



Leicester  
City Council

Minutes of the Meeting of the  
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 3 APRIL 2019 at 5:30 pm

P R E S E N T :

Councillor Cassidy (Chair)  
Councillor Aldred (Vice Chair)

Councillor Cutkelvin  
Councillor Govind

Councillor Thalukdar

Councillor Halford  
Councillor Khote

In accordance with the provisions of the Constitution (Part 4A, Rule 42) the following Councillors attended the meeting and with the sanction of the Committee spoke on the items indicated but did not vote.

Councillor:	Application details:
Councillor Kitterick	20180450: Welford Road, Freeman's Common, Putney Road, Nixon Court
Councillor Kitterick	20182564, 12-16 De Montfort Street
Councillor Kitterick	20181863, 98 Vaughan Way

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**171. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Dr Barton, Councillor Dr Chowdhury and Councillor Rae Bhatia.

**172. 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 Thalukdar declared that he had received emails in respect of application 20180450, Welford Road, Freeman's Common and Putney Road, Nixon Court and had an open mind.

Councillor Khote declared that she had received emails in respect of application 20180450, Welford Road, Freeman's Common and Putney Road, Nixon Court but had not opened them. Councillor Khote declared that she had an open mind.

Councillor Halford declared that she had received emails in respect of application 20180450, Welford Road, Freeman's Common and Putney Road, Nixon Court and had an open mind.

Councillor Govind declared that he had received emails in respect of application 20180450, Welford Road, Freeman's Common and Putney Road, Nixon Court and had an open mind.

Councillor Cutkelvin declared that she had received emails in respect of application 20180450, Welford Road, Freeman's Common and Putney Road, Nixon Court and had an open mind.

Councillor Aldred declared that she had received emails in respect of application 20180450, Welford Road, Freeman's Common and Putney Road, Nixon Court and had an open mind.

Councillor Cassidy declared that he had received emails in respect of application 20180450, Welford Road, Freeman's Common and Putney Road, Nixon Court and had an open mind.

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

RESOLVED:

that the minutes of the meeting of the Planning and Development Control Committee held on 13 March 2019 be confirmed as a correct record.

### **174. 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 3 April 2019 on applications, together with the supplemental report and information reported verbally by officers, be received and action taken as below:

### **175. 20180450 WELFORD ROAD, FREEMEN'S COMMON AND PUTNEY ROAD, NIXON COURT**

Ward: Castle

Proposal: DEMOLITION OF BUILDINGS; CONSTRUCTION OF EIGHT BLOCKS OF BETWEEN FOUR AND FOURTEEN STOREYS HIGH TO PROVIDE 1200 STUDENT BED SPACES (SUI GENERIS); FIVE STOREY ACADEMIC BUILDING (CLASS D1); NINE STOREY MULTI-STOREY CAR PARK WITH 550 SPACES (SUI GENERIS); VEHICLE ACCESS FROM PUTNEY ROAD; EXTENSION AND ALTERATIONS TO GRADE II LISTED BUILDING; REMOVAL OF TREES COVERED BY TREE PROTECTION ORDERS (AMENDED PLANS)  
Applicant: UNIVERSITY OF LEICESTER AND EQUITIX

The Planning Officer presented the report for application 20180450, Welford Road, Freeman's Common and Putney Road, Nixon Court and the related Listed Building application; 20180562 161 Welford Road, Freeman's Cottages together because both applications were part of the same scheme. The Planning Officer drew Members' attention to the supplementary report for application 20180450, which included details of an amended condition, an amended note to applicant, additional representations and further considerations.

The Planning Officer asked Members to note that as a point of clarification, the two figures at paragraph 3 on page 38 (of the main report) which read 60 pcu am and 106 pcu pm related to the existing traffic levels. For clarity, the Planning Officer confirmed that the predicted levels of increased traffic upon which the highway authority had prepared their advice are 291 pcu am and 118 pcu pm. The Planning Officer stated that consideration of traffic impacts of the application remained as set out in the report.

Mr Riddleston and Mr Holgate on behalf of the applicant spoke in support of the application.

Mr Brown on behalf of the Friends of Clarendon Park spoke in objection to the application.

Councillor Kitterick, as Ward Councillor also spoke in objection to the application.

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

Members expressed concerns that the application would have a detrimental impact on traffic. These concerns included the effect of displaced traffic following the removal of the right hand lane from Welford Road into Putney Road. It was noted that the application would require a Traffic Regulation Order to be put in place. Officers commented that the scheme would result in many transport and highway related benefits though a Member said that she did not feel reassured that the highway impact of the application was acceptable.

Comments from Members were also received that the scheme would provide

good accommodation for students and would free up some family homes that were currently being occupied by students.

The Chair moved that the application be approved subject to the conditions set out in the report and in the supplementary report, and a Section 106 Agreement, in accordance with the officer recommendation. This was seconded by Councillor Khote and upon being put to the vote the motion to approve was CARRIED.

**RESOLVED:**

that the application be APPROVED subject to a Section 106 Agreement and the conditions set out below.

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The flats shall only be occupied by students enrolled on full-time courses at further and higher education establishments or students working at a medical or educational institution, as part of their medical or education course. The owner, landlord or authority in control of the development shall keep an up-to-date register of the name of each person in occupation of the development together with course(s) attended, and shall make the register available for inspection by the Local Planning Authority on demand at all reasonable times. (To enable the Local Planning Authority to consider the need for affordable and accessible housing and education provision to be provided in accordance with policies CS06 , CS07 and CS19 of the Core Strategy.)
3. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, the relevant parts of the site to that phase 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 City Council as local planning authority. The approved remediation scheme shall be implemented and a completion report shall be submitted to and approved by the 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 by the 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.)

4. Prior to the commencement of above ground construction, or of each phase of the development should it be phased, a landscaping scheme showing the treatment of the parts of the site relevant to that phase, including details of trees and shrubs to be retained and planted, shall be submitted to and approved in writing by the City Council as local planning authority. The approved landscaping scheme for that phase of the development shall be carried out within one year of the first occupation of that phase of the development. For a period of not less than five years from the date of planting all planted material shall be maintained. 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.)
5. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, all existing trees, shrubs and hedges to be retained on the site relevant to that phase shall be protected by fences erected not within the root protection area and in accordance with details first submitted to and approved in writing by the City Council as local planning authority. No materials whatsoever shall be stored, rubbish dumped, fires lit or buildings erected within these fences; no changes in ground level shall be made within the spread of any tree, shrub or hedge without the previous written approval of the local planning authority. No trees shall be used as anchorages, nor shall any items whatsoever be affixed to any retained tree. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
6. 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 the methodology has first been submitted to and approved in writing by the City Council as local planning authority in consultation with the City Council Noise and Pollution Control Team. The methodology must be submitted at least 10 working days before such work commences and approved, in writing, by the City Council as

local planning authority in consultation with the City Council Noise and Pollution Control Team and the works shall be carried out in accordance with the approved scheme. The Council, through its City Council Noise and Pollution Control Team, shall be notified of any unforeseen emergency work as soon as is practical after the necessity of such work has been decided by the developer or by anyone undertaking the works on the developer's behalf.

7. No noise from any plant and/or machinery (excluding construction plant) shall exceed 5dB above the existing background noise level, or 10dB(A) above the existing background noise level if the noise contains distinguishable characteristics (including but not limited to whine, hiss, screech, hum, etc) or is irregular enough to attract attention, when measured at 1 metre from the facade of any nearby residential properties. (In the interest of the amenities of nearby occupiers and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan.)
8. Prior to the occupation of any flat, the noise insulation and ventilation scheme for the block it is in, as detailed in the approved planning application documentation, and in accordance with Noise Rating 20 from ISO 1973 regarding industrial noise ingress, for flats that directly face the industrial units to the south and west of the site and the requirements of BS8233:2014 for all flats regarding environmental noise ingress, shall be installed. The noise insulation and ventilation systems shall be retained thereafter. (To provide an acceptable level of amenity for residents in accordance with policy PS10 of the City of Leicester Local Plan.)
9. Prior to the commencement of below ground construction full design details of on-site installations to provide the on-site heat and hot water network for the whole development, supplied by a combined heat and power plant and PV panels, along with energy efficiency measures, shall be submitted to and approved in writing by the City Council as local planning authority. No part of the development, or each phase of the development should it be phased, shall be occupied until evidence, demonstrating satisfactory operation of the approved scheme including on-site installation for that phase, has been submitted to and approved in writing by the City Council. (In the interests of securing reduced greenhouse gas emissions and energy efficiency in accordance with Policy CS2 of the Core Strategy).
10. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, details of drainage, and especially foul drainage, relevant to that phase shall be submitted to and approved in writing by the City Council as local planning authority. The use of any building within that phase shall not commence until the drainage relevant to that phase 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).

11. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, full details of the Sustainable Drainage System (SuDS) relevant to that phase together with implementation, long term maintenance and management of the system shall be submitted to and approved in writing by the City Council as local planning authority. The use of any building within that phase shall not commence until the system relevant to that phase 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.)
12. Notwithstanding the details indicated on drawing no. 65217-CUR-00-XX-DR-TP-06100\_Rev B\_P03 no below ground construction shall commence until a detailed scheme for the off-site access and highway improvement works has been submitted to and approved in writing by the City Council as local planning authority. The multi-storey car park shall not be brought into use until all of the approved access and off-site highway works have been constructed in accordance with the approved details. Prior to first occupation of the student accommodation all of the off-site pedestrian and cycling works shall be constructed in accordance with the approved details. (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.)
13. The multi-storey car park shall not be brought into use until a scheme for the necessary modification and replacement of the traffic signal equipment at University Road and Putney Road junctions, to combine with the new proposed Toucan crossings on Welford Road, for direct linking of signals and including modifications to the SCOOT traffic control system, has been submitted to and approved in writing by the City Council as local planning authority. The multi-storey car park shall not be brought into use until the scheme has been implemented in full. (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)
14. Prior to the commencement of use, or of each phase of the development should it be phased, the proposed on-site disabled car parking, cycle parking, servicing, loading, unloading, turning and waiting areas relevant to that phase of development shall be laid out, demarcated, levelled, surfaced and drained in accordance with the

approved plan. They shall be retained thereafter available for that specific use. (In the interests of highway safety, and in accordance with policies AM01, AM02 and AM12 of the City of Leicester Local Plan and Core Strategy policy CS3)

15. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, a Construction Method Statement, with particular consideration being given to the highway, relevant to that phase shall be 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 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 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) the proposed phasing of development and highway works (ix) the temporary access arrangement to the construction site. (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.)
16. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, a Construction Method Statement, with particular consideration being given to the railway, relevant to that phase shall be 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. (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.)
17. Prior to the commencement of use, or of each phase of the development should it be phased, the University Travel Plan (reference B065217-FC-CUR-Y-RP-XX-001-V0.7-FinalTravelPlanAddendum) shall be updated in a manner relevant to that phase and submitted to and approved in writing by the City Council as local planning authority. The University Travel Plan, as updated and approved, shall be carried out thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy)
18. Prior to the commencement of use, or of each phase of the development should it be phased, secure and covered cycle parking shall be provided for that phase in accordance with the approved plans. It shall be retained thereafter. (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)

19. Prior to the commencement of use, or of each phase of the development should it be phased, the following works relevant to that phase shall first be completed in accordance with details first submitted to and approved in writing by the City Council as local planning authority: (a) reinstatement of any redundant footway crossings; (b) reinstatement of temporary accesses built during the construction period and (c) reinstatement of any damaged or altered areas of footway or other highway. (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)
20. Prior to the commencement of use, or of each phase of the development should it be phased, dropped kerbs and ramps, suitable for wheelchairs and prams, and relevant to that phase of development, shall be provided in the footways at all major pedestrian crossing points, at road junctions, and at footway crossings, in accordance with details first submitted to and approved in writing by the City Council as local planning authority. (For the safety and convenience of pedestrians including disabled people and pram and wheelchair users and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
21. Prior to the first occupation, or of each phase of the development should it be phased, a Wind Impact Management Plan, with particular consideration being given to the impact of wind on pedestrians and cyclists, relevant to that phase shall be submitted to and approved in writing by the City Council as local planning authority. The approved Plan shall be implemented in full prior to first occupation or of each phase of the development should it be phased, and adhered to at all times. (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.)
22. All development, or of each phase of the development should it be phased, shall be carried out in accordance with a training and employment statement relevant to that phase and first submitted to and approved in writing by the City Council as local planning authority. (To promote local employment opportunities and the local economy in accordance with Policy CS10 of the Core Strategy.)
23. No flat shall be occupied, or no flat occupied in each phase of the development should it be phased, until a management plan for the long term management of the student accommodation and site and relevant to that phase of development has first been submitted to and approved in writing by the City Council as local planning authority. The student accommodation and site shall be managed in accordance with the approved management plan at all times. (To ensure the site is

managed in a way that does not cause harm and in accordance with policy CS06 in the Core Strategy)

24. This consent shall relate solely to the submitted and amended plans as detailed on the Approved Plans Drawing List (dated 15th of March 2019) unless otherwise submitted to and approved in writing by the City Council as local planning authority. (For the avoidance of doubt.)

#### NOTES FOR APPLICANT

1. This planning permission should be read in conjunction with the corresponding Listed Building Consent 20180560.
2. Please note this permission is subject to a S106 Agreement that secures a developer contribution towards the improvement of Saffron Lane Stadium and Victoria Park.
3. It is unlikely that any construction or demolition work will be agreed outside of the hours detailed in the condition above unless the City Council Noise and Pollution Control Team is satisfied that:
  - a) the work will not be detrimental to occupiers of neighbouring properties or
  - b) the developer is able to demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.
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)

5. With regards to the requirement to update the Travel Plan as recommended in this report the applicant should seek advice from Bal Minhas (Leicester City Council's Travel Plan Officer via telephone 0116 4542849).
6. A Traffic Regulation Order (TRO) will be required. The costs for the alterations of the TROs should be funded by the Applicant. The average cost of a TRO scheme is currently in the region of £5,000, but this cost may rise depending on the complexity. The Applicant is advised to contact Ed Kocik in the Traffic Management section, tel. 0116 4543714 to discuss the requirements to enable the TRO to be processed.

**176. 20180562 161 WELFORD ROAD, FREEMEN'S COTTAGES**

Ward: Castle

Proposal: INTERNAL AND EXTERNAL ALTERATIONS TO  
GRADE II LISTED BUILDING

Applicant: UNIVERSITY OF LEICESTER, EQUITIX AND KIER

The report relating to this application had been presented along with application 20180450, Welford Road, Freeman's Common and Putney Road, Nixon Court. No further discussion took place.

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 set out below:

**CONDITIONS**

1. The works to which this consent relates shall be begun within three years from the date of this consent. (To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.)
2. Prior to the commencement of works, a full schedule of internal works shall be submitted to and approved in writing by the City Council as local planning authority. This shall include:
  - i) a room-by-room schedule confirming the extent of repair and alteration works to all walls, floors, ceilings and historic features
  - ii) floorplans confirming the location and method of installation of all new plumbing, pipework and electrical wiring
  - iii) details of the location and methodology of any fire protection and acoustic separation works
  - iv) type of construction and method of installation of all new stud-partition wallsWorks shall be carried out in accordance with the details approved. (To maintain the character and appearance of the Grade II Listed Freeman's Cottages and in accordance with policy CS18 of the Core Strategy.)
3. Prior to the commencement of works, samples of all new materials to be used for the works shall be submitted to and approved in writing by the City Council as local planning authority. Works shall be carried out in accordance with the details approved. (To maintain the character and appearance of the Grade II Listed Freeman's Cottages and in accordance with policy CS18 of the Core Strategy.)
4. This consent shall relate solely to the submitted and amended plans as

detailed on the Approved Plans Drawing List (dated 15th of March 2019), unless otherwise submitted to and approved in writing by the City Council as local planning authority. (For the avoidance of doubt.)

#### NOTES FOR APPLICANT

1. Please note this consent should be read in conjunction with Planning Permission 20180450.

#### **177. 20182564 12-16 DE MONTFORT STREET**

Ward: Castle

Proposal: CHANGE OF USE FROM OFFICES (CLASS B1) TO STUDENT FLATS; PART DEMOLITION; CONSTRUCTION OF 3 STOREY REAR EXTENSION; TO PROVIDE 18 STUDENT STUDIO FLATS (SUI GENERIS) (SUBJECT TO S106 AGREEMENT)

Applicant: MESSRS THAKKAR, POPAT AND POPAT

The Planning Officer presented the report and drew Members' attention to the supplementary report which had details of amended conditions.

Mr Thakkar on behalf of the applicants spoke in support of the application.

Mrs Allum on behalf of the Friends of New Walk, and Mr Allum spoke in objection to the application.

Councillor Kitterick as Ward Councillor then 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 and in the supplementary report, and a Section 106 Agreement 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 a Section 106 Agreement and the conditions set out below:

#### CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)

2. The flats shall only be occupied by students enrolled on full-time courses at further and higher education establishments or students working at a medical or educational institution, as part of their medical or education course. The owner, landlord or authority in control of the development shall keep an up to date register of the name of each person in occupation of the development together with course(s) attended, and shall make the register available for inspection by the Local Planning Authority on demand at all reasonable times. (To enable the Local Planning Authority to consider the need for affordable and accessible housing in accordance with Core Strategy Policies CS6 and CS7.)
3. Prior to any occupation of the accommodation, a Level 2 photographic survey as defined in the Historic England documents `Understanding Historic Buildings A Guide to Good Recording Practice` shall be carried out and submitted to the 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.)
4. No demolition or development shall take place other than in accordance with the approved Written Scheme of Archaeological Investigation reference 19-064 dated 21/3/2019. The accommodation 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, and the provision for analysis, publication and dissemination of results and archive deposition has been secured. (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).
5. Notwithstanding the approved plans, before above-ground construction of the approved extension commences or any external changes to the existing building are carried out the materials to be used for all external parts of the development including bricks and quoin detailing, tiles/slates, doors and rooflights, windows to the rear elevation, external vents and flues and rainwater goods shall be submitted to and approved by the City Council as local planning authority. The details shall include a one square metre brick sample panel showing the brick, bonding, mortar and pointing to be used in the rear extension. Development shall be carried out in accordance with the approved details. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3).
6. Prior to any work taking place on the existing front elevation, and notwithstanding the approved plans, details of altered and replacement windows to that elevation shall be submitted to and approved in writing by the local planning authority. The details shall include:

- (i) Measurements of existing windows including glazing bars (excluding the ground floor front windows to No 12 and No 14)
  - (ii) Dimensioned details to show that any replacement or new elements to windows other than the ground floor front to No 12 and No 14 shall be exact matches for the existing elements
  - (iii) Details of replacement windows to the ground floor front to No 12 and No 14
  - (iv) Dimensioned cross sections at 1:20.
- Development shall be carried out in accordance with the approved details.
- (In the interests of visual amenity and to preserve the character of the New Walk Conservation Area, and in accordance with Core Strategy policies CS3 and CS18.)

7. Prior to any work taking place on the front elevation, and notwithstanding the approved plans, details of an insulation scheme to prevent the transmission of noise into the development shall be submitted to and approved in writing by the city council as local planning authority. The scheme shall include ventilation arrangements and windows shall not be sealed shut. The approved scheme shall be completed and operational prior to any occupation of the development and retained thereafter. (In the interests of residential amenity and in accordance with policy H07 of the City of Leicester local plan).
8. No part of the development shall be occupied until the Sustainable Drainage System (SuDS) for the site has been completed in accordance with the approved details being Flood Risk Assessment Drainage Strategy Rev C REP – 81169-01-2019.01.25 and layout drawing 81169-102-P3. The Sustainable Drainage System shall be maintained thereafter in accordance with the approved maintenance plan. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy.)
9. No part of the development shall be occupied until a 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. The Plan shall:
  - (a) assess the site in terms of transport choice for staff, occupants, 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 over choosing to drive to and from the site as single occupancy vehicle users, so that all users have awareness of sustainable travel options;
  - (c) identify marketing, promotion and reward schemes to promote sustainable travel;
  - (d) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use.

The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM12 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

10. Each new occupier of each of the approved studio flats shall be provided with a 'Residents Travel Pack' details of which shall be submitted to and approved in writing by the City Council as the local planning authority in advance. The contents of the Travel Pack shall consist of information promoting the use of sustainable personal journey planners, walking and cycle maps, bus maps, the latest bus timetables applicable to the proposed development, bus fare discount information and links to online information. (In the interest of promoting sustainable development, and in accordance with policy AM02 of the City of Leicester Local Plan and Core Strategy Policy 14.)
11. The development hereby permitted shall at all times be managed and operated in full accordance with a Management Plan, the details of which shall be submitted to and approved in writing by the local planning authority before the first occupation of any of the flats. The management plan shall set out procedures for:
  - (i) how the arrival and departure of students at the start and end of terms will be managed;
  - (ii) how servicing and deliveries will be managed;
  - (iii) the security of the development and its occupiers;
  - (iv) dealing with refuse bins and maintaining the external areas of the site;
  - (v) use of the car parking area including management presence during use; and
  - (vi) dealing with any issues or complaints arising from the occupiers of nearby properties. (To ensure the development is properly managed so as to minimise its effect on the surrounding area and in the interests of the safety and security of its occupiers in accordance with the aim of Core Strategy policies CS3, CS6 and CS15 and policy PS10 of the City of Leicester Local Plan)
12. Notwithstanding the approved plans, before the development authorised by this permission is occupied a scheme of landscaping shall be implemented in accordance with details that have previously been submitted to and approved in writing by the city council as local planning authority. The details shall include:
  - (i) new planting, including plant type, size, quantities and locations;
  - (ii) surface treatments;
  - (iii) fencing walling and boundary treatments including access for vehicles, pedestrians and cycles;
  - (iv) any changes in levels;
  - (v) a timetable for completion of the scheme.The approved landscaping scheme shall be carried out in accordance with the approved details and timetable. For a period of not less than five years from the date of planting, the applicant or owners of the land

shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3).

13. Notwithstanding the approved plans, no part of the development shall be occupied until secure and covered cycle parking has been provided in accordance with details previously submitted to and approved in writing by the City Council as local planning authority. The cycle parking shall be retained thereafter for use 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).
14. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved in writing by the City Council as local planning authority. These arrangements shall be retained and maintained thereafter. (In the interests of the amenities of the surrounding area, and in accordance with policies UD06, H07 and PS10 of the City of Leicester Local Plan and Core Strategy policy CS3.)
15. The approved car parking spaces shall be used only under management supervision and no resident shall be provided with access other than when moving into or out of the accommodation. (In the interests of safety and residential amenity and to encourage sustainable travel in accordance with policies AM01 and H07 of the City of Leicester local plan).
16. This consent shall relate solely to the following plans received by the City Council as local planning authority.  
Proposed site plan A.06 revision 04  
Proposed elevations A.05 revision 02  
Proposed floor plan/site levels A.03.  
(For the avoidance of doubt.)

**178. 20181863 98 VAUGHAN WAY**

Ward: Castle  
Proposal: CHANGE OF USE OF FIRST FLOOR FROM  
DWELLING (CLASS C3) TO HOUSE IN MULTIPLE  
OCCUPATION (8 PERSONS) (SUI GENERIS) (AMENDED  
13.02.19 & 05.03.19)  
Applicant: K KOONER

The Planning Officer presented the report and drew Members' attention to the supplementary report which had details of an amended condition.



Councillor Kitterick as Ward Councillor spoke in objection to the application.

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

Members expressed concerns at the proposal and comments were made that the standard of accommodation and outlook were poor. The Chair moved that the application be refused because of the cramped nature of the accommodation, the restricted outlook from the front and rear of the accommodation and the poor general environment; with the precise wording to be delegated to officers in 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 because of the cramped nature of the accommodation, the restricted outlooks from the front and rear of the accommodation and the poor general environment, with the precise wording to be delegated to officers in consultation with the Chair and Vice Chair.

**179. 20180094 CORNER OF EGGINGTON STREET AND FAIRFIELD STREET**

Ward: Spinney Hills

Proposal: CONSTRUCTION OF THREE HOUSES (3 x 4 BED)  
(CLASS C3) (AMENDED 17.12.18)

Applicant: MR HUSSEIN

The Planning Officer presented the report and drew Members' attention to the supplementary report which gave details of a further consideration in relation to an amended description.

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 Councillor Thalukdar and upon being put to the vote, the motion to approve was carried.

**RESOLVED:**

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

**CONDITIONS**

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)

2. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to any dwelling house of types specified in Part 1, Classes A, B, C & E of Schedule 2 to that Order shall be carried out without express planning permission having previously been obtained. (Given the nature of the site, the form of development is such that work of these types may be visually unacceptable, may lead to an unacceptable loss of amenity to future occupiers of the proposed property or neighbouring properties or may harm the character and appearance of the Spinney Hill Conservation Area; and in accordance with policies PS10 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS18.)
3. Before any dwelling is occupied arrangements for the collection and disposal of refuse associated with the residential use shall be submitted to and approved by the City Council as local planning authority. These arrangements shall be implemented on commencement of the use and shall be retained. (In the interests of general amenity, and in accordance with policy PS10 of the City of Leicester Local Plan).
4. Before the development is begun a brick sample panel showing choice of brick, bonding and a sample of materials to be used for the roof have first been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed. (To ensure that the development hereby approved preserves the character and appearance of the Spinney Hill Park Conservation Area, in accordance with Policies CS03 and CS18 of the Leicester Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
5. Before the development is begun, plans at a scale of 1:10 or 1:20 shall be submitted for window & door joinery and approved by the City Council as local planning authority and implemented in accordance with the agreed details. (To ensure that the development hereby approved preserves the character and appearance of the Spinney Hill Park Conservation Area, in accordance with Policies CS03 and CS18 of the Leicester Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
6. Before the development is begun details of a Sustainable Drainage System (SuDS) shall be submitted to and agreed by the City Council as local planning authority. The system shall be implemented in accordance with the agreed details prior to the commencement of the use and shall be retained and maintained thereafter. (To reduce surface water runoff and to secure other related benefits in accordance

with Core Strategy policy CS02. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

7. No house shall be occupied until the redundant dropped kerb has been reinstated in accordance with the Council's standards contained in the '6Cs Design Guide' (view from [www.leicester.gov.uk/6cs-design-guide](http://www.leicester.gov.uk/6cs-design-guide)). (For the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
8. No dwelling shall be occupied until secure and covered cycle parking for one cycle per dwelling has been provided and retained thereafter. (In the interests of the satisfactory development of the site and in accordance with policy AM02 of the City of Leicester Local Plan).
9. Before any house is occupied a detailed landscape and ecological management plan (LEMP) showing the treatment 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) planting of locally native and insect attracting species, including plant type, size, quantities and locations; (ii) a detailed plan of the biodiversity enhancements on the site including the type and position of two swift boxes.  
The approved LEMP shall be carried out within one year of completion of the development. For a period of not less than 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 (In the interests of amenity, and in accordance with Core Strategy policies CS03 and CS17).
10. This consent shall relate solely to the amended plans received by the City Council as local planning authority on 17.12.18, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

**180. 20188036A 368 LONDON ROAD, GABLES HOTEL**

Ward: Knighton  
Proposal: INSTALLATION OF ONE NON ILLUMINATED SIGN TO FORECOURT  
Appellant: CO-OPERATIVE GROUP FOOD LIMITED  
Appeal decision: Dismissed

The Planning Officer presented the report which was considered by Members.

**RESOLVED:**

that the decision of the Planning Inspectorate be noted.

**181. 20188050A 28 TOWER STREET**

Ward: Castle

Proposal: UNAUTHORISED INSTALLATION OF FIRST FLOOR UPVC WINDOWS TO FRONT OF HOUSE

Appellant: Mrs Maryan Sh ismail Mohamed

Appeal decision: Dismissed

The Planning Officer presented the report which was considered by Members.

**RESOLVED:**

that the decision of the Planning Inspectorate be noted.

**182. 20188051A 59 LONDON ROAD**

Ward: Castle

Proposal: CHANGE OF USE OF GROUND FLOOR FROM DENTISTS SURGERY (CLASS D1) TO GROUND FLOOR RESTAURANT (CLASS A3) AND HOUSE IN MULTIPLE OCCUPATION (4 PERSONS) ON FIRST AND SECOND FLOOR; SINGLE STOREY EXTENSIONS TO FRONT AND REAR; SHOPFRONT; VENTILATION FLUE; ALTERATIONS

Appellant: PARMAR ESTATES

Appeal decision: Dismissed

The Planning Officer presented the report which was considered by Members.

**RESOLVED:**

that the decision of the Planning Inspectorate be noted.

**183. 20188092A 54 PROSPECT ROAD**

Ward: North Evington

Proposal: CHANGE OF USE OF SINGLE STOREY DETACHED BUILDING AT REAR OF HOUSE TO STUDIO FLAT; ALTERATIONS (CLASS C3)

Appellant: MR AHMAD

Appeal decision: Dismissed

The Planning Officer presented the report which was considered by Members.

**RESOLVED:**

that the decision of the Planning Inspectorate be noted.

**184. SCHEME OF DELEGATION TO OFFICERS**

The Director of Planning, Development and Transportation submitted a report

that set out a simplified scheme of delegation with the aim to make the scheme clearer and to deal with existing anomalies.

Officers presented the report and Members heard that the revised scheme as set out in Appendix 2, made it clear that a petition would count as one submission. Planning Officers no longer sent individual letters to all the signatories on a petition and no complaints had been received about this arrangement. The Solicitor to the Committee explained that petitions submitted in relation to a planning application were different to those submitted under the Council's petition scheme for which there was a different process. It was suggested that the public speaking leaflet could be expanded to explain that a petition counted as one objection.

A Member asked Planning Officers to make it clear to members of the public that a petition counted as one objection or submission.

It was noted that an application would be referred for a committee decision where there had been a request from a Member before the publicity period ended. The Member would need to give clear planning reasons why in their view, the application should be considered by Committee. Concern was expressed that a Member might not be aware of the application until after the publicity period had ended. Planning Officers explained that it could be very difficult for the applicant if their application was sent to Committee late in the process and they wanted to be fair to all parties. The Head of Planning however, did have some discretion over the process. There would be training for all Members early in the new municipal year and they would be urged to look carefully at the Planning List to see what applications would be coming up in their Ward.

It was noted that one of the report's recommendations was that Officers review and report back on the operation of the scheme after 12 months. A Member asked for a record to be kept of every time the Head of Planning used his discretion during the 12 month period, along with the reasons why his discretion was used. These details could then be considered as part of that review.

The Chair suggested that where there was a petition with lots of signatures for a politically sensitive planning application, it would be preferable for the Head of Planning to use his discretion and refer the application to Committee. A Committee decision could avoid creating frustrations amongst petitioners and objectors.

The Chair moved that all the recommendations detailed in the report be agreed. This was seconded by Councillor Govind and upon being put to the vote, the motion was CARRIED.

RESOLVED:

that the Planning and Development Control Committee agree:

1) To approve the amended scheme of delegation set out in

Appendix 2 of the report;

- 2) That the amended scheme be applied to applications after 28 April 2019; and
- 3) For Officers to review and report back on the operation of the scheme after 12 months.

#### **185. CLOSE OF MEETING**

The meeting closed at 8.15pm.