



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 29 MAY 2019 at 5:30 pm

P R E S E N T :

Councillor Riyait (Chair)
Councillor Aldred (Vice Chair)

Councillor Gee
Councillor Halford
Councillor Joel

Councillor Khote
Councillor Valand
Councillor Whittle

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 Aqbany	20180489 1 Beaumont Road
Councillor Cassidy	20190593 23 Hinckley Road
Councillor Dawood	20182635 120 Berners Street
Councillor Malik	20182635 120 Berners Street

Also present:

Councillor Batool
Councillor Thalukdar

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1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rae Bhatia and Councillor Thalukdar.

Councillor Thalukdar was present as an observer for some of the meeting, but did not participate in the meeting.

2. 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 Riyait declared that he had received a representation in relation to planning application 20190593 223 Hinckley Road from the office of Liz Kendall MP and that he approached the meeting with an open mind.

Councillor Whittle declared a Regular Other Disclosable Interest in that the applicant in relation to planning application 20190246 56 Knighton Road was a Ward Councillor for the same Ward that he represented. He further declared that he approached the meeting with an open mind. In accordance with the Council's Code of Conduct, Councillor Whittle was not required to withdraw from the meeting during consideration of this item.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held on 24 April 2019 be confirmed as a correct record.

4. TERMS OF REFERENCE

RESOLVED:

That the Terms of Reference for the Planning and Development Control Committee be noted.

5. PLANNING AND DEVELOPMENT CONTROL COMMITTEE MEMBERSHIP 2019-2020

RESOLVED:

That the membership of the Planning and Development Control Committee for 2019-2020 be noted as:

Councillor Riyait (Chair)
Councillor Aldred (Vice-Chair)
Councillor Gee
Councillor Halford
Councillor Joel
Councillor Khote
Councillor Rae Bhatia
Councillor Thalukdar
Councillor Valand
Councillor Whittle

6. PLANNING AND DEVELOPMENT CONTROL COMMITTEE MEETING DATES 2019-2020

RESOLVED:

That the dates of meetings of the Planning and Development Control Committee for 2019-2020 be noted.

7. 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 of Planning, Development and Transportation dated 29 May 2019, on applications, together with the supplemental report and information reported verbally by officers, be received and action taken as below:

8. 20190593 223 HINCKLEY ROAD

Ward: Fosse

Proposal: INSTALLATION OF ONE INTERNALLY ILLUMINATED FASCIA SIGN AND ONE INTERNALLY ILLUMINATED PROJECTING SIGN TO FRONT (AMENDED PLANS RECD 01/05/19)

Applicant: MR S GOYAL

In introducing the report, the Planning Officer reminded the Committee that this application related to the installation of internally illuminated signs. The Planning Officer then presented the report and drew Members' attention to the supplementary report, which set out further representations and considerations regarding the application.

The Solicitor to the Committee reminded Members that the only relevant matters for consideration at this meeting were planning issues relating to the illuminated signs requested through this planning application; the use that these signs promoted was not relevant to this application. Speakers addressing the Committee therefore were asked to only speak on these planning issues.

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

Councillor Cassidy 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 light intensity of the signs shall not exceed 600 candelas per square metre. (To prevent excessive visual impact.)
2. The approved fascia sign shall not exceed the surface area of the fascia sign as shown in the amended plans ref no. Page 1 HR.A and Page 1 HR.B received by the City Council as local planning authority on 01/05/19. Other than the surface area of the approved fascia sign as shown in the amended plans ref no. Page 1 HR.A and Page 1 HR.B received by the City Council as local planning authority on 01/05/19, the approved advertisements shall not exceed or conflict with the conditions and limitations of Class 4B of Part 1 of Schedule 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), and any Regulation amending or revoking and replacing that Regulation with or without modification (For the avoidance of doubt.).

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process.

9. 20180489 1 BEAUMONT ROAD

Ward: Wycliffe

Proposal: VARIATION OF CONDITION 1 (HOURS OF USE) & 2 (USE OF PREMISES) ATTACHED TO PLANNING PERMISSION 20130307 TO ALLOW USE OF THE GROUND FLOOR FOR OBSERVANCE OF PRAYER AT ANY TIME.

Applicant: MR HISAMUDDIN QADRI

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 Quadri, the applicant's representative, addressed the Committee and spoke in support of the application. Mr Khalifa then addressed the Committee and spoke in objection to the application. During both presentations, the Chair reminded the speakers of the need to avoid addressing personal matters and to restrict comments to planning issues relating to the planning application under consideration.

Councillor Aqbany 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. When the ground floor is being used for prayer purposes, access to the premises is only permitted from the Vulcan Road entrance. (In the interests of the amenities of nearby occupiers and in accordance with policy PS10 of the City of Leicester Local Plan.)
2. Except for the ground floor prayer use, the use shall only be carried out between the hours of 1000 to 2000 daily. (In the interests of the amenities of nearby occupiers and in accordance with policy PS10 of the City of Leicester Local Plan.)
3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (Amended) the first floor of the premises shall only be used for education and shall not be used as a place of worship within Class D1. (In the interests of the amenities of nearby occupiers and in accordance with policy PS10 of the City of Leicester Local Plan.)

10. 20182635 120 BERNERS STREET

Ward: Wycliffe

Proposal: CHANGE OF USE FROM HOUSE (CLASS C3) TO FOUR SELF-CONTAINED FLATS (2 x BED & 2 x STUDIO); ALTERATIONS (AMENDED PLAN RECD 05/04/19)

Applicant: MR RAHIL

The Planning Officer presented the report. Members' attention was drawn to the supplementary report, which clarified that, further to reference in the main

report to a previous request for a site visit, no formal request for a site visit had been received before this meeting and officers did not consider that there was a need to visit the site to understand and assess the issues.

Mr Ibraimo addressed the Committee and spoke in objection to the application.

Councillor Dawood and Councillor Malik 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 Councillor Gee 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. The use authorised by this permission shall not commence until the arrangements for the storage of bins are in place as shown on the approved plan ref no. UBD-PL-342 received by the City Council as local planning authority on 02/04/19. These arrangements shall be 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.)
3. None of the flats shall be occupied until secure and covered cycle parking has been provided and retained thereafter, in accordance the approved plan ref no. UBD-PL-342 received by the City Council as local planning authority on 02/04/19. (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).
4. This consent shall relate solely to the amended plans ref. no. UBD-PL-342 received by the City Council as local planning authority on 05/04/19. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The City Council, as local planning authority, has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process. The decision to grant planning permission with appropriate conditions, taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2019, is considered to be a positive outcome of these discussions.

11. 20181267 47-51 GWENDOLEN ROAD, REAR OF

Ward: Spinney Hills

Proposal: DEMOLITION OF OUTBUILDINGS AND
CONSTRUCTION OF SIX SELF CONTAINED FLATS (6 x 1
BED) WITH LANDSCAPING (CLASS C3) (AMENDED 16.04.19)

Applicant: MRS S PATEL

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

The Planning Officer also drew Members' attention to a reference in the report for a condition to be added to any approval given for this application requiring a "Residents' Travel Pack" to be provided to the occupier of each unit prior to that unit's first occupation. This condition had been omitted from the report and supplementary report, so was presented verbally at the meeting.

Mrs Patel, the applicant, addressed the Committee and spoke in support of the application.

Mr Kolia and Mr Desai 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 and supplementary report, and with the addition of a further condition relating to the provision of "Residents' Travel Packs", in accordance with the officer recommendation. This was seconded by the Councillor Halford 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. Prior to the occupation of the development a landscaping and management scheme for the external parts of the site shall be submitted to and agreed by the City Council as local planning authority. The scheme shall include details of the treatment of all external parts of the site. The scheme shall be carried out within one year of occupation 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 residential amenity and in accordance with saved City of Leicester Local Plan policy PS10).
3. No part of the development shall be occupied until secure and covered cycle parking for six cycles has been provided and 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).
4. Prior to the first occupation of each unit, the occupiers of each of the dwellings shall be provided with a 'Residents Travel Pack' details of which shall be submitted to and approved 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, and bus fare discount information. (In the interest of promoting sustainable development, and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy)
5. No part of the development shall be occupied until the redundant dropped kerbs have been reinstated in accordance with the Council's standards contained in the '6Cs Design Guide' (view from 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 CS03.)
6. Finished floor levels within the proposed development shall be set no lower than 64.85 metres above Ordnance Datum and the recommendations regarding flood resilient construction and the identification and provision of safe routes into and out of the site to an appropriate safe haven in amended Flood Risk Assessment received by the City Council dated October 2018 shall be implemented and

retained. (To minimise the risk of damage in times of flooding, and in accordance with policy BE20 of the City of Leicester Local Plan and Core Strategy policy CS02).

7. No development shall be occupied until a scheme for the provision and implementation of a Sustainable Drainage System (SUDS) has been submitted and approved in writing by the City Council as local planning authority. The scheme shall be carried out as agreed and retained thereafter. (To reduce the risk of flooding and in accordance with policy CS02 of the Core Strategy.)
8. The covered area at the rear of the development between the rear elevation of the ground floor flats and the overhang of the roof shall not be enclosed and shall remain open to the rear gardens thereafter (in the interests of the amenity of future occupiers of the flats and in accordance with saved City of Leicester Local Plan policy PS10).
9. This consent shall relate solely to the amended plans received by the City Council as local planning authority on 16.04.19. (For the avoidance of doubt.)

12. ADJOURNMENT OF MEETING

The meeting adjourned at 7.50 pm and reconvened at 7.55 pm

Councillor Joel left the meeting during the above adjournment

13. 20190246 56 KNIGHTON DRIVE

Ward: Knighton
Proposal: INSTALLATION OF REPLACEMENT CASEMENTS
TO WINDOWS AT FRONT OF HOUSE (CLASS C3)
(AMENDED PLAN RECD 02/05/19)
Applicant: MS LYNN MOORE

The Planning Officer presented the report, which Members then considered.

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 Gee 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. This consent shall relate to the submitted plans ref. Proposed Fig 1, Fig 2, Fig 4, Fig 5, Fig 6 and Proposed A-A received by the City Council as local planning authority on 06/02/19, the submitted plans ref. Proposed B-B and Horn detail and the amended plan ref. Proposed Fig 3 received by the City Council as local planning authority on 02/05/19 and the email received by the City Council as local planning authority on 07/05/19. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process. The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2019 is considered to be a positive outcome of these discussions.

14. 20188014A 14 WICKFORD CLOSE

Ward: Troon
Proposal: APPLICATION FOR THE FELLING OF TWO (2)
TREES PROTECTED BY TPO
Appellant: MR KALBE OSMAN
Appeal decision: Dismissed

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

RESOLVED:

that the decision of the Planning Inspectorate be noted.

15. 20188037A 57 HUMBERSTONE ROAD, TOYNBEE MOTORS

Ward: Wycliffe
Proposal: INSTALLATION OF ONE INTERNALLY
ILLUMINATED 48 SHEET ADVERTISEMENT DISPLAY
HOARDING
Appellant: SPACE OUTDOOR LTD
Appeal decision: Allowed for Limited Period

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

RESOLVED:

that the decision of the Planning Inspectorate be noted.

16. 20188048A 160 BELGRAVE ROAD, BELGRAVE COMMERCIAL CENTRE

Ward: Belgrave

Proposal: INSTALLATION OF THREE EXTERNALLY
ILLUMINATED HOARDINGS ON ROOF OF BANK (CLASS A2)

Appellant: GAYSAHIMA PROPERTIES

Appeal decision: Dismissed

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

RESOLVED:

that the decision of the Planning Inspectorate be noted.

17. 20188053A 483-485 SAFFRON LANE

Ward: Aylestone

Proposal: CHANGE OF USE OF PART OF SHOP ON
GROUND FLOOR (CLASS A1) TO THREE SELF CONTAINED
FLATS (CLASS C3); CONSTRUCTION OF FIRST AND
SECOND FLOOR EXTENSION; ALTERATIONS

Appellant: MR R SANGAR

Appeal decision: Dismissed

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

RESOLVED:

that the decision of the Planning Inspectorate be noted.

18. 20198001A 8 HUMBERSTONE PARK CLOSE, LAND OPPOSITE

Ward: Thurncourt

Proposal: CONSTRUCTION OF FIRST FLOOR FLAT (1X
2BED) ABOVE CAR PARKING SPACES ADJACENT TO
HOUSE (No.3) (CLASS C3)

Appellant: BYBROOK BUILDERS LTD

Appeal decision: Dismissed

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

RESOLVED:

that the decision of the Planning Inspectorate be noted.

19. CLOSE OF MEETING

The meeting closed at 8.05 pm

