



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 12 JUNE 2024 at 5:30 pm

P R E S E N T :

Councillor Surti (Chair)
Councillor Aldred (Vice Chair)

Councillor Cassidy
Councillor Gopal

Councillor Kennedy-Lount
Councillor Dr Moore

Councillor Westley

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1. APOLOGIES FOR ABSENCE

The Chair welcomed those present and led on introductions.

Apologies were received from Councillor Kitterick.

2. DECLARATIONS OF INTEREST

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

Councillor Aldred declared an interest in the first application to be heard, Gervas Road, The Mayflower. As the ward councillor for the Thurncourt ward, she had been contacted by members of the public regarding the item and her mother lived close and held strong interest in the ex-mayflower pub. Councillor Aldred noted that she would leave the room during the item and return upon the start of the following item.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held 17 April 2024 be confirmed as a correct record.

4. PLANNING AND DEVELOPMENT CONTROL COMMITTEE MEMBERSHIP 2024-25

The Membership of the Planning and Development Control Committee for 2024/25 was noted.

5. PLANNING AND DEVELOPMENT CONTROL COMMITTEE MEETING DATES

Members were requested to note the dates of forthcoming Planning and Development Control Committee meetings for the 2024/25 municipal year.

6. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair noted that the fourth application to be heard, 65 Kirkwall Crescent, had been withdrawn from the agenda.

7. 20240076 GERVAS ROAD, THE MAYFLOWER

20240076 - Gervas Road, The Mayflower

Ward: Thurncourt

Proposal: Change of use from public house (& ancillary flat) (Sui Generis) to place of worship and community/education centre (Class F1) (amended plans 15/5/24)

Applicant: Gervas Properties Ltd

The Planning Officer presented the report.

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

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report and additional conditions set out in the addendum report. This was seconded by Councillor Cassidy and upon being put to the vote, the motion 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. The use shall not be carried on outside the hours of Mon-Fri 0900-2100 and Sat-Sun 0900-1700. (In the interests of the amenities of nearby occupiers, and in accordance with saved policy PS10 of the City of Leicester Local Plan.)
3. The use shall not commence until the hardstanding has been marked and laid out in accordance with details shown on the car park layout drawing (drawing ref 454/P1-02, received 15/05/2024), including signs indicating the entrance (vehicular) from Ocean Road and exit (vehicular) onto Gervas Road. The markings (including the entrance and exit signs) shall be retained and the front area of hardstanding shall not be used for any purpose other than access/egress and vehicle parking for the lifetime of the use. (In the interests in highway safety, and in accordance with saved policies AM01 and AM11 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS14.)
4. Notwithstanding the submitted Travel Plan, no part of the development shall be occupied until a Travel Plan for the development has been submitted to and approved in writing by the City Council as local planning authority and shall be carried out in accordance with a timetable to be contained within the Travel Plan, unless otherwise agreed in writing by the Council. The plan 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 a single occupancy vehicle users, so that all users have awareness of sustainable travel options;
 - (c) identify marketing, promotion and reward schemes to promote sustainable travel;
 - (d) provide details on how additional parking will be provided and managed during peak times of the use of the building, and shall include (i) the peak times when the additional parking spaces will be brought into use, so that for general day to day use the car park shall be used in accordance with the approved site layout; (ii) a plan showing how the additional parking will be arranged within the site when required, (iii) how the use of the additional spaces will be stewarded and managed within the site, (iv) how the flow of vehicles into the site will be efficiently stewarded so vehicles can enter the site unhindered and do not have to unduly wait or queue within the highway (v) how off-site parking will be monitored and discouraged (vi) how a route

through the site will be maintained for emergency access;
(e) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02 and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

5. The hardstanding around the site and the grassed area to the south and east of the main building shall not be used for any formal scheduled activities (for example worship, religious events, weddings, classes or community events) at any time during the lifetime of the use (in the interest of the amenity of neighbouring residents and in accordance with saved policy PS11 of the City of Leicester Local Plan).
6. No amplified call to prayer or aural announcement of activities shall take place at the site at any time (in the interest of the amenity of neighbouring residents and in accordance with saved policy PS11 of the City of Leicester Local Plan).
7. The use as a community centre shall not commence until the cycle shelters have been installed as shown on the approved car park layout drawing (drawing ref 454/P1-02, received 15/05/2024). The shelters shall be retained for the lifetime of the use. (In the interests of the satisfactory development of the site and in accordance with saved policy AM02 of the City of Leicester Local Plan).
8. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated December 2023 and the following mitigation measures detailed within the Flood Risk Assessment (FRA):
 - Safe access/egress
 - Emergency Flood Plan
 - Flood resistance and resilience measures
 - Finished Floor Levels (FFL)The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements detailed within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the Lead Local Flood Authority (to provide a safe development and in accordance with Core Strategy policy CS02).
9. Development shall be carried out in accordance with the following approved plans:
Car park layout - drawing ref 454/P1-02, received 15/05/2024

All plans - drawing ref 454/P1-01, Rev A, received 15/05/2024.
(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 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. The site is partially within Flood Zone 2 and a critical drainage area. Including sustainable urban drainage systems within the development can reduce surface water runoff. The Lead Local Flood Authority recommends that the following SuDS could be integrated: rainwater harvesting; bioretention; green/brown roofing; & blue roofing.
3. The Lead Local Flood Authority recommend that:
The design should be appropriately flood resistant and resilient by:
 - using flood resistant materials that have low permeability to at least 600mm above the estimated flood level
 - making sure any doors, windows or other openings are flood resistant to at least 600mm above the estimated flood level
 - using flood resilient materials (for example lime plaster) to at least 600mm above the estimated flood level
 - by raising all sensitive electrical equipment, wiring and sockets to at least 600mm above the estimated flood level
 - making it easy for water to drain away after flooding such as installing a sump and a pump
 - making sure there is access to all spaces to enable drying and cleaning
 - ensuring that soil pipes are protected from back-flow such as by using non-return valves.
4. As the building will be undergoing an 'extensive refurbishment program', it is recommended that a Preliminary Bat Roost Assessment (PRA) be carried out in order to determine the likely presence/absence of bats within the building prior to commencement of works.

8. **20212876 190 LONDON ROAD**

20212876 - 190 London Road

Ward: Stoneygate

Proposal: Construction of detached three storey building to provide 8 flats (2 x Studio, 6 x 2 bed) (Class C3); provision of soft and hard landscaping, car and bicycle parking, bin store, drainage infrastructure and boundary treatment; removal of trees; demolition of single storey structures adjacent to 190 London Road. (amendments received 26/10/2023)

Applicant: Mr Shameet Thakkar

The Planning Officer presented the report.

Mr Peter Wilkinson addressed the Committee and spoke in support of the application.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report and additional conditions set out in the addendum report.. This was seconded by Councillor Kennedy-Lount and upon being put to the vote, the motion 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. Before works above ground level, samples of the slate for the roof and treatment for the blacked out windows shall be submitted to and approved by the City Council as local planning authority and the works carried out in accordance with the approved details. (In the interests of visual amenity and the character and appearance of the Evington Footpath Conservation Area, and in accordance with Core Strategy policies CS03 and CS18).
3. Before works above ground level, a 1 sqm sample panel of the brickwork (including brick type, bonding and mortar) for the areas of the front elevation marked "facing brick" and "brick detailing" shall be submitted to and approved by the City Council

- as local planning authority and the works carried out in accordance with the approved details. (In the interests of visual amenity and the character and appearance of the Evington Footpath Conservation Area, and in accordance with Core Strategy policies CS03 and CS18).
4. Before works above ground level, section drawings at a scale of 1:10 for all proposed external windows and doors shall be submitted to and approved by the City Council as local planning authority and the works carried out in accordance with the approved details. (In the interests of visual amenity and the character and appearance of the Evington Footpath Conservation Area, and in accordance with Core Strategy policies CS03 and CS18).
 5. Before works above ground level, section drawings at a scale of 1:20 for the proposed front, side and rear elevations (including balcony sections) shall be submitted to and approved by the City Council as local planning authority and the works carried out in accordance with the approved details. (In the interests of visual amenity and the character and appearance of the Evington Footpath Conservation Area, and in accordance with Core Strategy policies CS03 and CS18).
 6. Prior to occupation of the approved flats insulation and ventilation measures shall be installed in accordance with the treatment detailed at Table 9 and Appendix 2 of the report by Blue Acoustics NS353/4 received by the City Council as local planning authority on 09.08.23 and shall retain the minimum acoustic and ventilation performances detailed in Appendix 2 of that report throughout the lifetime of the development. (In the interests of the amenities of future occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)
 7. Prior to occupation of the development drawings at a scale of 1:20 of the bin storage shown on the Proposed Site Plan shall be submitted to and approved in writing by the City Council as local planning authority. The bin storage shall be installed in accordance with these details and retained as such throughout the lifetime of the development. (In the interests of visual amenity and the character and appearance of the Evington Footpath Conservation Area and in accordance with Core Strategy policies CS03 and CS18).
 8. No part of the development shall be occupied until the cycle parking shown on the Proposed Site Plan 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).

9. Prior to the occupation of the flats, a turning space, to enable vehicles always to enter and leave the site in a forward direction, shall be made available within the site. The turning space shall be retained throughout the lifetime of the development. (In the interests in highway safety, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
10. Before the occupation of the flats, the parking spaces shown on the Proposed Site Plan shall be marked out and shall be retained for vehicle parking throughout the lifetime of the development. (To secure adequate off-street parking provision, and in accordance with saved policy AM12 of the City of Leicester Local Plan and Core Strategy policy CS03.)
11. Prior to the commencement of development and notwithstanding the approved plans a revised Arboricultural Impact Assessment shall be carried out and submitted in writing to the local planning authority and shall include provisions for the retention of tree T9 in addition to the measures outlined in the Arboricultural Impact Assessment submitted by Bea Landscape Design and received by the City Council as local planning authority on 26.10.23. (In the interests of visual amenity and proper landscaping 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 approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
12. Prior to the commencement of development and notwithstanding the approved plans a revised Tree Protection Plan to show tree T9 to be retained shall be submitted in writing to the local planning authority carried out to include provisions for the retention of tree T9 in addition to the measures detailed at Appendix C of the Arboricultural Impact Assessment submitted by Bea Landscape Design and received by the City Council as local planning authority on 26.10.23. (In the interests of visual amenity and proper landscaping 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 approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
13. Prior to the occupation of the flats a scheme for 15 replacement trees to compensate for those removed to facilitate the scheme shall be submitted to and approved in writing by the City Council as local planning authority. The replacement trees shall be planted within one year of the approval of these details. For a

period of not less than thirty years from the date of planting, the applicant or owners of the land shall maintain all planted trees. The trees shall be replaced if they die, are removed or become seriously diseased. The replacement planting shall be completed in the next planting season. (In the interests of visual amenity and proper landscaping and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03).

14. Prior to the occupation of the first flat a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the City Council as local planning authority. The biodiversity enhancements at (viii) below shall be measured from the environmental condition of the site at 23.11.2021 and the LEMP 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; (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots) and (viii) the location and type of biodiversity enhancements to be incorporated into the built design or garden areas (ix) management and maintenance details of the Landscape and Ecology Management Plan. The approved landscaping and mitigation scheme shall be carried out within one year of the approval of these details. For a period of not less than 30 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 City of Leicester Local Plan policy UD06 and Core Strategy policies CS03 and CS17.)
15. 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 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).

16. Notwithstanding the approved proposed site plan, the boundary treatment at the front of the site fronting London Road shall be retained as existing. (In the interests of visual amenity and the character and appearance of the Evington Footpath Conservation Area, and in accordance with Core Strategy policies CS03 and CS18).
17. Development shall be carried out in accordance with the following approved plans:
Proposed Site Plan, ref. no. DSA-20075-PL-PRO-01, rev J, received 26.10.2023
Proposed Floor Plans and Elevations, ref. no. DSA-20075-PL-PRO-02, rev D, received 26.10.2023
(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.

9. 20240175 42 CLAREFIELD ROAD

20240175 - 42 Clarefield Road

Ward: Western

Proposal: Change of use from residential dwelling (Class C3) to residential care home (Class C2) (max 2 children)

Applicant: Mr Idris Adetayo

The Planning Officer presented the report.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers

recommendation, the application be approved subject to the conditions set out in the report. This was seconded by Councillor Moore and upon being put to the vote, the motion 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. The change of use hereby approved shall not take place until sound insulation for the shared party wall with number 40 has been installed in accordance with the details set out in chapter 2.2 of the submitted Noise Report (received 17/05/2024) The sound insulation so installed shall be retained thereafter at the same acoustic performance. (To safeguard amenity at the adjoining semi-detached house, and in accordance with policies PS10 & PS11 of the City of Leicester Local Plan (2006)).
3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or any order amending or revoking and replacing that Order with or without modification, the premises shall not be used for any purpose other than for a care home within Class C2 of the Order, unless otherwise approved in writing by the local planning authority. (To enable consideration of the amenity, parking and highway safety impacts of alternative Class C2 uses, in accordance with Policies CS03, CS08 and CS14 of the Leicester Core Strategy (2014) and saved Policy PS10 of the Local Plan (2006).
4. The premises shall not accommodate any more than 2 residents in care at any one time, unless otherwise approved in writing by the local planning authority. (To enable consideration of the amenity of residents and parking impacts of a more intensive use, in accordance with Policy CS14 of the Leicester Core Strategy (2014) and saved Policy PS10 of the Local Plan (2006).
5. Development shall be carried out in accordance with the following approved plans:
Floor Plans & Elevations, drawing no DS_05_20 P2,
received 29/01/2024
(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 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.

10. ANY URGENT BUSINESS

There being no further business, the meeting closed at 6:59pm.