mind.

Councillor Cassidy declared that he had received correspondence in relation to planning application 20180611 58 Stoneygate Road and agenda item 5, "York Road Improvement Scheme – Objection to Proposed Raised Speed Reducing Features". He further declared that he approached the meeting with an open mind.

Councillor Cutkelvin declared that she had received an e-mail from the Stoneygate Conservation Area Society in relation to planning application 20180611 58 Stoneygate Road and from the Leicester Disabled People's Access Group in relation to agenda item 5, "York Road Improvement Scheme – Objection to Proposed Raised Speed Reducing Features". She further declared that she approached the meeting with an open mind.

Councillor Govind declared that he had received e-mails in relation to planning applications 20172690 10 Canal Street Aylestone, 20180611 58 Stoneygate Road and 20182320 Upper George Street. He further declared that he approached the meeting with an open mind.

Councillor Govind also declared an Other Disclosable Interest in agenda item 7, "Objection to Doncaster Road Area Proposed One-Way Street Restrictions with an Exemption for Pedal Cycles", in that he had grown up in Halkin Road and the surrounding area, so was aware of the corridor of roads being considered. In accordance with the Council's Code of Conduct, Councillor Govind's interest was not considered so significant that it was likely to prejudice the Councillors' judgement of the public interest. He therefore was not required to withdraw from the meeting during consideration of this item.

Councillor Halford declared that she had received an e-mail in relation to planning application 20172690 10 Canal Street Aylestone and she approached the meeting with an open mind.

Councillor Khote declared that she had received e-mails in relation to planning applications 20172690 10 Canal Street Aylestone, 20180611 58 Stoneygate Road and 20182320 Upper George Street. She further declared that she approached the meeting with an open mind.

Councillor Rae Bhatia declared that he had received e-mails in relation to planning applications 20172690 10 Canal Street Aylestone, 20180611 58 Stoneygate Road and 20182320 Upper George Street. He further declared that he approached the meeting with an open mind.

Councillor Thalukdar declared that he had received an e-mail in relation to planning application 20180611 58 Stoneygate Road and he approached the meeting with an open mind.

The following Councillor attended the meeting and, with the sanction of the Chair, spoke with regards to a specific application and declared the following interest in accordance with the Good Practice Guidance for Member Involvement in Planning and Development Management Decisions.

Councillor Clarke declared that in respect of application 20172690, 10 Canal Street, Aylestone, he had met with officers prior to this particular application and he had received representations from residents.

## **159. MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held on 19 February 2019 be confirmed as a correct record.

## **160. 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 and Ward Councillors who had registered to speak and in the interests of people in the public gallery.

RESOLVED:

That the report of the Director, Planning, Development and Transportation dated 13 March 2019 on applications, together with the supplemental report and information reported verbally by officers, be received and action taken as below:

## **161. 20172690 10 CANAL STREET, AYLESTONE**

Ward: Aylestone

Proposal: CONSTRUCTION OF A 3 STOREY RESIDENTIAL DEVELOPMENT OF 28 FLATS (3 X STUDIO, 22 X 1-BED, 3 X 2-BED), CAR PARKING, LANDSCAPING AND HARD

STANDING. (CLASS C3). (AMENDED PLANS RECEIVED 4  
DECEMBER 2018)  
Applicant: MAXI PROPERTY MANAGEMENT LIMITED

The Planning Officer presented the report and drew Members' attention to the supplementary report, which set out further representations, considerations and information regarding the application.

Mr Staniforth, the applicant's agent, addressed the Committee and spoke in support of the application.

Mr Pell and Mr Mehta addressed the Committee and spoke in objection to the application.

Councillor Clarke and Councillor Porter then 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 the application be approved subject to the conditions set out in the report, in accordance with the officer recommendation. This was seconded by the Vice-Chair 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. (A) No demolition or development shall take place or commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the City Council as local planning authority. 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).

3. (A) Before any demolition or development is begun, if the results of the archaeological investigations demonstrate the existence of remains to be preserved in situ, details of all below ground disturbance including but not limited to basement, foundations, piling configuration, drainage, services trenches and temporary works covering relevant areas as agreed in advance with the Local Planning Authority, to include a detailed Design & Method Statement, shall be submitted to and approved in writing by the City Council as local planning authority, such details to show the preservation of surviving archaeological remains which are to remain in situ.

(B) Unless otherwise approved in writing by the City Council as local planning authority, the basement, foundations and piling configuration shall be constructed in accordance with the details set out on the drawings and Design & Method Statement approved under (A) above. (To help to determine the extent of the loss of heritage assets of archaeological interest that will result from this development; 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).

4. 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 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 City Council as 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).

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 until the system has been brought into use. It shall thereafter be managed and maintained in accordance with the approved details. The 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 in writing by the City Council as local planning authority. No flat 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. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the City Council as 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; (viii) details of the area of construction activity with specific reference to the canal bank. (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 CS3. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

8. Prior to the commencement of development an ecological assessment for protected species shall be carried out by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and agreed in writing by the local planning authority and any identified mitigation measures required before and during construction carried out in accordance with the approved plan. (In the interests of biodiversity and in accordance with policy CS 17 of the Core Strategy. In order to ensure that the details are agreed in time to be incorporated into the construction process, this is a PRE-COMMENCEMENT condition.).
9. Prior to any work above ground level, and notwithstanding the approved plans, details of the following materials for the development shall be submitted to and approved in writing by the City Council as local planning authority. The details shall include a sample panel to be constructed on site.  
Walling materials including bricks, render, coping and cladding  
Window and door framing  
Balcony railings and balustrades  
Louvres to ventilation system and bin store  
Vents.  
Development shall be carried out thereafter in accordance with the approved details.  
(In the interests of visual amenity, and in accordance with Core Strategy policy CS3).
10. Before the commencement of any development above ground, full specification details of a brown roof including construction, planting details and maintenance strategy shall be submitted to and agreed in writing by the City Council as local planning authority. The brown roof shall be provided and maintained thereafter in accordance with those details. (To ensure sustainable construction and adaptation and mitigation of climate change, and biodiversity enhancement, in accordance with policy CS2 and CS 17 of the Core Strategy).
11. No part of the development shall be occupied until details of the following off-site highway works have been submitted to and approved in writing by the City Council as local planning authority:
  - a. The provision of a new 'Bellmouth' access which incorporates tactile paving and bollards;

- b. The provision of a 2.0 metre wide footway along the whole of the site frontage which shall include the relocation of a street lighting column, a telegraph pole and dog waste bin to the back of the new footway;
- c. Reinstatement of the carriageway which fronts the site which will be made necessary as a consequence of damage to the existing carriageway during construction of the development site and when undertaking the works associated with constructing the new footway on the site frontage to Canal Street.

The off-site highway works shall be constructed in accordance with the approved details prior to the development being first brought into use. (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.)

- 12. No development shall take place above ground level until full design details of how the development will provide a gas fired heating and hot water system and energy efficiency measures have been submitted to and approved in writing by the City Council as local planning authority. No part of the development shall be occupied until evidence demonstrating satisfactory operation of the approved scheme, including on-site installation has been submitted to and approved in writing by the City Council. (In the interests of securing energy efficiency in accordance with Policy CS2 of the Core Strategy).
- 13. Prior to any above-ground development, details of an insulation scheme to prevent the transmission of noise into the south-east facing flats within the development shall be submitted to and approved in writing by the City Council as local planning authority. The scheme shall include mechanical ventilation to the flats including purge ventilation, and shall not require that windows are fixed shut. The flats shall not be occupied until the approved scheme has been installed and is operational. The insulation and ventilation shall be retained thereafter. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan).
- 14. Prior to occupation of the site, a detailed landscaping scheme and landscape and ecological management plan (LEMP) showing the treatment and maintenance of all parts of the site that shall remain unbuilt upon shall be implemented in accordance with details that have previously been submitted to and approved in writing by the 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) all new 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) any changes in levels; (vi) the position and depth of service and/or drainage runs (which may affect tree roots); (vii) a detailed plan of the biodiversity enhancements on the site such as meadow/wildflower creation including a management scheme to protect habitat during site preparation and



post-construction. The approved landscaping scheme shall be completed prior to occupation for hard landscaping and within one year of occupation of the development for soft landscaping. For a period of not less than ten years from the date of planting, the applicant or owners of the land shall maintain all landscaped areas in accordance with the approved plan. 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.)

15. Notwithstanding the approved plans, and prior to occupation of the development, boundary treatments shall be installed in accordance with details that have previously been submitted to and agreed in writing by the local planning authority. The boundary treatments shall be retained as such thereafter. The details shall include provision for visibility splays at the vehicular entrance, and details of entrance gates showing access for refuse collection. (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).
16. No part of the development shall be occupied until 52 No. lit, secure and covered cycle parking spaces have been provided in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The approved spaces shall be retained as approved thereafter for the use of residents and visitors in connection with occupation of the development. (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).
17. Before the occupation of the development the car parking spaces shown on the approved plans shall be provided and shall be retained for vehicle parking by residents in connection with occupation of the development. (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.)
18. No construction work shall be undertaken outside of the hours of 0730 to 1800 Monday to Friday, 0730 to 1300 Saturday or at any time on Sundays or Bank or Public Holidays. (In the interests of the amenities of nearby occupiers, and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan.)
19. Prior to first occupation of the development, 10 1FR bat tubes, 10 Swift boxes, 5 Sparrow terrace boxes, 5 House Martin boxes and 4 insect boxes shall be incorporated within the development as detailed on Ecology Plan (no reference) and within the revised Ecology report completed by Hillier Ecology Limited dated May 2018 (Updated October 2018), and in accordance with details (to include type and

location) that have previously been submitted to and approved in writing by the local planning authority. An ecologist shall supervise the installation. The development shall be carried out in accordance with the agreed details and use of the boxes monitored for a period of two years and results submitted annually to the local planning authority with the agreed features retained thereafter (In the interest of biodiversity and in accordance with Policy CS 17 Biodiversity of the Core Strategy).

20. Within one month of the first occupation of any flat, the occupiers of each of the dwellings shall be provided with a 'New Residents Travel Pack' or access to an equivalent provision of information by electronic means (such as a resident's intranet). The contents of this shall have previously been submitted to and approved in writing by the local planning authority and shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. (In the interest of sustainable development and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy).
21. Prior to occupation of the development, charging points shall be provided to the car parking spaces to allow for the charging of electric vehicles. (To encourage the use of low-emissions vehicles and in accordance with policy CS2 of the core strategy and relevant sections of the NPPF).
22. Before the occupation of the development the windows to the north-east facing elevation towards Canal Street and the south-west elevation shall be fitted with sealed obscure glazing and retained as such thereafter. (In the interests of the amenity of occupiers of 1 Riverside Walk, and in order to ensure that residential development of the adjoining site is not prejudiced, and in accordance with policy PS10 of the City of Leicester Local Plan).
23. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated (June 2018) (FW1394/FRA/001-v3) and the following mitigation measures detailed within the FRA:
  1. Flood plan
  2. Flood resilience measures
  3. Finished floor levels (FFL)The 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 ensure safety from flooding in accordance with policy CS02 of the Core Strategy.)
24. Before any external lighting is installed 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 to and approved in writing by

the local planning authority. The lighting shall be designed to cause minimum disturbance to protected species that may inhabit the site with appropriate areas remaining dark and a maximum of 1 lux on vegetated/water areas where considered necessary. The approved scheme shall be implemented and retained thereafter. No additional lighting shall be installed without prior agreement from the Local Planning Authority. (In the interests of protecting wildlife habitats and in accordance with policy BE22 and policy CS 17 Biodiversity of the Core Strategy)

25. 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 Core Strategy policy CS6)
26. This consent shall relate solely to the following submitted plans received by the City Council as local planning authority, unless otherwise submitted to and approved by the City Council as local planning authority.  
Ground floor plan drawing P02 revision E received 4/12/18  
First floor plan drawing P03 revision D received 4/12/18  
Second floor plan drawing P04 revision D received 4/12/18  
Proposed elevations drawing P08 revision C received 4/12/18  
Proposed elevations drawing P09 revision D received 4/12/18  
Indicative section on shown on drawing P10 revision B received 4/12/18.  
(For the avoidance of doubt.)

#### NOTES FOR APPLICANT

1.
  - A. 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.
  - B. 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 [highway.management@leicester.gov.uk](mailto:highway.management@leicester.gov.uk).
  - C. 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 seek advice from Bal Minhas (Leicester City Council's Travel Plan Officer via telephone 0116 4542849).
  - D. Some land will need to be dedicated into the public highway in order for the proposed 2.0 metres wide footway on the site frontage to become part of the publicly maintainable highway system. The

applicant will be required to cover all associated legal costs.

- E. The footway will require a telegraph pole, a street lighting and dog waste bin to be repositioned to the back of the new footway to avoid it forming an obstruction to pedestrians.
  
2. Further to condition 4 (SuDS), the details provided with the application are broadly acceptable however the following remain to be clarified:  
Confirmation of agreement with Canal and River Trust/Environment Agency regarding proposed outfall and copies of relevant correspondence  
Method statement for mitigation measures during construction  
Further SuDS considerations including justification for non-inclusion of suitable features  
SuDS designs.
  
3. Development on the site should avoid impact on wildlife and their habitats and any removal of vegetation required prior to development should be carried out in accordance with mitigation measures set out in the Ecology Report (dated October 2018) by Hillier Ecology. Any works should avoid the bird nesting season (March to September), but if this is not possible, a re-check for nests should be made by an ecologist (or an appointed competent person) not more than 48 hours prior to the commencement of works and evidence provided to the LPA. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone will also be marked out to avoid disturbance to the nest whilst it is in use.  
  
This is to avoid killing, injuring or disturbing any wildlife or habitat in use, or damage to or destruction of, an active nest or eggs protected under the Wildlife and Countryside Act (1981) as amended, and the Habitat & Species Regulation (2010).
  
4. To meet condition 25: 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.
  
5. The proposed surface water discharge from the site to the adjacent Grand Union Canal/River Soar will require the prior consent of the Canal and River Trust (CRT). The CRT advises that the Trust is not a land drainage authority and such discharges are not granted as of right; where they are granted they will usually be subject to completion of a commercial agreement. In the first instance the applicant/developer should contact Beth Woodhouse, Senior Utilities

Surveyor, at beth.woodhouse@canalrivertrust.org.uk or on 07484 911355 to discuss this matter.

**162. 20180611 58 STONEYGATE ROAD**

Ward: Knighton

Proposal: CHANGE OF USE FROM SCHOOL (CLASS D1) TO HOUSE IN MULTIPLE OCCUPATION (35 BEDROOMS) (SUI GENERIS); NEW GATES TO CAR PARK; ALTERATIONS TO CAR PARK LAYOUT; CONSTRUCTION OF RAMPS, STEPS AND RETAINING WALLS; REPLACEMENT OF GARAGE DOORS WITH ROLLERSHUTTERS; (AMENDED PLANS RECEIVED 03/08/2018 & AMENDED SUPPORTING INFORMATION RECEIVED 08/02/2019)

Applicant: MR MOHSIN CHAUDHRY

The Planning Officer presented the report and drew Members' attention to the supplementary report, which set out further representations and considerations regarding the application.

Mr Lennard, the applicant's agent, addressed the Committee and spoke in support of the application.

Dr Samrai and Mr Middleton addressed the Committee and spoke in objection to the application.

Councillor Dr Moore then addressed the Committee and spoke in objection to the application.

The Chair reminded Members that the Committee was only being asked to consider the planning application, not any licensing matters relating to any possible future use of the premises as a House in Multiple Occupation. Members then considered the report on this basis and officers responded to the comments and queries raised.

In view of concerns expressed by members of the Committee, the Chair moved that the application be refused, contrary to the officer recommendation, on the grounds that the development would result in a poor standard of living accommodation offering poor amenity for occupants by reason of the scale (including numbers of occupants), the interconnected nature of the accommodation, the size of and poor light and outlook for bedrooms, the wording of this refusal to be delegated to officers after consultation with the Chair and Vice-Chair. This was seconded by the Vice-Chair and, upon being put to the vote, the motion to refuse was CARRIED.

**RESOLVED:**

that the application be REFUSED on the grounds that the living accommodation would provide a poor standard of living for the occupants, the wording of this refusal to be delegated to officers after consultation with the Chair and Vice-Chair of this

Committee.

**163. ADJOURNMENT OF MEETING**

The meeting adjourned at 7.27 pm and reconvened at 7.34 pm

*Councillor Rae Bhatia left the meeting*

**164. 20182505 145 LUTTERWORTH ROAD, LAND TO REAR OF**

Ward: Aylestone

Proposal: CONSTRUCTION OF TWO DETACHED DWELLINGS; RELOCATION OF ACCESS FROM LUTTERWORTH ROAD (CLASS C3) (AMENDED PLANS RECEIVED ON 30/01/2019, 12/02/2019, 18/01/2019 and 20/02/2019)

Applicant: MR DUNCAN JOHNSON

The Planning Officer presented the report and drew Members' attention to the supplementary report, which set out an amended condition, an additional representation and further considerations regarding the application.

Ms Smith addressed the Committee and spoke in objection to the application.

Councillor Clarke then addressed the Committee and spoke in objection to the application.

Members expressed concerns that the proposed conditions did not include a condition relating to construction management to minimise disruption for the property at 143A Lutterworth Road and its occupants.

The Chair moved that the application be approved in accordance with the officer recommendation, subject to the conditions set out in the report and addendum report, plus an additional condition relating to construction management, the wording for which to be delegated to officers after consultation with the Chair and Vice-Chair. This was seconded by Councillor Cutkelvin and upon being put to the vote the motion was CARRIED.

**RESOLVED:**

that the application be APPROVED subject to the conditions as set out below and an additional condition relating to construction management, the wording for which to be delegated to officers following consultation with the Chair and Vice-Chair.

**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. Before the development is begun, the materials to be used on all external elevations and roofs shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
3. Before the development is begun, the details and the materials to be used for the proposed 1.8m fence and hedge to the front boundary shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3 and Saved Policy PS10. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
4. 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 A,B,C,E and H (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)).
5. Before the development is begun, details of a no dig cellular confinement system for the entrance and access road must be submitted and agreed. No development shall be undertaken except in accordance with the approved details. (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 CS3, this is a PRE-COMMENCEMENT condition).
6. Before the development is begun, all vegetation intended for clearance shall be clearly identified on site in accordance with details to be submitted to and approved by the City Council as local planning authority, before any clearance is begun. Any clearance of vegetation should be carried out outside of bird nesting season (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3, this is a PRE-COMMENCEMENT condition.)
7. 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 policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.

8. Prior to the commencement of the development, a Landscape Plan showing the location and type of proposed plant species on site shall be submitted to and approved by the local planning authority. (To compensate for the loss and impact on biodiversity and connectivity for wildlife and to be in accordance with Core Strategy policy CS17. This is a PRE-COMMENCEMENT condition).
9. No work should be carried out on the existing dwelling without further surveys being carried out as recommended in the submitted ecology report (RammSanderson, November 2018) and confirmed in the letter dated 20th February 2019 from Corporate Architecture. (In the interests of Bats, which are protected species, and in accordance with Core Strategy CS17.)
10. All building works shall comply with the methods detailed in the Ecologist's Report submitted as part of this application on the 16th of November 2018 unless otherwise first submitted to and approved in writing by the City Council as local planning authority. (To ensure bats, which are a Protected Species, are not harmed during building works and in accordance with policy CS17 of the Core Strategy.)
11. Prior to first occupation of the approved dwellings, insect houses, bird, bat and hedgehog boxes shall be installed and implemented in accordance with approved details and the ecological enhancement plan RSE\_1645\_D1\_V1 (submitted 22/01/2019) that have previously been agreed in writing by the local planning authority and retained thereafter. (To secure biodiversity improvements in accordance with Core Strategy policy CS17).
12. 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 dwelling 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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

13. Prior to the commencement of development details of foul drainage, shall be submitted to and approved in writing by the City Council as local planning authority. No dwelling 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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
14. No dwelling shall be occupied until such time as the visibility splays of 2.4 metres by 65 metres shown out of the access on to Lutterworth Road on the amended plan 4571/DJ/18/008 received on 30 January 2019 have been provided and 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 CS3.)
15. Before first occupation of any dwelling, the existing vehicular access serving the host dwelling shall have been permanently closed and the proposed access shown on the amended plans, shall have been provided and surfaced in a hard bound material for a minimum distance of 5 metres behind the back edge of footway and shall be positively drained so as to prevent surface water running from the site and into the highway, and shall thereafter be permanently so maintained. (This is in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
16. Prior to the commencement of the development hereby approved details of all street works, including alterations to the footway crossing, shall be submitted to and approved in writing by the City Council as local planning authority. No part of the development shall be occupied until the following works have been carried out in accordance with details shown on the approved plans: (a) footway crossing(s) at each vehicular access; (b) alterations to footway crossing(s); (c) reinstatement of any redundant footway crossings and/or damaged or altered areas of footway or other highway and all streetworks must be implemented in full accordance with the approved details. (To achieve a satisfactory form of development, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3. This is PRE-COMMENCEMENT CONDITION).

17. Turning space shall be provided and maintained to enable all vehicles, including delivery vehicles to enter and leave the site in a forward direction and shall be kept available within the site. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
18. No gates, barrier, bollards or other such obstruction shall be placed across the proposed shared private access drive, unless they are set back at least 10 metres behind the highway boundary (back of widened footway) and shall be erected so that they do not open outwards. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
19. 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 each dwelling 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 CS6)
20. This consent shall relate to the submitted plans as amended by plan ref. no. 4571/DJ/18/007/P3 received by the City Council as local planning authority on 20/02/2019, 4571/DJ/18/003/P6 received by the City Council as local planning authority on 20/02/2019, 4571/DJ/18/005/P1 received by the City Council as local planning authority on 18/01/2019, 4571/DJ/18/004/P3 received by the City Council as local planning authority on 12/02/2019, 4571/DJ/18/008/P0 received by the City Council as local planning authority on 30/01/2019, 4571/DJ/18/002/P0 received by the City Council as local planning authority on 21/01/2019, 4571/DJ/18/006/P1 received by the City Council as local planning authority on 21/01/2019 (For the avoidance of doubt.)

#### NOTES FOR APPLICANT

1. The effect of condition 4 of this planning permission is that all future alterations and extensions to these dwellings, and the construction of outbuildings within the curtilage of each dwelling, will require planning permission from the City Council as the local planning authority. (This includes the insertion of windows).
2. The visibility splay will be cleared to a height of 600mm above the level of the adjacent carriageway
3. The proposed shared access drive will remain private and will not be considered for adoption by the Highway Authority, but the responsibility of future maintenance will lie with the residents of the dwellings served

by the private drive.

4. 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).

#### **165. 20181322 349 ABBEY LANE**

Ward: Abbey

Proposal: DEMOLITION OF BUILDING; CONSTRUCTION OF THREE STOREY RESIDENTIAL BUILDING TO PROVIDE 9 SELF CONTAINED FLATS (3 X 2 BEDS; 5 X 1 BED; 1 X STUDIO) CLASS C3; ASSOCIATED PARKING & LANDSCAPING (AMENDED PLANS RECEIVED 25/02/2019)  
Applicant: MR PATEL

The Planning Officer presented the report.

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

The Chair moved that the application be approved subject to the conditions in the report, in accordance with the officer recommendation. This was seconded by the Vice-Chair 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. Before the development is begun, the materials to be used on all external elevations and roofs shall be submitted to and approved by the City Council as local planning authority and shall be implemented in accordance with the approved scheme. (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. The flats and its 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 dwelling 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)

4. Before the development is begun, a detailed landscape 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 agreed in writing with 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) fencing and boundary treatments, including details of the entrance gates; (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots), (viii) a detailed plan of the biodiversity enhancements on the site such as wildflower meadow creation and hedgerow improvements including a management scheme to protect habitat during site preparation and post-construction. (ix) details of the make and type of 6 x bird boxes/tiles/bricks and 6 x bat boxes/tiles/bricks to be erected on buildings under the guidance and supervision of a qualified ecologist. The approved LEMP 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/ten 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 and a written assessment of the landscaped/habitat areas and use by wildlife/species present shall be submitted annually to the LPA (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.)
5. No construction or demolition work, other than unforeseen emergency work, shall be undertaken outside of the hours of 0730 to 1800 Monday to Friday, 0730 to 1300 Saturday or at any time on Sundays or Bank Holidays, unless a methodology has first been submitted and agreed by the City Council as local planning authority. (To ensure construction does not cause unreasonable disturbance and in accordance with policy PS10 of the City of Leicester Local Plan. To ensure that the details are agreed in time to be incorporated into the development).
6. Before the occupation of the development, the proposed openings/windows at the rear facing rear of the existing flats and

dwelling houses at Beaumanor Road 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 Beaumanor Road and in accordance with policy PS10 of the City of Leicester Local Plan).

7. Before the development is begun, a detailed scheme of acoustic glazing and forced air ventilation shall be submitted and agreed in writing with the City Council as local planning authority and shall be carried out in accordance with approved details. The applicant should note that windows must not be sealed closed. (In the interests of residential amenity and in accordance with policy PS10 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.)
8. Before the development is begun, the existing highway trees adjacent to the site shall be protected by fences erected not within the root protection area in accordance with submitted tree report and method statement for root protection . 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. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.)
9. Before the development is begun, design details of pile and beam foundation/footings of the proposed building and front boundary wall adjacent to the highway trees shall be submitted to and approved by the City Council as local planning authority. The development shall be carried out in accordance with the approved details. (To minimise the risk of damage to highway trees 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.)
10. No flat shall be occupied until the parking area has been surfaced and marked out in accordance with the approved plans. It shall be retained for parking at all times and not used for any other purpose. (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 policy CS03 of the Core Strategy.)
11. No flat shall be occupied until the following works have been carried out in accordance with details which shall be submitted to, and approved in writing by, the City Council as local planning authority showing (a) the existing vehicle access over the footway fronting the site reduced in width (b) reinstatement of part of the existing vehicle

access to footway. (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 CS03.)

12. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a 'New Residents Travel Pack'. The contents of this shall be submitted to and approved in advance by the City Council as local planning authority and shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. (In the interest of sustainable development and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy.)
13. No flat shall be occupied until the secure and covered cycle parking has been 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).
14. No flat shall be occupied until the Sustainable Drainage System (SuDS) for the site has been completed in accordance with the approved details. The Sustainable Drainage System shall be managed and maintained thereafter in accordance with the approved management and maintenance plan. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy.)
15. Before the development is begun, details of drainage, and especially foul drainage, shall be submitted to and approved by the local planning authority. No flats 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.)
16. The development shall be carried out in accordance with the submitted revised flood risk assessment prepared by Arcelle Consulting dated February 2018 reference 1672-C-R02 revision E Received on 22/02/2019) and the following mitigation measures it details:
  - Finished floor levels shall be set no lower than 52.85m above Ordnance Datum (AOD) as stated in section 6.2.4 of the FRA
  - Flood resistance and flood resilience measures are incorporated into the design of the building, as set out in sections 6.4 and 6.5 of the FRA

These mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the

development. (To reduce the risk of flooding to the proposed development and future occupants; to reduce the impact of flooding on people and property should it occur and in accordance with saved local plan policy BE20 and Core Strategy policy CS02.)

17. No development shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the City Council as local Planning Authority. This strategy shall include the following components:
  1. A preliminary risk assessment which has identified:
    - all previous uses;
    - potential contaminants associated with those uses;
    - a conceptual model of the site indicating sources, pathways and receptors; and
    - potentially unacceptable risks arising from contamination at the site.
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved. No flats shall be occupied until the scheme is implemented in accordance with the approved details.

(To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework 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.)

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out

until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the City Council as local Planning Authority. No flats shall be occupied until the remediation strategy scheme is implemented in accordance with the approved details. (To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.)

19. This consent shall relate solely to the amended plans ref: no. DSA-17109-PL-EXT-01-A, DSA-17109-PL-PRO-01-H and DSA-17109-PL-PRO-02-H Received by the City Council as local planning authority on 25/02/2019, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

#### NOTES FOR APPLICANT

1. 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 seek advice from Travel Plan Officer (Leicester City Council's telephone 0116 4542849).

2. Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.
3. It is unlikely that any construction or demolition work will be agreed outside of the hours detailed above unless the City Council Noise and Pollution Control Team is satisfied that the work will not be detrimental to occupiers of neighbouring properties or the developer is able to demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.



## 166. 20182320 9 UPPER GEORGE STREET

Ward: Wycliffe

Proposal: CHANGE OF USE FROM LIGHT INDUSTRIAL (CLASS B1) TO PLACE OF WORSHIP AND COMMUNITY CENTRE (CLASS D1); INSTALLATION OF WINDOWS AND DOORS TO FRONT, SIDE AND REAR; ALTERATIONS (AMENDED PLANS RECD 19/02/19)

Applicant: MASJID SALAHUDDIN

The Planning Officer presented the report and drew Members' attention to the supplementary report, which set out amended conditions.

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

The Chair moved that the application be approved subject to the conditions in the report, as amended in the supplementary report, in accordance with the officer recommendation. This was seconded by Councillor Govind 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. Notwithstanding the submitted Travel Plan and Parking Management Strategy, the use shall not commence 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 Travel 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 and nearby public car parks 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; (d) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals the dates of which

should be identified in the Travel Plan, for a minimum of 5 years from the first occupation of the development brought into use. (e) include a commitment to produce an Annual Performance Plan setting out how the plan has performed against targets, the measures in the approved Travel Plan and the outcomes from the monitoring referred to above and (f) provide an updated Travel Plan which shall address the negative impacts identified in the Annual Performance Plan which shall thereafter be submitted to, and approved in writing by, the City Council prior to the anniversary of the previously approved Travel Plan, and carried out in accordance with a timetable to be contained within the updated Travel Plan. (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).

3. The use shall not commence until secure and covered cycle parking has been provided and retained thereafter, in accordance with the approved plans received by the City Council as local planning authority on 19/02/19, unless alternative cycle parking details have first been submitted to and approved by the 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).
4. The use shall not commence until all existing security shutters have been removed. (In the interests of the visual amenity of the surrounding area, and in accordance with Core Strategy policy CS03).
5. The use shall not commence until arrangements for storage of bins have been implemented in accordance with the approved plans received by the City Council as local planning authority on 19/02/19. These arrangements shall be maintained thereafter. (In the interests of the amenities of the surrounding area, and in accordance with policies UD06 and PS10 of the City of Leicester Local Plan and Core Strategy policy CS3.)
6. The use shall not commence until the parking area has been surfaced and marked out in accordance with the details of the approved plans received by the City Council as local planning authority on 19/02/19, and shall be retained for parking and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner, and in accordance with Core Strategy policy CS3 and saved policy AM01 of The City of Leicester Local Plan (2006)).
7. With the exception of acts of worship, the premises including the car park shall not be used outside the hours of 0800-2300 daily. (In the interests of the amenity of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
8. There shall be no live or amplified music or voice audible within

residential accommodation or the rear gardens thereof. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)

9. The infilling of window and door openings shall be constructed in facing bricks to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
10. This consent shall relate solely to the amended plans received by the City Council as local planning authority on 19/02/19, the noise management plan received by the City Council as local planning authority on 18/02/19 and the parking management plan of the submitted Travel Plan and Parking Management Strategy received by the City Council as the local planning authority on 26/11/18 . (For the avoidance of doubt.)

#### **167. YORK ROAD IMPROVEMENT SCHEME - OBJECTION TO PROPOSED RAISED SPEED REDUCING FEATURES**

The Director of Planning, Development and Transportation submitted a report inviting the Committee to give its views to the Director to be taken in to account when considering the recommendations regarding the York Road Improvement Scheme.

The Solicitor to the Committee reminded Members that the Committee was being asked to consider and comment on proposals to which objections had been received. The Committee was not being asked to make the final decision on the proposals, but to provide a response to a consultation request.

The Project Manager presented the report, explaining that one aspect of the Improvement Scheme was to create road humps at various locations as part of the York Road Improvement Scheme. One objection to the road humps had been received. Although officers had entered in to correspondence with the objector, to try to address the concerns raised, the objection had not been withdrawn.

The Project Manager reported verbally that paragraph 4.6 of the report omitted specific reference to part of the objection, namely the objector's concern that the level surface would cause conflict with vehicles, especially for people with sensory impairments or learning disabilities or neuro-diverse conditions, who could not 'negotiate' with drivers or see cyclists or interpret the ambiguity. Members of the Committee had been advised of this omission prior to this meeting.

It was noted that the full objection, including the omitted part, was attached to the report at Appendix B and the Project Manager confirmed that the full objection, including the part mentioned above, was considered during the preparation of the report. The response was included in paragraph 4.11 of the report, where it stated that *"The objector suggests that the construction of a level surface across the whole width of the street will be detrimental to some*

users". The report then went on to say:

*"However, it will bring benefits to other less mobile pedestrians, wheelchair users and those with young children in pushchairs. The city council is seeking to provide an environment where everyone can move around in safety. It is demonstrated here that there are many differing views on street design. The council has to take a view on what is the most sensible solution to the overall design of the street environment in order to achieve a layout where people not vehicles dominate."*

In response to a Member enquiry, the Project Manager confirmed that, following the Committee's consideration of objections to the creation of a pedestrian zone in York Road, (minute 155, "York Road Improvement Scheme – Objection to Proposals", 19 February 2019 referred), the Director of Planning, Development and Transportation had included provision in the Traffic Regulation Order for the existing loading bays in York Road to be made available for evening parking and for a new disabled parking bay on Gosling Street. It also had been suggested that the Jain Centre enter formal discussion with a view to the Council providing further disabled parking spaces at the Oxford Street business units, particularly for the morning prayer service.

RESOLVED:

That, when considering the objection to the scheme prior to making a final decision, the Director of Planning, Development and Transportation be asked to note that this Committee has no comments on the proposals that are the subject of this report and notes that it previously has given comments on other aspects of the York Road Improvement Scheme under minute 155, "York Road Improvement Scheme – Objection to Proposals", (19 February 2019).

#### **168. OBJECTION TO ASFORDBY STREET AREA, PROPOSED ONE-WAY STREET RESTRICTIONS WITH AN EXEMPTION FOR PEDAL CYCLES**

The Director of Planning, Development and Transportation submitted a report inviting the Committee to give its views to the Director to be taken in to account when considering the recommendations regarding proposals for one-way street restrictions in the Asfordby Street area.

The Project Support Officer (Transport Strategy) introduced the report, explaining that the proposals had been made to try to resolve issues regarding driver conflict and parking on pavements. Following receipt of objections to the proposals, a site meeting had been held with residents and Ward Councillors. A request for some of the proposals to be removed from the scheme was considered to be not unreasonable, so the request was agreed. Consequently, two of the objections were withdrawn, but one remained.

At the request of Councillor Osman, the Chair invited him to address the Committee. Councillor Osman expressed support for the proposals, which had been sought for some time and would be complementary to the area.

However, he was disappointed that the last objection had not been withdrawn and noted that he and the other Ward Councillors supported the recommendation in the report that it be over-ruled. He further noted that some objections also had been raised at the North Evington Community Meeting, but were not supported by the Ward Councillors. Councillor Osman then thanked officers for their hard work in designing and progressing this scheme.

The Committee expressed some concern that the one-way system and street layout could result in speeding traffic, particularly on Wood Hill and Harwood Street. However, the Project Support Officer (Transport Strategy) explained that traffic calming features already were in place. In addition, parking was permitted on both sides of those roads, which could help slow down traffic.

RESOLVED:

That, when considering the recommendations regarding proposals for one-way street restrictions in the Asfordby Street area, with an exemption for pedal cycles, the Director of Planning, Development and Transportation be asked to note that this Committee supports the views of the Ward Councillors in supporting the proposals presented and the way in which officers have dealt with objections received.

#### **169. OBJECTION TO DONCASTER ROAD AREA PROPOSED ONE-WAY STREET RESTRICTIONS WITH AN EXEMPTION FOR PEDAL CYCLES**

The Director of Planning, Development and Transportation submitted a report inviting the Committee to give its views to the Director to be taken in to account when considering the recommendations regarding proposals for one-way street restrictions in the Doncaster Road area.

The Project Support Officer (Transport Strategy) introduced the report, explaining that Doncaster Road was a residential street with terraced housing, plus some industry at the bottom of the road. The roads in the area were narrow, so a one-way traffic system would improve safety, reducing vehicle conflict and therefore potential vehicle damage. Doncaster Road was slightly wider than the other roads covered by these proposals, so potentially could continue as a two-way street, but as motor vehicles were now wider changing it to a one-way street would improve safety.

In response to the objections received when the Traffic Regulation Order was advertised, officers had met one of the objectors, some residents, local businesses and Ward Councillors to discuss the proposals and respond to the issues raised. Written responses were subsequently sent to the objectors, but none of the objections were withdrawn.

Councillor Govind reminded Members of the Other Disclosable Interest he had declared in this item, in that he had grown up in Halkin Road and the surrounding area, so had detailed knowledge of the roads being discussed. He welcomed the proposal to change Doncaster Road to a one way traffic system, but expressed some sympathy with the objections made, as cars already often

parked on the corner of Halkin Street, making visibility poor and restricting how vehicles could be manoeuvred there. He suggested that the proposals under consideration could displace more traffic to the Halkin Road area, which could make this problem worse. Councillor Govind also queried whether Harrison Road was included in these proposals, as there also was restricted space for manoeuvring vehicles there.

The Project Support Officer (Transport Strategy) advised that Harrison Road would remain as two-way. He also acknowledged the concerns raised regarding parking in the Halkin Road area, but noted that these proposals were being made to try to resolve issues relating to parking and conflict between vehicles on very narrow roads, including large vehicles associated with the businesses in the area, by simplifying traffic movements in the area. However, it had been found on other schemes that one-way traffic systems could deter drivers from pulling in to residential areas and trying to park there.

The Committee expressed some concern that signage for traffic on Melton Road wanting to turn in to side streets was not always clear, so road markings in particular needed to be improved. The Project Support Officer (Transport Strategy) confirmed that adjustments to this signage would be made, as changes would be needed due to accommodate the new directions in which traffic would be moving.

RESOLVED:

That, when considering the recommendations regarding proposals for one-way street restrictions in the Doncaster Road area, with an exemption for pedal cycles, the Director of Planning, Development and Transportation be asked to take in to account the comments recorded above.

## **170. CLOSE OF MEETING**

The meeting closed at 8.59 pm