



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 11 DECEMBER 2019 at 5:30 pm

P R E S E N T :

Councillor Riyait (Chair)

Councillor Gee
Councillor Halford

Councillor Thalukdar
Councillor Whittle

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

Councillor:

Application Details:

Councillor Clarke

20191056 2 Hereford Road
20191534 29 Lutterworth Road
20191559 21 Monsell Drive

Councillor Singh Johal

20191751 Land to Rear of 88 Dumbleton
Avenue

* * * * *

76. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Aldred, Joel, Khote, Rae Bhatia and Valand.

77. 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 Halford declared in relation to planning application 20191751 Land to Rear of 88 Dumbleton Avenue that she represented the Ward in which it was

located and had received telephone calls in relation to the application, but she approached the meeting with an open mind.

Councillor Riyait declared in relation to agenda item 5, "The Leicester (Consolidation) Traffic Regulation Order 20016 (Amendment) (Discovery Road) Order 2019 Objectors Report", that the roads concerned were within the Ward he represented and he had discussed the proposed Traffic Regulation Order with residents. This interest was not considered so significant that it was likely to prejudice Councillor Riyait's judgement of the public interest. In accordance with the Council's Code of Conduct he therefore was not required to withdraw from the meeting during consideration of this item.

78. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held on 23 October 2019 be confirmed as a correct record.

79. CHANGE OF ORDER OF AGENDA ITEMS

The Chair announced that, due to the number of planning applications to be considered at this meeting, agenda item 5, "The Leicester (Consolidation) Traffic Regulation Order 20016 (Amendment) (Discovery Road) Order 2019 Objectors Report", would be considered before the planning applications.

80. THE LEICESTER (CONSOLIDATION) TRAFFIC REGULATION ORDER 2006 (AMENDMENT) (DISCOVERY ROAD) ORDER 2019 OBJECTORS REPORT

The Director of Planning, Development and Transportation submitted a report setting out an objection received to proposals to introduce a daytime residents' parking scheme for the residential development consisting of Ariane Place, Beagle Close and Discovery Road. The Solicitor to the Committee reminded Members that they were being asked to consider these proposals and pass comments to the Director of Planning, Development and Transportation, who would decide whether or not the Order should be confirmed.

The Transport Development Officer (Programmes) introduced the report, explaining that it was anticipated that the introduction of parking restrictions on part of Exploration Drive would cause people who currently parked there to try to park on the Discovery Road estate. At a meeting held with residents, a consensus had been reached that the proposals as set out in the report were the most appropriate. However, one objection remained unresolved.

RESOLVED:

That when considering whether or not to make the Leicester (Consolidation) Traffic Regulation Order 2006 (Amendment) (Discovery Road) Order 2019, the Director of Planning, Development and Transportation notes that this Committee supports the proposals as set out in the report.

81. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair advised the Committee that planning application 20191936 11 Elmfield Avenue, Graysford Hall had been withdrawn.

RESOLVED:

that the report of the Director of Planning, Development and Transportation, dated 11 December 2019, on applications, together with the supplemental report and information reported verbally by officers, be received and action taken as below.

82. 20190269 64-66 ASFORDBY STREET

Ward: North Evington

Proposal: CHANGE OF USE FROM SHOP (CLASS A1) AND TWO FLATS (1 x 2 BED; 1 x 3 BED) TO SHOP (CLASS A1) AND FIVE FLATS (1 x 1 BED; 4 x 2 BED); FIRST FLOOR EXTENSION TO REAR; HIP TO GABLE EXTENSION TO ROOF; DORMERS TO FRONT AND REAR; ALTERATIONS (AMENDED 12.11.19 and 21.11.19)

Applicant: ZAM INVESTMENTS

The Planning Officer presented the report.

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

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

Concerns were raised that the area in which it was proposed to store the waste bins was quite restricted, which could lead to bins being located outside bedroom windows. In addition, the rear access was already quite crowded, which could make it difficult for waste to be collected.

The Chair moved that, in accordance with the officer recommendation, the application be approved subject to the conditions set out in the report, but that Condition 2 be amended to require the position for every day storage of waste bins and arrangements for collection and disposal of waste from the flats and the shop to be approved by the planning authority prior to the occupation of any flat in this development, the wording of this amendment to be delegated to the Head of Planning in consultation with the Chair and Vice-Chair of this Committee. 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 and the amendment to Condition 2 to require the position for every day storage of waste bins and arrangements for collection and disposal of waste from the flats and the shop to be approved by the planning authority prior to the occupation of any

flat in this development:

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 any flat, arrangements for the collection and disposal of refuse associated with both the residential use and commercial 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).
3. The approved extensions and dormers shall be constructed in materials to match the existing walls and roof. (In the interests of the visual amenity of the area and to preserve the character and appearance of the West End Conservation Area, and in accordance with Core Strategy policies CS03 and CS18.)
4. No flat shall be occupied until secure and covered cycle parking for five cycles 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).
5. This consent shall relate solely to the amended plans received by the City Council as local planning authority on 12.11.19 and 21.11.19. (For the avoidance of doubt.)

Councillor Thalukdar arrived at the meeting during consideration of this item, but took no part in the discussion or voting on it, sitting separately from the Committee until the item's conclusion.

83. 20190864 23 DE MONTFORT STREET

Ward: Castle

Proposal: CHANGE OF USE FROM OFFICES ON THE GROUND FLOOR (CLASS B1) AND FLATS ON FIRST AND SECOND FLOOR (CLASS C3) TO STUDENT STUDIO FLATS WITH COMMUNAL SPACES (11X STUDIO) (SUI GENERIS); SINGLE STOREY SIDE EXTENSION; DORMER AT REAR. (AMENDED)

Applicant: MR CHAUDHURI

The Planning Officer presented the report.

Mr Chowdhuri, a joint owner of the property, addressed the Committee and spoke in support of 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 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 housing in accordance with Core Strategy Policy CS07 and residential amenity standards in accordance with policy H07 of the City of Leicester local plan.)
3. Prior to the commencement of development details of the implementation, long term maintenance and management of the Sustainable Drainage System (SuDS) as approved shall be submitted to and approved in writing by the local planning authority. No flat shall be occupied until the system has been completed and is operational. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include:
 - (i) a timetable for its implementation, and
 - (ii) 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).

4. Prior to the commencement of development details of drainage shall be submitted to and approved in writing by the 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).
5. Prior to the commencement of development, and notwithstanding the approved plans, details of the following design and materials 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.
 - (i) Details of any windows to be replaced or repaired, including section drawings at 1:10 of existing and proposed windows and frames including cills and lintels, showing matching timber operable sash units which exactly match the original windows
 - (ii) Details of all new windows including section drawings at 1:10, the windows shall match the existing windows and be fully operable sashes to the front with integrated glazing bars
 - (iii) Rooflights, which shall be conservation quality and single-pane
 - (iv) Materials for the single storey extension, including a one metre square sample panel of the cream brickwork showing brick type, mortar and pointing to match the existing exactly, and a sample of the roofing slate.(In the interests of visual amenity, and the character of the Conservation Area, in accordance with Core Strategy policies CS03 and CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
6. Development shall be carried out in accordance with the recommendations contained within Section 7 of the Bat Presence and Absence Surveys Report reference BG19.149.1 July 2019, including the requirement for an integrated bat box to be provided. The development shall not be occupied until the bat box has been installed. (In the interests of biodiversity and in accordance with Core Strategy policy CS17.)
7. Prior to the approved flats being occupied, two Swift boxes shall be installed in accordance with the specifications contained within the Preliminary Roost Assessment report BG19.149 March 2019. (In the interests of biodiversity and in accordance with Core Strategy policy CS17.)
8. The development shall be heated and lit, and hot water provided, in accordance with the recommendations contained within the Sustainable Energy Report 7799 dated 15/3/2019. (In the interests of energy efficiency and in accordance with Core Strategy policy CS02.)

9. No part of the development shall be occupied until secure and covered cycle parking for six cycles has been provided in accordance with written details that have previously been 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 approved flats. (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).
10. Prior to occupation of the flats four car parking spaces shall be provided as shown on the approved plans. The car parking spaces shall be retained thereafter for use in connection with the occupation of the approved flats. (To secure adequate off-street parking provision, and in accordance with policy AM12 of the City of Leicester Local Plan.)
11. Before the development authorised by this permission is occupied a landscaping scheme shall be implemented in accordance with details that have previously been submitted to and approved by the City Council as local planning authority. The details shall include:
 - (i) the position and spread of all existing planting to be retained or removed;
 - (ii) new planting, including plant type, size, quantities and locations;
 - (iii) means of planting, staking, and tying of trees, including tree guards;
 - (iv) other surface treatments;
 - (v) fencing and boundary treatments;
 - (vi) any changes in levels including sections through the rain gardens;
 - (vii) the position and depth of service and/or drainage runs (which may affect the scheme).The approved landscaping scheme shall be carried out prior to occupation for hard landscaping and the rain gardens, and within one year of completion of the development for other 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 outside the rain gardens. 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. The rain gardens shall be maintained with approved or replacement planting in perpetuity. (In the interests of amenity and sustainable drainage, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS02 and CS03.)
12. No part of the development shall be occupied until a Parking Management Plan has been submitted to and approved in writing by the City Council as local planning authority. The Plan shall include the proposed parking arrangements for the site including the drop off and pick ups at the start and end of terms, and shall promote sustainable modes of transport such as walking, cycling, car share and public

transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site as single occupancy vehicle users, so that all users have awareness of sustainable travel options. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, AM11 and AM12 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

13. The occupiers of each of the flats shall be provided, at the time when they move into the development, with a 'New Residents Travel Pack'. The contents of this shall have previously been submitted to and approved in writing by the City Council as local planning authority and shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. The Pack shall be available in an electronic format. (In the interest of sustainable development and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy).
14. No demolition or construction work shall be undertaken outside the hours of 0730 to 1800 Monday to Friday and 0730 to 1300 Saturday, or at any time on Sundays or bank or public holidays. (In the interests of the amenity of the area and nearby residents and in accordance with policy PS10 of the City of Leicester local plan.)
15. No part of the development shall be occupied until refuse bin storage has been provided in accordance with the approved plans. The refuse bin storage shall be retained thereafter for use in connection with occupation of the approved flats. (In the interests of the satisfactory development of the site and in accordance with policy H07 of the City of Leicester Local Plan).
16. 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; and
 - (v) 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 CS03, CS06 and CS15 and saved Local Plan Policy PS10 of the City of Leicester Local Plan)

17. This consent shall relate solely to the following submitted plans received by the City Council as local planning authority.
Planning application information (Proposed plans and elevations) DSA-18127-PL-PRO-01 revision J received 24/09/2019
SuDS Strategy 1906-500 A received 7/07/2019.
(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. The applicant is advised that this proposal has been assessed on the basis that the occupiers will be students. Should any change of use to non-student accommodation ever be applied for, then it might be necessary to combine multiple units to form larger self contained flats in order to meet residential amenity requirements.

84. 20191056 2 HEREFORD ROAD

Ward: Aylestone

Proposal: RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM DWELLINGHOUSE (CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (7 BEDS) (SUI GENERIS); CONSTRUCTION OF HIP TO GABLE EXTENSION; SINGLE STOREY EXTENSION TO SIDE AND REAR; DORMER AT REAR OF HOUSE; ALTERATIONS (AMENDED PLANS 27/11/19)

Applicant: KALRA PROPERTY SERVICES LTD

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

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

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

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

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

The Committee questioned where it was proposed to locate cycle parking, as there currently was no access to the rear other than by going through the property. In order to ensure that cycle parking was provided, it therefore was suggested that, if this application was approved, Condition 1 could be amended to require the provision of cycle parking within three months of the date of the permission being granted.

The Chair moved that, in accordance with the officer recommendation, the application be approved subject to the conditions set out in the report, but that Condition 1 be amended to require cycle parking to be provided within three months of the date of the permission being granted. 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. Within three months of the date of this permission, secure and covered cycle parking shall be 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).
2. This consent shall relate solely to the plans ref. no. 18023-P-004 received by the City Council as local planning authority on 30th July 2019 and to the amended plans ref. no. 18023-P-03 rev C received on 27th November 2019. (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 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.

2. The applicant is reminded that the granting of planning permission does not remove the need to comply with other legal requirements including, but not limited to, environmental health and nuisance legislation, Party Wall etc. legislation.
3. The applicant is advised that the site is within 250 metres of a landfill site known to have accepted wastes within the last 30 years and it is considered that there is a perceptible risk of landfill gas adversely affecting it.

85. 20191183 299 MELTON ROAD

Ward: Rushey Mead

Proposal: CHANGE OF USE FROM POLICE STATION (SUI
GENERIS) TO PLACE OF WORSHIP (CLASS D1);

ALTERATIONS (AMENDED PLANS RECEIVED 19/11/2019)

Applicant: MR RAJ KAMMELA

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

Mr Kamella, the applicant's agent, addressed the Committee and spoke in support of 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, 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. There shall be no live or amplified music or voice played which would be detrimental to the amenities of occupiers of nearby properties. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
3. The new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance

with Core Strategy policy CS3.)

4. No air conditioning units or equipment shall be installed outside or on the exterior of the building unless details of the design, position and specification for these has been previously approved in writing by the City council as local planning authority. (In the interests of nearby occupiers and in accordance with Policy PS10 of the City of Leicester Local Plan)
5. The use shall not be carried on outside the hours of 07:00 to midnight daily. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
6. No part of the development shall be occupied until a Travel Plan (to include a Parking Management Strategy) for the development has been submitted to and approved in writing by the City Council as local planning authority and shall be carried out in accordance with a timetable to be contained within the Travel Plan, unless otherwise agreed in writing by the Council. The Travel Plan shall include the measures contained within the Transport Strategy received by the City Council as local planning authority on 14.11.19 and shall: (a) assess the site in terms of transport choice for staff, users of services, visitors and deliveries; (b) consider pre-trip mode choice, measures to promote more sustainable modes of transport such as walking, cycling, car share and public transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site 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 and look at a parking management scheme to discourage off-site parking; (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; (e) a mechanism for monitoring and review of the measures contained within the Travel Plan in conjunction with the Highway Authority. The Travel Plan shall be maintained and operated thereafter (to reduce the risk of highway safety and in the interests of sustainability and the proper functioning of the local transport network and in accordance with saved City of Leicester Local Plan policies AM01, AM02 and AM11 and Core Strategy policy CS14.)
7. The new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
8. Prior to the commencement of the use, arrangements for the collection and disposal of refuse associated with the 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).

9. This consent shall relate solely to the amended plans received by the City Council as local planning authority on 19.11.19. (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.

86. ADJOURNMENT OF MEETING

The meeting adjourned at 7.22 pm and reconvened at 7.30 pm.

87. ORDER OF REMAINING AGENDA ITEMS

The Chair announced that he would take the remaining 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.

88. 20191751 LAND TO REAR OF 88 DUMBLETON AVENUE

Ward: Braunstone Park & Rowley Fields
Proposal: CONSTRUCTION OF DETACHED BUNGALOW (1X2 BED) (CLASS C3); ASSOCIATED PARKING AND LANDSCAPING
Applicant: K KOONER

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

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

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

Councillor Clarke addressed the Committee, also speaking in objection to the application.

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

It was suggested that, in view of concerns that the property could be extended significantly over time through permitted development rights, with these developments being visually unacceptable and unacceptably reducing amenity space on site and/or resulting in an unacceptable loss of amenity to the occupiers of neighbouring properties, a condition could be added under which permitted development rights for extensions and outbuildings would be removed in relation to this property.

The Chair moved that, in accordance with the officer recommendation, the application be approved subject to the conditions set out in the report and supplementary report and the addition of a condition removing permitted development rights for extensions and outbuildings for this property, the wording of the additional condition to be delegated to the Head of Planning in consultation with the Chair and Vice-Chair of this Committee. 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 and the addition of a condition removing permitted development rights for extensions and outbuildings for this property, the wording of the additional condition to be delegated to the Head of Planning in consultation with the Chair and Vice-Chair of this Committee:

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. The dwelling shall not be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to

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

3. Before above ground works, the materials to be used on all external elevations and roofs shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3).
4. The dwelling and its associated parking and approach shall be constructed in accordance with 'Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement. On completion of the scheme and prior to the occupation of the dwelling a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the City Council as local planning authority certifying compliance with the above standard. (To ensure the dwelling is adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS6)
5. Landscaping shall be carried out in full accordance with the approved Landscaping Plan (ref. 2150.2) before the occupation of any part of the development unless otherwise agreed in writing with city council and maintained as such. (In the interests of the amenities of the surrounding area, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3).
6. This consent shall relate solely to the submitted plans ref. no. 2050.3 (Block Plan); 2150.2 (Landscaping Plan); 2050.1 (Site Plan); 2150 (Plans and Elevations) received by the City Council as local planning authority on 11/09/2019, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The 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.

89. 20191228 9 ADDERLEY ROAD

Ward: Castle

Proposal: CONSTRUCTION OF SINGLE STOREY
EXTENSION AT REAR OF HOUSE IN MULTIPLE
OCCUPATION (CLASS C4) (AMENDED PLANS RECEIVED
07/11/2019)

Applicant: MR & MRS CLINTON

The Planning Officer presented the report.

Mr Wilkinson, the applicant's agent, addressed the Committee and spoke in support of 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 new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. This consent shall relate solely to the amended plans ref. no. P002 and P003 received by the City Council as local planning authority on 07/11/2019. (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.

90. 20191559 21 MONSELL DRIVE

Ward: Aylestone
Proposal: RETROSPECTIVE APPLICATION FOR
CONSTRUCTION OF SINGLE STOREY EXTENSION TO
FRONT OF EXISTING OUTBUILDING AT REAR OF HOUSE;
ALTERATIONS (CLASS C3)
Applicant: MR PETER SILK

The Planning Officer presented the report.

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

Councillor Clarke addressed the Committee, also speaking in objection to the application.

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

There was some discussion about whether the outbuilding was being used for residential purposes and a suggestion made that officers look separately at this.

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 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 new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
2. The extension hereby permitted shall not be used by persons other than the residents of the house and shall be used only for purposes incidental to the domestic use of the dwelling and its garden.
3. This consent shall relate solely to the submitted plans ref. nos. 1432/03, 1432/04, 1432/05 received by the City Council as local planning authority on 19th August 2019, and no. 1432/01 received on 15th October 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 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.

91. 20191534 29 LUTTERWORTH ROAD

Ward: Aylestone

Proposal: VARIATION OF CONDITION 4 (HOURS OF WORK)
ATTACHED TO PLANNING PERMISSION 20030774
(CHANGE OF USE FROM CAR SALES TO CAR RENTAL) TO
ALLOW FOR OFFICE HOURS OF 0600-2200, OPENING
HOURS OF BUSINESS TO THE PUBLIC OF 0800-1800
Applicant: ENTERPRISE RENT-A-CAR

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

Councillor Clarke addressed the Committee speaking in objection to the application.

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

Concerns were raised that vehicle movements on the site caused noise in addition to noise arising from machinery. It therefore was suggested that Condition 5 could be amended to include reference to this.

The Chair moved that, in accordance with the officer recommendation, the application be approved subject to the conditions set out in the report, but that Condition 5 be amended to restrict the hours during which vehicles could be cleaned, maintained or moved on the site, machinery could be operated on the site and customers could access the site, the wording of this amendment to be delegated to the Head of Planning in consultation with the Chair and Vice-Chair of this Committee. 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, with Condition 5 to be amended to restrict the hours during which vehicles can be cleaned, maintained or moved

on the site, machinery can be operated on the site and customers can access the site, the wording of this amendment to be delegated to the Head of Planning in consultation with the Chair and Vice-Chair of this Committee:

CONDITIONS

1. The parking areas provided on the site shall be retained for parking and not used for any other purpose. Sufficient spaces shall be reserved within the site for the use of staff and customers at all times. (To ensure that parking can take place in a satisfactory manner, to minimise parking outside the site and in accordance with policy AM11 of the City of Leicester Local Plan and Core Strategy policy CS3.)
2. Within 3 months of the date of this consent at least 1 car parking space for the use of disabled people shall be provided in accordance with guidance in the Leicester City Council and Leicestershire County Council document "6Cs Design Guide" and shall be retained and kept available for use by disabled people. (To ensure adequate provision for the needs of disabled people, and in accordance with policy AM11 of the City of Leicester Local Plan and Core Strategy policy CS3.)
3. The use shall not be carried out outside the hours of 0600-2200 Mondays to Fridays, and 0900-1700 Saturdays, nor at any time on Sundays or officially recognised public holidays. (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 cleaning or maintenance of vehicles, operation of any machinery on the site or access for customers to the site outside the hours of 0800-1800 hours Mondays to Fridays, and 0900-1700 hours Saturdays, nor at any time on Sundays or officially recognised public holidays. Outside of these hours the site shall only be used by staff for administrative work within the office. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
5. The site shall only be used and the business operated in accordance with a management plan submitted to and agreed with the city council as local planning authority. The management plan shall specify how customers will be instructed in relation to the pick up and drop off of vehicles, how the site will be used within the hours specified and how it will be secured outside those hours. The site shall only be used and the business shall only be operated in accordance with the approved management plan. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
6. There shall be no live or amplified music or voice played which would be detrimental to the amenities of occupiers of nearby properties. (In

the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)

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.

92. 20191818 1-1A MONSELL DRIVE

Ward: Aylestone

Proposal: DEMOLITION OF EXISTING APARTMENT BUILDINGS (CLASS C3); CONSTRUCTION OF TWO AND THREE STOREY CARE HOME (60 BED) (CLASS C2)

Applicant: AVERY HOMES LEICESTER LTD

The Planning Officer presented the report.

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

The Chair moved that the application be approved subject to the conditions 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 walls, roof, windows doors and other external materials shall be constructed in accordance with the details submitted in the application form. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)

3. Plant and machinery shall only be operated and installed in accordance with the details submitted on approved plan SK-001 rev P2 submitted to the City Council as Local Planning Authority on 19 November 2019. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
4. Before the occupation of any part of the development, all parking areas shall be surfaced and marked out in accordance with details which shall first have been submitted to and approved by the City Council as local planning authority, and shall be retained for parking and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner, and in accordance with policy AM11 of the City of Leicester Local Plan and Core Strategy policy CS3.)
5. No part of the development shall be occupied until secure and covered cycle parking has been provided and retained thereafter, in accordance with the details shown on the approved plan AL(9)901 rev J. (In the interests of the satisfactory development of the site and in accordance with policy AM02 of the City of Leicester Local Plan).
6. The use shall only operate in accordance with the details submitted in the Travel Plan dated October 2016 and approved under application 20162240. The plan shall be maintained and operated 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).
7. All street works shall be constructed in accordance with the Council's standards contained in the "6Cs Design Guide" (view from www.leicester.gov.uk/6cs-design-guide). (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.)
8. No part of the development shall be occupied until the 2 metre by 2 metre sight lines on each side of each vehicular access have been provided, and they shall be retained thereafter. (In the interests of the safety of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
9. The gate at the entrance from Monsell Drive shall be set back at least 5m from the footway and retained as such. (In the interests of highway safety and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
10. All works shall be carried out in accordance with British Standard for Tree Work BS 3998:2010. (In the interests of the health and amenity value of the trees and in accordance with Policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

11. All trees on the site subject to a Tree Preservation Order shall be protected from damage during building operations, in accordance with details submitted within the Tree Survey dated 25 October 2019. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
12. Prior to the commence of the development, all existing trees, shrubs or hedges to be retained on the site shall be protected by fences erected not within the root protection area in accordance with details submitted within the Tree Survey dated 25 October 2019. 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.)
13. All vegetation intended for clearance shall be clearly identified on site in accordance with details submitted within the Tree Survey dated 25 October 2019, before any clearance is begun. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
14. During works of demolition and construction all operations shall only be carried out in accordance with the details shown on plan SK(8)910 received by the City Council as Local Planning Authority on 13 August 2018 in respect of temporary site entrances, temporary storage areas for soil and other materials, and the placing of plant and site huts. (To ensure the satisfactory development of the site, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
15. In the first planting season following the removal of each tree, a replacement tree shall be planted. The replacement tree(s) shall be 2:1 at 14/16 Extra Heavy Standard of the same species unless an alternative scheme has first been submitted to and approved by the City Council as local planning authority. All replacement trees shall be maintained for a minimum period of five years following planting. Any tree that dies, becomes seriously damaged or is removed shall be replaced by another of the same specification at the same place in the first available planting season. (In the interests of the amenity of the area, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
16. No part of the development shall be occupied until evidence demonstrating satisfactory operation of the approved Combined Heat and Power based community based heating and hot water system including on-site installation has been submitted to and approved in writing by the City Council. (In the interests of securing energy

efficiency in accordance with Policy CS2 of the Core Strategy.)

17. 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.)
18. No part of the development shall be occupied until the arrangements for storage of bins shown on the approved plans have been provided. These arrangements shall be maintained thereafter. (In the interests of the amenities of the surrounding area, and in accordance with policy PS10 of the City of Leicester Local Plan and Core Strategy policy CS3.)
19. 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. The Sustainable Drainage System shall be managed and maintained thereafter in accordance with the approved management and maintenance plan. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy.)
20. The development shall not commence above ground level until details of 8 bat bricks and 12 bird boxes to be incorporated within the elevations of the proposed building have been submitted to and agreed in writing by the City Council as Local Planning Authority. The locations should be determined by an ecologist who should also supervise their installation. The development shall be carried out in accordance with the agreed details and the bat and bird boxes shall be retained thereafter. (In the interests of biodiversity and in accordance with policy CS17 of the Leicester Core Strategy.)
21. Before any external lighting is installed a detailed design plan of lighting to be used which shows the locations of lights, their type of light emittance and wavelength, together with a lux contour map showing the variation in light, shall be submitted to and approved in writing by the local planning authority. The lighting shall be designed to cause minimum disturbance to protected species that may inhabit the site with appropriate areas remaining dark and a maximum of 1 lux on vegetated areas where considered necessary. The approved scheme shall be implemented and retained thereafter. No additional lighting shall be installed without prior agreement from the Local Planning Authority. (In the interests of protecting wildlife habitats and in accordance with saved policy BE22 of the City of Leicester Local Plan and policy CS 17 of the Leicester Core Strategy)

22. The use shall not commence until the drainage, and especially foul drainage, has been installed in accordance with the details approved by the City Council as local planning authority under application 20181828. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy)

23. The development hereby approved shall be carried out solely in accordance with the following drawings:
AL(1)105 rev A (Roof Plan) received 23 September 2019
AL(1)104 rev A (Attic Plan) received 23 September 2019
AL(1)103 rev A (Second Floor Plan) received 23 September 2019
AL(1)102 rev A (First Floor Plan) received 23 September 2019
AL(1)101 rev A (Ground Floor Plan) received 23 September 2019
AL(1)140 rev A, AL(1)141 rev A and AL(1)142 rev A (Elevations) received 23 September 2019
AL(9)901 rev J (Site Plan) received 23 September 2019
AL(9)902 rev K (Landscaping) received 19 November 2019
Unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. Development on the site shall avoid the bird nesting season (March to September), but if necessary a re-check for nests should be made by an ecologist (or an appointed competent person) not more than 24 hours prior to the commencement of works and evidence provided to the City Council as Local Planning Authority. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone will also be marked out to avoid disturbance whilst the nest is in use. All wild birds are protected under the Wildlife and Countryside Act (1981) as amended making it an offence to kill, injure or disturb a wild bird during the nesting season or to damage or destroy an active nest or eggs during that time.

2. 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.

93. 20191936 11 ELMFIELD AVENUE, GRAYSFORD HALL

Application withdrawn

94. CLOSE OF MEETING

The meeting closed at 8.53 pm