



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 21 AUGUST 2019 at 5:30 pm

P R E S E N T:

Councillor Riyait (Chair)
Councillor Aldred (Vice Chair)

Councillor Gee
Councillor Halford

Councillor Valand
Councillor Whittle

Councillor Khote
Councillor Rae Bhatia

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 Byrne

20190065 Elliott Road / Felstead Road, Land

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45. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Joel.

46. DECLARATIONS OF INTEREST

Members were asked to declare any interests 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 Gee noted that in relation to planning application 20190065 Elliot Road / Felstead Road, Land, an uncle was one of the signatories against the application, but he approached the meeting with an open mind.

Councillor Riyait noted that in relation to planning application 20190065 Elliot Road / Felstead Road, Land, as Ward Member for Elliot Road he had attended some pre-application meetings but came to the meeting with an open mind.

47. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of the Planning and Development Control Committee held on 31 July 2019 be confirmed as a correct record.

48. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair explained that he would take the Planning and Contravention reports out of the order given in the agenda due to the attendance of members of the public and Councillor 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 21 August 2019 on applications and contraventions together with the supplemental report and information reported verbally by officers be received and action taken as below.

49. 20190065 ELLIOTT ROAD - FELSTEAD ROAD, LAND

Ward: Abbey
Proposal: CONSTRUCTION OF 12 SEMI -DETACHED DWELLINGHOUSES (2 BED); INSTALLATION OF 1800MM HIGH CLOSE BOARDED FENCE AND WALLS; CONSTRUCTION OF CAR PARKING FOR EXISTING PROPERTIES; WIDENING OF FOOTWAYS (CLASS C3) (AMENDED PLANS 23/07/2019)
Applicant: LEICESTER CITY COUNCIL

The Planning Officer presented the report and drew Members' attention to the supplementary report, which set out an additional condition.

Mr Kandola, Leicester City Council's Housing Development Manager addressed the Committee as the applicant's representative and spoke in support of the application.

Councillor Byrne addressed the Committee and spoke in objection to the application.

Members of the Committee then gave due consideration to the application 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 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 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. 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 and is operational. 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).
3. 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 and is operational. 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.)
4. 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) a scheme of working hours. (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).

5. Prior to the commencement of development details of the driveway to the south-west of the site shall be submitted to and approved in writing by the local planning authority. The details shall include a fully dimensioned plan showing:

- A minimum driveway width of 3.25m
- Pedestrian visibility splays
- Bollards to the footway boundary along Barsby Walk.

Development shall be carried out in accordance with the approved details.

(In the interests of highway safety, and in accordance with policy AM01 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.)

6. Before any development takes place above ground level, and notwithstanding the approved plans, details of the following materials shall be submitted to and approved in writing by the City Council as local planning authority.

- External walls and roof
- Doors and windows
- Brises soleils
- Canopies.

Development shall be carried out in accordance with the approved details.

(In the interests of visual amenity, and in accordance with Core Strategy policy CS03).

7. Prior to occupation of any dwelling, bird and bat boxes/bricks shall be installed to that dwelling in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The boxes/bricks shall be retained thereafter. (In the interest of biodiversity and in accordance with Policy CS17 of the Core Strategy).

8. Before any dwelling is occupied, a detailed landscaping scheme to all parts of the site which will remain unbuilt upon shall be implemented in accordance with details that have previously been submitted to and approved by the City Council as local planning authority. This scheme shall include details of:

- (i) new tree and shrub planting, including plant type, size, quantities

and locations;

(ii) means of planting, staking, and tying of trees, including tree guards;

(iii) surface treatments;

(iv) fencing, bollards and boundary treatments including bricks to be used for walls;

(vi) any changes in levels;

(vii) the position and depth of service and/or drainage runs (which may affect tree roots);

(viii) consideration of biodiversity enhancements.

The approved landscaping scheme shall be carried out prior to occupation for hard landscaping, and within one year of completion of the development for soft landscaping. 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 biodiversity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17).

9. The dwellings shall be constructed in accordance with the details set out in Section 15 (Sustainable Energy Statement) of the Revised Design and Access Statement - Revision E. (To ensure that the development reduces greenhouse gas emissions and contributes towards the mitigation of climate change and in accordance with policy CS02 of the Core Strategy).
10. Prior to each dwelling being occupied, that dwelling shall have photo voltaic panels installed in accordance with details that have previously been submitted to and approved in writing by the local planning authority. (To ensure that the development reduces greenhouse gas emissions and contributes towards the mitigation of climate change and in accordance with policy CS02 of the Core Strategy).
11. Prior to the shared parking area being brought into use, lighting shall be provided in accordance with details that have previously been submitted to and approved in writing by the local planning authority. (In the interests of security, biodiversity and amenity and in accordance with policies CS03 and CS17 of the Core Strategy).
12. The development shall be carried out in accordance with the Precautionary Method of Works section within the Ecology Report reference RSE-1628 dated 19/2/2019. (In the interest of biodiversity and in accordance with Policy CS17 of the Core Strategy).
13. The dwellings and their associated parking and approaches 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 in relation to that dwelling. (To ensure that the dwellings are adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS06)

14. Before the occupation of each dwelling a minimum of two car parking spaces shall be provided within the curtilage of that dwelling in accordance with the approved plans and that space shall be retained for vehicle parking in connection with occupation of the dwelling as such. (To secure adequate off-street parking provision, and in accordance with policy AM12 of the City of Leicester Local Plan.)
15. No parking space shall be brought into use until a satisfactory footway crossing to serve that space, incorporating 2 metre by 2 metre sight lines, has been provided at the vehicular access. (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.)
16. Development shall not commence until arrangements are in place for a financial contribution towards education facilities as agreed by the email from A + G Architects dated 15/8/2019. Such contribution to be paid on occupation of the first dwelling. (To ensure the provision of infrastructure to meet the needs arising from the development, and in accordance with Core Strategy policy CS19).
17. This consent shall relate solely to the following plans received by the City Council as local planning authority.
Proposed site plan drawing number 10 revision E
Proposed ground floor plan (entire site) drawing number 11 revision H
Ground floor plan drawing number 20 revision C
First floor plan drawing number 21 revision C
Roof plan drawing number 22 revision B
External elevations drawing number 30 revision B
External elevations drawing number 31
Site elevations drawing number 50 revision E
(For the avoidance of doubt.)

NOTES FOR APPLICANT

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

discussions.

2. Further to the requirements of condition 15, which requires satisfactory footway crossings, the footway crossings will be considered satisfactory if they are laid out and constructed in accordance with the current standards imposed by, and if the appropriate permissions have been obtained from, the Local Highway Authority.
3. Severn Trent Water advise that although the 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 or 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. Severn Trent Water Developer Services Team (Tel: 0800 707 6600).
4. To meet condition 13: 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.

50. 20170359 44 CONDUIT STREET, SITE OF

Ward: Stoneygate
Proposal: CONSTRUCTION OF SEVEN STOREY BUILDING TO PROVIDE 37 STUDENT STUDIO FLATS (SUI GENERIS) (AMENDED PLANS 19/5/2019 & 15/8/2019) (S106 AGREEMENT)
Applicant: ARONEX DEVELOPMENTS LTD

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

Members of the Committee then gave due consideration to the application and officers responded to the comments and queries raised.

The Chair moved that the application be approved with the conditions set out in the report and supplementary report and the completion of a SECTION 106 AGREEMENT to secure a developer contribution to off-site Green Space. This was seconded by Councillor Halford and upon being put to the vote the motion to approve was CARRIED.

RESOLVED:

that the application be APPROVED with the conditions set out in

the report and supplementary report, and a SECTION 106 AGREEMENT to secure a developer contribution to off-site Green Space.

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 development the site shall be investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, shall be submitted to and approved in writing by the 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 flat 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 any flat. 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 saved 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.)

4. Prior to the commencement of development full design details of the building services arrangements (demonstrating consideration of on-site installations to provide decentralised energy/community heating and hot water, renewable energy and energy efficiency measures) shall be submitted to and approved in writing by the City Council as local planning authority. No flat 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 as local planning authority. (In the interests of securing energy efficiency in accordance with policy CS02 of the Core Strategy.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
5. Prior to the commencement of above ground development details of ventilation arrangements shall be submitted to and approved in writing by the City Council as local planning authority. No flat shall be occupied until the ventilation has been installed in accordance with the approved details and it shall be retained. (To provide residents with acceptable air quality without being exposed to unacceptable noise by opening their windows in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan and NPPF paragraph 127.)
6. No flat shall be occupied until the noise insulation approved as part of this application has been installed. (To protect residents from unacceptable levels of noise and in accordance with saved policy PS10 of the City of Leicester Local Plan and NPPF paragraph 127.)
7. Prior to the commencement of above ground development details of the materials for all elevations and the elevational treatment for the northwest and southwest facing elevations shall be submitted to and approved in writing by the City Council as local planning authority. Development shall be carried out in accordance with the approved details. (To maintain the character and appearance of the area in accordance with policies CS03 and CS18 of the Core Strategy.)
8. The windows on the south west facing wall shall be obscurely glazed and shall remain so at all times. (To ensure the potential future development of the site to the southwest is not prejudiced and in accordance with policy CS03 of the Core Strategy and saved policy PS10 of the City of Leicester Local Plan.)
9. Prior to the commencement of above ground development details of the windows and doors (including reveals) and balconies shall be submitted to and approved in writing by the City Council as local planning authority. Development shall be carried out in accordance with the approved details. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)

10. Prior to the commencement of development details of drainage, and especially foul drainage, shall be submitted to and approved 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.)
11. 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 in writing by the City Council as local planning authority. No flat 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 approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
12. No flat shall be occupied until a brown roof and associated features has been installed on the flat roof in accordance with details first submitted to and approved in writing by the City Council as local planning authority. The brown roof shall be retained thereafter. (In the interest of biodiversity and in accordance with policy CS17 of the Core Strategy.)
13. Prior to the commencement of above ground construction, details of 4 x bat bricks or tiles and 8 x bird bricks, tiles and/or boxes (to include 2 x Black redstart boxes and 6 x Swift boxes) to be incorporated within the elevations of the proposed building, shall be submitted to and approved in writing by the City Council as local planning authority. The locations shall be determined by an ecologist who shall also supervise their installation. No flat shall be occupied until they have been installed in accordance with the approved details. They shall be retained thereafter. (In the interest of biodiversity and in accordance with policy CS17 of the Core Strategy.)
14. No flat shall be occupied until the bin store has been provided 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 policy CS03 of the Core Strategy.)

15. No flat shall be occupied until secure and sheltered cycle parking has been provided 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 saved policies AM02 and H07 of the City of Leicester Local Plan.)
16. No flat shall be occupied until the land between the face of the approved building and property edge adjacent to Andover Street and Conduit Street has been laid out in accordance with details (including maintenance arrangements) first submitted to and approved in writing by the City Council as local planning authority to provide widened pavements. It shall be kept open, free from obstruction, un-built upon and used as part of the public realm thereafter. (To ensure the pavement on Conduit Street and Andover Street is an appropriate width for a building of this size and in accordance with policy CS03 of the Core Strategy.)
17. No flat shall be occupied until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated and an acceptable footway crossing provided for the bin store in accordance with the Council's standards contained in the `6Cs Design Guide`. (For the safety and convenience of pedestrians and other road users, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
18. Prior to the first occupation of each flat, the resident(s) of the flat shall be provided with a 'Residents Travel Pack', details of which shall first be submitted to and approved in writing by the City Council as local planning authority. 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 saved policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
19. Development shall not commence until any necessary amendments have been made to Traffic Regulation Orders (TROs) for Andover Street and Conduit Street to ensure that suitable access remains available, especially for refuse, delivery and emergency vehicles, and access is not impeded by parked vehicles. No flat shall be occupied until the works authorised by the TROs referred to above have been completed. (In the interests of highway safety and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS14.)
20. This consent shall relate solely to the amended plans ref. no. P-02 Rev A, P-03 Rev E, P-04 Rev B, P-05 Rev A, P-06 Rev A, P-07 Rev A, P-

07.5 Rev A, P-08, P-09, P-10 Rev A, P-11 Rev A, P-12, P-13, P-14 Rev A, P-15, P-19 Rev A & P-20 Rev A received by the City Council as local planning authority on the 17th of April and 15th of August 2019, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. Please note this permission is subject to a S106 Agreement that requires a developer contribution of £22,097 towards the refurbishment of Prebend Gardens and/or Cedar Road pocket park.
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 Water will seek to assist you obtaining a solution which protects both the public sewer and the building.
3. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway. For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk
4. 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 454 2849).
5. The costs for the alterations of the Traffic Regulation Orders (TROs) shall be funded by the Applicant. The Applicant is advised to contact Ed Kocik in the Traffic Management section (0116 454 3714) to discuss the requirements to enable the TRO to be processed.
6. The building will oversail the highway. Please note that a license from the Local Highway Authority is required. For more information please contact highwaysdc@leicester.gov.uk
7. Please note your scheme is close to the railway line. Before starting development I suggest you discuss construction details with Network Rail. Their details are as follows: Asset Protection Project Manager, Network Rail (London North Eastern), Floor 3B, George Stephenson House, Toft Green, York, Y01 6JT
Email: assetprotectionlneem@networkrail.co.uk

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

51. 20190278 12-14 HIGHFIELD STREET, LAND AT REAR OF

Ward: Stoneygate
Proposal: CONSTRUCTION OF TWO STOREY BUILDING TO PROVIDE 4 STUDIOS FOR STUDENTS(SUI GENERIS) (AMENDED PLANS RECEIVED 11/07/2019)
Applicant: SUNRISE INVESTMENTS

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

Members of the Committee then gave due consideration to the application 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, in accordance with the officer recommendation. This was seconded by Councillor Whittle 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. The development shall be carried out in full accordance with the approved materials. (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. Prior to commencement of development, 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 insulation scheme shall ensure that the Indoor ambient noise levels fall within the guideline values as specified in British Standard BS 8233:2014. The approved scheme shall be implemented in full prior to occupation of the flats. (In the interests of the amenity of future occupiers and in accordance with policies H07 and 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.)
4. No part of the development shall be occupied until covered bin storage has been provided and retained thereafter, in accordance with written details previously approved by City Council as local planning authority. (In the interests of preserving and enhancing the character and appearance of the conservation area, 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).
5. No part of the development shall be occupied until secure and covered cycle parking has been provided and retained thereafter, in accordance with written details previously approved by City Council as local planning authority. (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).
6. Prior to commencement of development a Sustainable Drainage System (SuDS) with a management and maintenance plan shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented prior to occupation and maintained thereafter. (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).
7. Before the development is begun, a detailed landscaping scheme showing the treatment of all parts of the site which will remain unbuilt upon shall be submitted to and approved by the City Council as local planning authority. This scheme shall include details of: (i) new tree and/or shrub planting, including plant type, size, quantities and locations; (ii) means of planting, staking, and tying of trees, including tree guards; (iii) other surface treatments; (iv) fencing and boundary treatments; (v) any changes in levels; (vi) the position and depth of service and/or drainage runs (which may affect tree roots). The approved landscaping scheme shall be carried out within one year of completion of the development. For a period of not less than five years from the date of planting, the applicant or owners of the land shall

maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

8. Before the occupation of the proposed development new windows facing 29 Gotham Street 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 29 Gotham Street and in accordance with policy PS10 of the City of Leicester Local Plan).
9. Prior to the first occupation of each unit, the occupiers of each of the flats 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)
10. 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 potential impact of parking from other types of occupiers in accordance with Policy CS15 of the Core Strategy; the suitability of the accommodation for other types of occupation in accordance with Policy H07 of the City of Leicester Local Plan and Policy CS03 of the Core Strategy and the need for affordable housing in accordance with Policy CS07 of the Core Strategy).
11. This consent shall relate solely to the amended plans ref. no. 1019/03F received by the City Council as local planning authority on 11/07/2019. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. All foundations, gutters and downpipes should be wholly within the application site.

2. In relation to condition 3 windows should not be permanently sealed closed but should be able to kept closed, by choice, whilst allowing residents to enjoy an adequate source of fresh air.
3. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process.
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2019 is considered to be a positive outcome of these discussions.

52. 20190833 10 HOLYWELL ROAD

Ward: Aylestone
Proposal: CONSTRUCTION OF THREE DWELLINGHOUSES (3X 3BED)
TO REAR OF HOUSE (CLASS C3) ALTERATIONS
(AMENDED PLAN RECEIVED 27/06/2019)
Applicant: MR N BRIDDON

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

Members of the Committee then gave due consideration to the application 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, in accordance with the officer recommendation. This was seconded by Councillor Rae Bhatia 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. The development shall be

carried out in accordance with the approved materials. (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. 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. Prior to the occupation of the development 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 a PRE-COMMENCEMENT condition).
4. Prior to the commencement of development details of drainage, and especially foul drainage, shall be submitted to and approved by the local planning authority. No property shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy, this is a PRE-COMMENCEMENT condition).
5. The development hereby approved shall not progress beyond damp proof course level until 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) new tree and shrub planting, including plant type, size, quantities and locations; (ii) means of planting, staking, and tying of trees, including tree guards; (iii) other surface treatments; (iv) fencing and boundary treatments, including details of the entrance gates; (v) any changes in levels; (vi) the position and depth of service and/or drainage runs (which may affect tree roots); (vii) details of planting design and maintenance of rain garden; (viii) details of 2 x bird boxes to be erected under the guidance and supervision of a qualified ecologist. 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 (To ensure that the finished development contributes positively to the character and appearance of the area and that appropriate provision for biodiversity in accordance with the submitted ecology report is made within the site, and in accordance with saved Policy UD06 of the Local Plan (2006) and Policies CS03 and CS17 of the Leicester Core Strategy (2014)).
6. 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 property 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, this is a PRE-COMMENCEMENT condition.)

7. No part of the houses shall be occupied until the following works have been carried out in accordance with details shown on the approved plans: (a) surfacing and marking out of all parking areas; (b) provision of loading/unloading areas; (c) provision of turning space. The parking, loading/unloading areas and turning space shall not be used for any other purpose. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
8. No part of the houses shall be occupied until the 2 metre by 2 metre sight lines on each side of each vehicular access on land shown within the applicants control 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.)
9. No part of the houses shall be occupied until the footway crossing has been altered in accordance with guidance in the Leicester City Council and Leicestershire County Council document `6Cs Design Guide`. (To achieve 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.)
10. Before first occupation of any dwelling, 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. (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.)
11. 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 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)

12. 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 been submitted to the City Council Noise and Pollution Control Team. The methodology must be submitted at least 10 working days before such work commences and agreed, in writing, by the City Council Noise and Pollution Control Team.
The 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. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan).
13. Before the occupation of any houses new side windows 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 adjacent occupiers and in accordance with policy PS10 of the City of Leicester Local Plan).
14. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no extension to the rear of the properties or outbuildings within the curtilage of the properties 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 lead to an unacceptable loss of amenity to occupiers of the application properties or of neighbouring properties; and in accordance with saved City of Leicester Local Plan policy PS10.)
15. This consent shall relate solely to the submitted plans ref. no. A1432/05/06; A1432/05/07; A1432/05/03, A1432/05/04; A1432/05/05A; Habitat Survey; Arboricultural Impact Assessment and Method Statement (A1432) and; SUDS Assessment Report received by the City Council as local planning authority on 14/06/2019 and plan ref. no. A1432/05/2A received by the City Council as local planning authority on 27/06/2019, 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
2. 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
 - 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.
3. The effect of condition 14 of this planning permission is that all future alterations and extensions to the dwelling, and the construction of outbuildings within the curtilage of the dwelling, will require planning permission from the City Council as the local planning authority.
(Permitted development rights for this dwelling have been restricted).
4. 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.

53. 20190966 7 ALLANDALE ROAD

Ward: Knighton
Proposal: CHANGE OF USE OF GROUND FLOOR FROM ESTATE
AGENT (CLASS A2) TO CAFE (CLASS A3)
Applicant: MRS ROSINDA SINGH

The Planning Officer presented the report and drew Members' attention to the supplementary report, which set out an amended condition and amended note for the applicant.

Members of the Committee then gave due consideration to the application 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, in accordance with the officer

recommendation. This was seconded by Councillor Aldred 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 shall not commence until an insulation scheme to prevent the transmission of noise to adjoining residential properties has been carried out in accordance with details which shall first have been submitted to and approved by the City Council as local planning authority. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan, this is a PRE-COMMENCEMENT condition).
3. The use shall not be carried on outside the hours of 07.30-23.00 daily. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
4. There shall be no live or amplified music or voice played which would be detrimental to the amenities of occupiers of adjacent and nearby properties. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
5. The rear outdoor space shall not be used as an outside seating area or used for any entertainment purposes. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
6. Only cold food, or food cooked by microwaves shall be prepared and/or served on the premises. (In the interests of the amenities of nearby occupiers, and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan.)
7. No equipment/machinery shall be installed or operated nor shall any processes be undertaken which are detrimental to the amenity of the area by reason of noise, vibration, smell, fumes and smoke. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
8. This consent shall relate solely to the submitted plans received by the City Council as local planning authority on 01/07/2019, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. Light food offering should be cold or microwavable food, other hot/cooked food would require a ventilation system. The applicant is advised no ventilation flue should be installed unless any necessary planning permission has been given.
2. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material planning considerations, including planning policies and representations that may have been received and subsequently determining 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.

54. 20198022A 195A HUMBERSTONE ROAD

Ward: Wycliffe
Proposal: INSTALLATION OF TWO INTERNALLY ILLUMINATED
DIGITAL HOARDING SIGNS
Appellant: 8 OUTDOOR MEDIA 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.

55. THE LEICESTER (CONSOLIDATION) TRAFFIC REGULATION ORDER 2006 (AMENDMENT) (HERSCHELL STREET AND MUNDELLA STREET) ORDER 2019 OBJECTORS REPORT

The Director of Planning, Development and Transportation submitted a report inviting the Committee to give its views to the Director to be taken into account when considering whether or not to make the proposed traffic regulation order.

The Transport Development Officer (Programme Planning, Development and Transportation) introduced the report, which explained the request for a residents parking scheme for Herschell Street and Mundella Street residents, and subsequent objections to the scheme from residents of Kimberley Road.

In response to the objections received officers wrote to the objectors to explain the reasons for the proposals. All of the objectors either replied to say that they wished to continue with their objection or did not reply, in which case the Council took that to mean that they wished to continue with the objection.

The Transport Development Officer explained that the Herschell Street Scheme was so far ahead that for Kimberley Road residents to be included into

the Hershell Street Scheme it would cause a significant delay whilst consulting with Kimberley Road residents. The Committee discussed the issue and supported the proposed Hershell Street Scheme.

The Committee recommended that the Director overrule the objections, but asked that Kimberley Road residents be consulted on at the earliest opportunity.

RESOLVED:

that, when considering proposals, the Director overrule objections received against the Leicester City Council TRO proposals for a residents' parking scheme on Hershell Street and Mundella Street, but expedite the process for a possible extension to include Kimberley Road.

56. CLOSE OF MEETING

The meeting closed at 7.23pm.