



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 4 DECEMBER 2024 at 5:30 pm

P R E S E N T :

Councillor Surti (Chair)

Councillor Bajaj
Councillor Cassidy
Councillor Chauhan

Councillor Kitterick
Councillor Mohammed
Councillor Dr Moore

Councillor Gopal
Councillor Joel
Councillor Kennedy-Lount

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1. APOLOGIES FOR ABSENCE

Councillor Surti as Chair welcomed those present and led on introductions.

Councillor Bajaj and Councillor Chauhan were noted to be in attendance as substitutes for Councillor Aldred and Councillor Singh Patel.

2. DECLARATIONS OF INTEREST

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

Councillor Joel declared an interest in Item 2, Clarefield Road, in that the agent was her husband, and noted that she would be withdrawing from the meeting for the duration of the item.

Councillor Kitterick declared an interest in Item 3 – London Road, having previously made representation on the item, and noted that he would withdraw from the meeting for the duration of the item.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held 13 November 2024 be confirmed as a correct record.

Councillor Kitterick noted his appreciation for community support for adults or children held in care in residential areas, and further raised concern about the increase in similar applications and the motivations behind applications.

Councillor Kitterick highlighted a point made at the previous meeting in which he requested for Planning Officers to include additional detail in future reports for applications requesting the change in use of residential homes into care homes for adults or children, specifying the number of care homes in the vicinity of the application. The request was seconded by Councillor Moore and approved with Head of Planning, Grant Butterworth.

4. PLANNING APPLICATIONS AND CONTRAVENTIONS

5. 20231923 - 123 LETCHWORTH ROAD

20231923 - 123 Letchworth Road

Ward: Western

Proposal: Construction of one detached two storey dwelling (1 x 2 bed); associated parking and landscaping (Class C3); installation of vehicular access; construction of boundary walls (Amendments received)

Applicant: Mr V Parmar

The Planning Officer presented the report.

Mr Lea Crouch addressed the Committee and spoke in opposition to 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 due to Members concerns around the design, the application be refused. This was seconded by Councillor Mohammed and upon being put to the vote, the motion was CARRIED.

RESOLVED: Permission was REFUSED

The proposed dwelling, by reason of its size, design, and cramped siting would have a detrimental and discordant impact on the streetscene and adjacent non designated local heritage assets. The application is therefore contrary to 2014 Core Strategy policies CS03 and CS18 and chapters 12 and 18 of the 2023 National Planning Policy Framework.

6. **20241665 - 42 CLAREFIELD ROAD**

20241665 - 42 Clarefield Road

Ward: Western

Proposal: Change of use from dwellinghouse (Class C3) to Residential care home (Class C2) (max 2 adults in care)

Applicant: Sublime Care Solutions Limited

The Planning Officer presented the report.

Councillor Joel and Councillor Bajaj entered the meeting, apologising for their late attendance. Councillor Bajaj had no interests to declare. Councillor Joel declared an interest in the application due to their relation to the planning agent. The Chair noted that neither Councillor would participate in the item and Councillor Joel withdrew from the meeting.

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 Committee Members and moved that in accordance with the Officer recommendation, the application be approved. This was seconded by Councillor Cassidy, 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 change of use hereby approved shall not take place until sound insulation for the shared party wall with number 40 Clarefield Road has been installed in accordance with the details set out in chapter 2.2 of the submitted Noise Report (Acoustic Design Technology, dated 16 May 2024, ref ADT3070/NIA) 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 17/09/2024
(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. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption/transitional arrangement is considered to apply:

Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

7. 20241138 - 171-173 LONDON ROAD

20241138 - 171-173 London Road

Ward: Castle

Proposal: Change of use from Office to 16 serviced apartments (Class C1) together with minor external alterations and other ancillary works (retrospective) (Amendments received 18th November 2024)

Applicant: 51 William and George Ltd

Councillor Kitterick withdrew from the meeting.

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 Mohammed 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. Prior to the occupation of any proposed unit, details of the proposed boundary treatment shall be submitted to and approved by the City Council as local planning authority. The details shall include:
 - a) A sample of the proposed bricks including their material, colour, mortar colour, bond type, and spacing.
 - b) A sample of the proposed coping stone including its design, material, and colour.
 - c) 1:20 drawings showing the relationship between the brick walls and the existing bay window.
 - d) The species of the proposed hedging.

The boundary wall shall be constructed in accordance with these details prior to the occupation of any proposed unit, and retained thereafter with the hedging planted in the next planting season and maintained for the next 30 years. (In the interests of visual amenity and to preserve the character and appearance of the conservation area and in accordance with saved Policy UD06 and Core Strategy policies CS03 and CS18).

3. Within 6 months of the date of this development, the porch shall be fitted with timber windows and door in accordance with the approved plans (Proposed Elevations Including Retrospective Works, 1044-INK-

LNR-ELEV-DR-A-01303, revision P05, received 18 November 2024) and retained as such. (The current porch is not considered a satisfactory form of development and is a harmful addition to the character of the conservation area and original building, and in accordance with Core Strategy Policy CS03).

4. Within 6 months of the date of this development, the plastic vents shall be replaced with cast iron vents as shown on the approved plans and retained as such. No additional vents or extracts shall be installed on the building unless details of their location, material, and size are first submitted to and agreed in writing with the Local Planning Authority. (In the interests of visual amenity, to preserve the significance of the heritage assets and in accordance with Core Strategy policies CS03 and CS18).
5. Prior to the occupation of any unit, details of mechanical ventilation that allows for 4 air changes per hour and does not exceed the recommended noise levels set out in the noise assessment (reference Sanctuary Acoustics, Document 003, received 26th June 2024) are submitted to and approved in writing by the local planning authority. These measures shall be retained as such and at the same minimum performances indicated above for 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.)
6. Prior to the occupation of any unit, details regarding how to get to the site via car, and sustainable methods of transportation (as exemplified in page 10 of the draft Travel Plan received on the 26th June) shall be made available to all future customers when booking rooms hereafter. (To promote sustainable methods of transportation in accordance with Core Strategy policy CS14 and saved City of Leicester Local Plan policy PS10).
7. The development shall not come into use until a Delivery, Servicing and Waste Management Plan has been submitted to and approved by the City Council as local planning authority. The Delivery, Servicing and Waste Management Plan shall include:
 - a) a schedule of weekly dates and times for deliveries and waste collections along with the location for loading and unloading, including notification of vehicle arrival to staff and collection points shown on a plan and any other necessary measures
 - b) a schedule of anticipated routine servicing throughout an annual period
 - c) the name/role and contact details of the responsible person or single point of contact delegated to oversee the Delivery, Servicing and Waste Management Plan.

The Delivery, Servicing and Waste Management Plan shall be operated from the date of the development coming into use and shall be maintained throughout the lifetime of the development.

(In the interests of the proper functioning of the highway and the residential amenity of neighbouring properties and in accordance with Core Strategy policy CS14 and saved City of Leicester Local Plan policy PS10).

8. The hotel hereby approved shall only be used as a hotel (Class C1) and none of the rooms shall be occupied by any person or persons for longer than 60 consecutive days in any one calendar year, except in the instance where a room may be occupied by a member of staff employed by the hotel business occupying the site at the time and with their employment requiring primarily on-site duties. (In the interests of the amenity of future occupiers and in accordance with Saved City of Leicester Local Plan Policy PS10).
9. Development shall be carried out in accordance with the following approved plans:
Proposed Site Plan Including Retrospective Works and Wall Detail, 1044-INK-LNR-ALL-Dr-A-01302, revision P03, received 18 November 2024
Proposed Elevations Including Retrospective Works, 1044-INK-LNR-ELEV-DR-A-01303, revision P05, received 18 November 2024
Proposed Floor Plans Including Retrospective Works, 1044-INK-LNR-ALL-Dr-A-01301, revision P03, received 18 November 2024
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption/transitional arrangement is considered to apply:

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- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
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.

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.

8. ANY OTHER URGENT BUSINESS

There being no other business, the meeting closed at 19:06pm.