

Minutes of the Meeting of the PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 6 MARCH 2024 at 5:30 pm

PRESENT:

Councillor Pantling (Chair) Councillor Aldred (Vice Chair)

Councillor Bonham Councillor Gopal Councillor Haq Councillor Kitterick
Councillor Mohammed
Councillor Dr Moore

Councillor Singh Patel
Councillor Surti

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:

Geoff Whittle 20232393 10 Heddington Way

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1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Agath and Councillor Kennedy-Lount.

2. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

Councillor Haq declared that he had received an email regarding the Armadale Drive application but that he had not read it and maintained an open mind.

Councillor Bonham declared that he would be making a representation on the Armadale Drive application and would therefore not be participating in it as a Committee Member.

Councillor Aldred declared that she had received an email regarding the Armadale Drive application but that she had not read it and maintained an open mind.

The Chair declared that she had received an email regarding the Western Park application but that she had not read it and maintained an open mind.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held 6 December 2023 be confirmed as a correct record.

4. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair noted that the items would be taken out of the order listed on the agenda.

5. 20232393 10 HEDDINGTON WAY

Ward: Knighton

Proposal: Construction of single storey extension at front, two storey extension at side, single & two storey extension at rear; installation of render to external elevations of house (Class C3)

(amended plans 16/2/2024) Applicant: Sunny Singh

The Planning Officer presented the report.

Michelle Hughes addressed the Committee and spoke in opposition to the application.

Councillor Whittle addressed the Committee and spoke in opposition to the application.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and moved that in accordance with the Officer recommendation, that the application be approved. This was seconded by Councillor Aldred, and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted subject to conditions

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. Every external facing wall of the property shall be finished in the same white render and shall be retained as such. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
- Development shall be carried out in full accordance with the following approved plans:
 Proposed Roof Plan, Proposed Front Elevation, Proposed Side Elevation, Proposed Side Elevation, Proposed Rear Elevation, Proposed Ground Floor Plan, Proposed First Floor Plan, Block Plan 1:500, ref 10/PI/TS/2, Rev 2, received 16/2/2024 (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 2023.
- 2. The local planning authority expects that the installation of external wall insulation as approved shall be moist resistant, damp proof and shall protect the integrity of the brickwork. The local planning authority also expects the finish to be of good quality and durable.

6. 20221507 HINCKLEY ROAD, WESTERN PARK CAR PARK

Ward: Western

Proposal: Demolition of Parkfield and club house. Construction of 20 houses (2 x 2 bedroom; 12 x 3 bedroom; 6 x 4 bedroom) (Class C3); meeting place (Class F.2) associated access road, car parking, landscaping and drainage. (Amended plans)

Applicant: WPEH Limited

The Planning Officer presented the report and drew Members attention to the S106 agreement and to the addendum pack.

Luke Butcher, on behalf of the application, addressed the Committee and

spoke in support of the application.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and points raised by the Committee and moved that, in accordance with the Officer recommendation, and the S106 agreement and the addendum report that the application be approved. This was seconded by Councillor Haq and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted subject to conditions

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. No demolition or development shall take place in relation to the proposal until the applicant has secured the implementation of an appropriate programme of archaeological fieldwork undertaken by a competent and experienced organisation in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved in writing by the local planning authority. The WSI must include an assessment of significance and research questions; and: (1) the programme and methodology of site investigation and recording; (2) provision to be made for analysis of the site investigation and recording: (3) provision to be made for publication and dissemination of the analysis and records of the site investigation where appropriate: (4) provision to be made for archive deposition of the analysis and records of the site investigation. (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
- No demolition or development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 3. (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18).
- 4. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 3, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. (To

ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their economic and social significance is advanced; and in accordance with Core Strategy policy CS18).

- 5. Prior to the commencement of development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved by the local planning authority. No 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 Core Strategy policy CS02).
- 6. Prior to the commencement of development details of drainage, shall be submitted to and approved by the local planning authority. No flat or 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 Core Strategy policy CS02).
- 7. Prior to works above ground level on-site installations to provide renewable energy and energy efficiency measures including solar panels shall be submitted to and approved in writing by the local planning authority. No part of the development shall be occupied until evidence demonstrating satisfactory installation and operation of the approved scheme including on-site installation has been submitted to and approved in writing by the local planning authority and the installations and operation shall be retained as such thereafter. (In the interests of securing energy efficiency in accordance with Core Strategy policy CS02.)
- 8. Prior to the commencement of the development, details of all street works, including the access directly from Hinckley Road, alterations to the footway crossings, shall be submitted to and approved in writing by the local planning authority. Prior to the occupation of the development all streetworks must be implemented in full accordance with the approved details and retained as such. (To achieve a satisfactory form of development, 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).
- 9. Before the occupation of the development the parking spaces shown

- on the approved plans shall be provided and shall be retained for vehicle parking. (To secure adequate off-street parking provision, and in accordance with policy AM12 of the City of Leicester Local Plan and Core Strategy policy CS03.)
- 10. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a 'New Residents Travel Pack'. The contents of this shall be submitted to and approved in writing and in advance by the local planning authority and shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. (In the interest of sustainable development and in accordance with policy AM02 of the City of Leicester Local Plan and Core Strategy policy CS14).
- 11. A) Prior to the construction of any above ground development, a materials sample panel drawing (at a scale of 1:20) and full materials schedule, shall be submitted to and approved in writing by the Local Planning Authority.
- B) Prior to the construction of any above ground development, the approved sample panel shall be constructed on site, showing all external materials, including, but not limited to, bricks, bond, windows, doors and cladding, for inspection by Officers and approval in writing by the Local Planning Authority. Each dwelling shall only be occupied, once that dwelling has been constructed in accordance with the approved details. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
- 12. Should the development not commence within 24 months of the date of the last protected species survey (13/09/2022), then a further protected species survey shall be carried out of all buildings [trees and other features] by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and agreed in writing with the local planning authority and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey should be repeated bienially and any mitigation measures reviewed by the LPA until the development commences. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat & Species Regulations 2017 and in accordance with Core Strategy policy CS17).
- 13. Notwithstanding the submitted Landscaping Plans, prior to any work above foundation level, a detailed landscape and ecological management plan (LEMP) showing the treatment and maintenance of the parts of the site which will remain unbuilt upon shall be submitted to and approved in writing with the local planning authority. This scheme shall include details of: (i) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means

of planting, staking, and tying of trees, including tree guards; (iv) other surface treatments; (v) fencing and boundary treatments, including details of the entrance gates; (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots), viii) a detailed plan of the biodiversity enhancements on the site including a management scheme to protect habitat during site preparation and post-construction; ix) details of planting design and maintenance of; x) details of the make and type of bat and bird boxes/tiles/bricks to be erected on buildings under the guidance and supervision of a qualified ecologist. The approved LEMP shall contain details on the after-care and maintenance of all soft landscaped areas for that relevant phase and be carried out within one year of completion of that phase of the development. For a period of not less than ten years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity. and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17).

- 14. Prior to the commencement of development, an arboricultural method statement and tree protection plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. (In the interests of amenity, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
- 15. All works within the Route Protection Area (RPA) of trees to be retained shall be overseen by a qualified Arboriculturist who will advise on the necessary requirements and procedures to protect all of the trees and their rooting structure, the Arboriculturist will also monitor the correct installation of all the no-dig systems required onsite. (In the interests of amenity, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.)
- 16. Prior to the commencement of the development details / locations of all 20 new trees within the site shall be submitted to and approved in writing with the local planning authority. They shall be of 16-18 stem girth, British native, Heavy standard, all replacement trees shall then be maintained until established 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 amenity, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.) To ensure that the details are agreed in time to be incorporated into the development, this is a PRE COMMENCEMENT condition).

- 17. No existing trees, shrubs or hedges adjacent to the site shall be topped, lopped, uprooted, felled or wilfully damaged without the prior written approval of the local planning authority. (In the interests of amenity, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.)
- 18. Prior to the occupation of any dwelling, a lighting scheme shall be implemented in accordance with details first submitted to and approved in writing by the local planning authority. It shall be retained as such thereafter. The details shall show the locations of lights, their type of light emittance and wavelength, and include a lux contour map showing the variation in light. The lighting shall be designed to cause minimum disturbance to wildlife that may or could inhabit the site. (In the interest of protecting wildlife habitats and in accordance with NPPF (2023) paragraph 185 and Core Strategy policy CS17).
- 19. No development shall take place, including any works of demolition. 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) hours of construction. (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 CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
- 20. The detached community building (Forum) shall only be used in conjunction with the development and shall not be used, let, sold or otherwise disposed of as a separate unit for living accommodation or commercial use or any other such use. (In the interests of residential amenity in accordance with Policy PS10 of the City of Leicester Local Plan.)
- 21. Prior to the installation of any boundary treatment to the ponds as identified on plan soft landscaping 23.1783.010 rev details shall be submitted to and approved in writing by the local planning authority showing the location area, the height and materials. The boundary treatments shall be installed in accordance with the approved details and retained as such thereafter. (In the interests of residential and visual amenity and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03).

- 22. The dwellings and their associated parking and approach shall be constructed in accordance with 'Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement. On completion of the scheme and prior to the occupation of the dwellings a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the local planning authority certifying compliance with the above standard. (To ensure the dwellings are adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS06).
- 23. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to any dwelling house of types specified in Part 1, Classes AA, A, B, C, D, E and F, and Part 2 Classes A and C of Schedule 2 to that Order shall be carried out without express planning permission having previously been obtained. (Given the nature of the site, the form of development is such that work of these types may be visually unacceptable or lead to an unacceptable loss of amenity to occupiers of neighbouring properties; and in accordance with saved policy PS10 of the City of Leicester Local Plan and Core Strategy policy CS03).
- 24. The development shall be carried out in accordance with the following plans:

Type 1 floor plans, elevations, section 265-BBA-01-ZZ-DR-A-02110 rev P4 Type 2 floor plans, elevations, section 265-BBA-02-ZZ-DR-A-02120 rev P4 Type 3A floor plans, elevations, section 265-BBA-02-ZZ-DR-A-02121 rev P4 Type 3B floor plans, elevations, section 265-BBA-02-ZZ-DR-A-02122 rev P4 Type 4A floor plans, elevations, section 265-BBA-03-ZZ-DR-A-02130 rev P4 Type 4B floor plans, elevations, section 265-BBA-03-ZZ-DR-A-02131 rev P4 Type 5A floor plans, elevations, section 265-BBA-03-ZZ-DR-A-02132 rev P4 Type 5B floor plans, elevations, section 265-BBA-03-ZZ-DR-A-02133 rev P4 Forum, floor plans, elevations 265-BBA-04-BBA-04-ZZ-DR-A-02140 rev P3 Proposed street scene elevations 265-BBA-00-ZZ-DR-A- 02320 rev P3 Proposed plot boundaries 265-BBA-00-03-DR-A-02016 rev P4 Plan, section, elevation details Type 1 - 265-BBA-00-ZZ-DR-11350 rev P1 Plan, section, elevation details Type 2 - 265-BBA-00-ZZ-DR-11351 rev P1 Plan, section, elevation details Type 3 - 265-BBA-00-ZZ-DR-11352 rev P1 Plan, section, elevation details Type 4 - 265-BBA-00-ZZ-DR-11353 rev P1 Plan, section, elevation details Type 5 - 265-BBA-00-ZZ-DR-11354 rev P1 Proposed street sections 265-BBA-00-ZZ-DR-A-02321 rev P3 Site plan 265-BBA-00-ZZ-DR-A-02010 rev P3 Proposed ground floor plan 265-BBA-00-GF-DR-A-02100 rev P3 Proposed first floor plan 265-BBA-00-03-DR-A-02101 rev P3 Proposed second floor plan 265-BBA-00-02-DR-A-02102 rev P3 Proposed roof plan 265-BBA-00-03-DR-A-02103 rev P3 Boundary strategy 1 – 23.1783.012 rev B

Boundary strategy 2 – 23.1783.013 rev A Hard landscaping 23.1783.011 rev A Soft landscaping 23.1783.010 rev B

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 2023 is considered to be a positive outcome of these discussions.
- 2. Any development where surface water runoff will be managed through discharge into a public sewer will require approval from Severn Trent Water (STW). It is recommended that STW are consulted regarding the proposed connection. An application for connection will need to be completed and submitted to STW once planning approval is granted.
- 3. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at:

https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/

4. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway. For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.

7. 20232240 ARMADALE DRIVE, AL-MARIFAH ACADEMY

Ward: Humberstone & Hamilton

Proposal: Construction of two single storey temporary buildings at rear of place of worship (Class F1); installation of hardstanding and parking area
Applicant: Mr Khawaja Muhammad Junaid Gulraiz

At this point Councillor Bonham removed himself from the Committee.

The Planning Officer presented the report and drew Members attention to the addendum report.

Dr Khawaja Gulraiz Rauf, on behalf of the applicant, addressed the Committee and spoke in support of the application.

Councillor Bonham addressed the Committee and spoke in support of the application.

Members of the Committee considered the application and Officers responded to guestions and gueries raised by the Committee.

The Chair summarised the application and points raised by the Committee and moved that in accordance with the Officer recommendation and the addendum report, the application be approved with an additional condition relating to a traffic management plan. This was seconded by Councillor Aldred and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was granted subject to conditions

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 classroom portacabin buildings shall be removed and the land restored to its former condition not later than 2 years from the date of this permission. (The proposal does not represent a satisfactory form of permanent development; and to allow a period to assess parking impacts of the proposal; in accordance with Core Strategy policy CS03 and National Planning Policy Framework 2023 paragraph 114d.)
- 3. The use of the portacabin buildings shall be limited to Use Class F1(a) provision of education and no other use. (Because other Class F1 uses could attract different/greater levels of noise, and in accordance with Local Plan 2006 policy PS11).
- 4. The use shall not be carried on outside the hours of 0800-2000 Monday-Saturday. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)

- 5. Prior to commencement of the use of the portacabin classrooms, the cycle shelter with 16 cycle spaces shall be installed in accordance with the shelter details submitted (BDS Cycle Shelter- 16 Space Cycle Shelter & Bike Stands, Bikedock solutions.) (In the interests of sustainable transport and managing traffic impacts, in accordance with Local Plan 2006 policy AM02)
- 6. Construction shall take place in strict adherence with the procedures detailed in chapters 3-11 inclusive of the submitted arboricultural implication study (J.A.G. arboricultural consultancy, dated April 2023) (to ensure landscape features of visual amenity are retained in accordance with Local Plan 2006 saved policy UD06).
- 7. Prior to the installation of the portacabins 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 use shall not commence 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).
- 8. Prior to the installation of the portacabins details of drainage, shall be submitted to and approved by the local planning authority. The use shall not commence 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).
- 9. The development hereby permitted shall at all times be managed and operated in full accordance with a Traffic Management Plan the details of which shall be submitted to and approved in writing by the local planning authority before occupation of the temporary building. The Plan shall set out 'best reasonable endeavour' procedures for use of car parking and cycle storage, the safe and efficient use of the vehicle access, event marshalling arrangements, visitor policies for drivers, and refuse collection arrangements including where these issues can be addressed in cooperation with the Local Highway Authority (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 attendees and visitors in accordance with the aim of Core Strategy policies CS03, CS06 and CS15 and policy PS10 of the City of Leicester Local Plan)
- 10. Development shall be carried out in accordance with the following

approved plans:

Proposed Site Plan PL-A203, Revision A Proposed Plan & Elevations, PL-A200, Revision A Cycle Stand, PL-A203, Revision A (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 2023.
- This consent is partially for a limited period only. The relevant condition above must be complied with unless a further consent is obtained. If you or anyone else wishes to apply for a further consent, this should be done at least two months before the expiry date given by the condition, and you should contact the City Council before making your application to ask whether further consent might be granted. YOU SHOULD NOT EXPECT ANY FURTHER REMINDER REGARDING THIS LIMITED PERIOD CONSENT.

8. ANY URGENT BUSINESS

There being no further business the meeting closed at 7.54pm.