



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 22 JANUARY 2025 at 5:30 pm

P R E S E N T :

Councillor Surti (Chair)
Councillor Aldred (Vice Chair)

Councillor Cassidy
Councillor Joel
Councillor Kennedy-Lount

Councillor Dr Moore
Councillor Singh Patel

Councillor Kitterick
Councillor Modhwadia
Councillor Mohammed

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1. APOLOGIES FOR ABSENCE

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

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

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

There were no declarations of interest.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held 4 December 2024 be confirmed as a correct record.

4. PLANNING APPLICATIONS AND CONTRAVENTIONS

5. 20241910 - 23 LINDEN DRIVE

20241910 - 23 Linden Drive

Ward: Evington

Proposal: Change of use from dwellinghouse (Class C3) to children's care home (max 3 children) (Class C2)

Applicant: Cocoon Childcare Limited

The Planning Officer presented the report.

Councillor Joel entered the meeting and apologised for late attendance. The Chair noted that Councillor Joel would not participate in the item.

Elizabeth Duncanson addressed the Committee and spoke in support of the application.

Paul Wenlock addressed the Committee and spoke in opposition to the application.

Councillor Haq 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.

Councillor Mohammed decided not to participate and withdraw from the vote due to a concern over an interest.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officer recommendation, the application be approved. This was seconded by Councillor Moore 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. 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)).

3. The premises shall not accommodate any more than 3 residents in care at any one time. (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).
4. Development shall be carried out in accordance with the following approved plans:
Proposed Floor Plans, ref A260-P102, received 25/10/2024
(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:

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).
2. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material planning considerations, including planning policies and representations that may have been received and subsequently determining to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2024.

6. 20241667 - BROADWAY HOTEL, 263-265 ABBEY LANE

20241667 - Broadway Hotel 263-265 Abbey Lane

Ward: Abbey

Proposal: Retrospective application for the construction of timber canopy at rear of bar and restaurant (Class E)

Applicant: Mr P Singh

The Planning Officer presented the report.

Mr Alex Wheldon 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 the points raised by Members of the Committee and moved the application be refused. This was seconded by Councillor Aldred and upon being put to the vote, the motion was CARRIED.

RESOLVED: permission was refused for the following Reasons:

1. The proposed covered area by reason of the use of materials would not relate well with the host property and the neighbouring properties and would represent a poor design. The proposal therefore would have a detrimental visual impact on the character and appearance of the area, contrary to Core Strategy Policy CS03 and National Planning Policy Framework (2024) Paragraphs 131 and 139.
 2. The proposed covered area, due to the use as a food preparation area and unrestricted hours of use would likely to increase noise and odour and would result in an adverse impact on the amenity of the occupants of 68 Beaumanor Road. The proposal is therefore contrary to saved policies PS10 and PS11 of the City of Leicester Local Plan 2006; National Planning Policy Framework (NPPF 2024) paragraph 198 that requires planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment and paragraph 135 (f) of NPPF 2024 which requires development to afford a high standard of amenity for existing and future occupiers.
- 7. 20241499 - 76 ST PETERS DRIVE**

20241499 - 76 Peters Drive

Ward: Thurncourt

Installation of window at front; construction of single storey extension at front and rear; two storey extension at side and rear of house (Class C3); alterations

Applicant: Mr E Alli

RESOLVED:

The Chair moved that the application is withdrawn from the agenda, due to the updated information on the amended plans within the addendum report. The application to be dealt with under delegated powers

8. 20240668 - 69 AND 71 COPDALE ROAD

20240668 - 69 and 71 Copdale Road

Ward: North Evington

Proposal: Construction of detached single storey outbuilding at rear of

houses (Class C3) (subject to s106 agreement)
Applicant: Mr Pratik & Pravinlal Patel

The Planning Officer presented the report.

Councillor Modhwadia informed that he received correspondence regarding the application, but did not provide a view on the application. Councillor Modhwadia shared that he would participate in the discussion with an open mind.

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 Aldred and upon being put to the vote, the motion was CARRIED.

RESOLVED: Subject to completion of s106 Agreement, approve subject to the following 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 outbuildings shall not be used as living accommodation and shall not be used independently of their respective main houses. (In the interests of residential amenity 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 on the existing houses. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
4. The works shall be carried out in accordance with the Arboricultural Implication Study received on 9th April 2024 by the City Council as a Local Planning Authority. (In the interests of the health and amenity value of the trees and in accordance with saved Policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17.)
5. Development shall be carried out in accordance with the following approved plans:
PL69-71 A203, Proposed Site Plan, Revision A, Received 9 April 2024
PL69-71 A202, Elevations - Proposed, Revision A, Received 9 April 2024

PL69-71 A201, Roof Plan - Proposed, Revision A, Received 9 April
2024

PL69-71 A200, Floor Plan - Proposed, Revision A, Received 9
April 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:

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

9. ANY OTHER URGENT BUSINESS

There being no other business, the meeting at 19.19pm.