Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 1 FEBRUARY 2017 at 5:30 pm

PRESENT:

Councillor Cassidy (Chair)
Councillor Cank (Vice Chair)

Councillor Dr Barton
Councillor Chohan
Councillor Dr Chowdhury

Councillor Cutkelvin
Councillor Grant
Councillor Khote

Councillor Malik
Councillor Dr Moore

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:

Councillor Clair 20161765, 56 Lancashire Street
Councillor Clarke 20161906 58 Percy Road
Councillor Connelly 20162254 10 Westcotes Dr, Scotia Hotel
Councillor Dempster 20162347 15 Selby Avenue
Councillor Rae Bhatia 20160871 Somerset Avenue, Heacham Dr (Land Between) (Formerly known as Blackbird Road Playing Fields)

Councillor Westley 20160871 Somerset Avenue, Heacham Dr (Land Between) (Formerly known as Blackbird Road Playing Fields)

Traffic Regulation Order

Councillor Clarke The Leicester (Consolidation) Traffic Regulation Order 2006 (Amendment) (Hallaton Street), Order 2017

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101. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Govind.

102. 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.

Councillors introduced themselves and made the following declarations.

Councillor Grant declared that in respect of application 20161692, 8 Ratcliffe Road, he had previously expressed a view on the application and would withdraw for its determination.

Councillor Dr Barton declared that she had received a representation by email in respect of application 20161692, 8 Ratcliffe Road.

Councillor Khote declared that she had received a representation by email in respect of application 20161692, 8 Ratcliffe Road.

Councillor Dr Chowdhury declared that he had received a representation by email in respect of application 20161692, 8 Ratcliffe Road.

Councillor Malik declared that he had received a representation by email in respect of application 20161692, 8 Ratcliffe Road.

Councillor Dr Moore declared that she had received a representation by email in respect of application 20161692, 8 Ratcliffe Road and in respect of application 20160871, Somerset Avenue, Heacham Drive (Land Between) (Formerly known as Blackbird Road Playing Fields), she had taken part in a site visit.

Councillor Chohan declared that he had received a representation by email in respect of application 20161692, 8 Ratcliffe Road.

Councillor Cutkelvin declared that she had received a representation by email in respect of application 20161692, 8 Ratcliffe Road.

Councillor Cank declared that she had received a representation by email in respect of application 20161692, 8 Ratcliffe Road and in respect of application 20160871, Somerset Avenue, Heacham Drive (Land Between) (Formerly known as Blackbird Road Playing Fields), she had taken part in a site visit.

Councillor Cassidy declared that he had received a letter in respect of application 20161692, 8 Ratcliffe Road which he forwarded to Planning Officers. In respect of application 20160871, Somerset Avenue, Heacham Drive (Land Between) (Formerly known as Blackbird Road Playing Fields), he had taken part in a site visit.
103. MINUTES OF THE PREVIOUS MEETING

RESOLVED: that the minutes of the meeting of the Planning and Development Control Committee held 11 January 2017 be confirmed as a correct record.

104. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair explained that he would take the Planning and Contravention reports out of the order given in the index contained within the report, due to the attendance of Ward Councillors, members of the public who had registered to speak in objection to an application, and in the interests of people in the public gallery.

RESOLVED: That the report of the Director of Planning, Transportation and Economic Development dated 1 February 2017 on applications and contraventions together with the addendum report and information reported verbally by officers, be received and action taken as below:

105. 20160871 SOMERSET AVE (HEACHAM DR) (LAND BETWEEN) FORMERLY KNOWN AS BLACKBIRD ROAD PLAYING FIELDS

Ward: Beaumont Leys
Proposal: RESIDENTIAL DEVELOPMENT OF 314 DWELLINGS (24 X 5 BED, 77 X 4 BED, 34 X 3/4 BED, 75 X 3 BED, 95 X 2 BED AND 9 X 1 BED) PUBLIC OPEN SPACE, SPORTS PITCHES AND ASSOCIATED INFRASTRUCTURE. (AMENDED PLANS DATED 23/1/17) SECTION 111 & 106 AGREEMENT.
Applicant: BARRATT HOMES NORTH MIDLANDS

Mr Galij, Planning Director from Barratt Homes addressed the committee in support of the application.

Mrs Killick and Mr Bhaur addressed the committee in objection to the application.

Councillors Rae Bhatia and Westley then addressed the committee in objection to the application.

Members considered the application and officers responded to the comments and queries raised. The Chair made a suggestion for the Developers to engage with residents and the Ward Councillors should the application be approved.

The Chair moved that the application be approved in accordance with the
officers’ recommendation. This was seconded by Councillor Cank and upon being put to the vote, the motion to approve was CARRIED.

RESOLVED:

that the application be APPROVED subject to a Section 106 Agreement and 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. Before the development is begun 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 and approved in writing by the local planning authority. The lighting should 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/water areas where considered necessary. The approved scheme shall be implemented and retained thereafter. (In the interests of protecting wildlife habitats and in accordance with policy BE22 of the City of Leicester Plan and policy CS 17 of the Core Strategy)

3. Before the development authorised by this permission is begun, a detailed landscape and ecological management plan (LEMP) showing the treatment of all parts of the site which will remain unbuilt upon shall be submitted to and agreed in writing with the City Council as 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 such as meadow creation, wetlands and hedgerow improvements including a management scheme to protect habitat during site preparation and post-construction. (ix) details of 30 x bird boxes/tiles/bricks and 30 x bat boxes/tiles/bricks to be erected on buildings; 10 x invertebrates boxes/structures and 10 x hedgehog boxes incorporated into gardens and means by which hedgehogs can disperse across the site (e.g. gaps in gravel boards and fencing). The approved LEMP shall be carried out within one year of completion 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 policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS3 and CS 17).

4. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all play areas, areas of open space, including sports provision and other landscaped areas other than small, privately owned, domestic gardens, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The management plan should include full details of maintenance and service performance standards together with specified mechanisms for residents to secure compliance with such standards. The landscape management plan including management arrangements shall be implemented as approved and maintained thereafter. (In the interests of amenity and the continued satisfactory provision of such facilities and in accordance with Policy UD06 of the City of Leicester Local Plan and Core Strategy Policies CS3 and CS13.)

5. The play equipment as indicated on plan nos. G10541 06F 1 of 2 and G10541 07F 2 of 2 shall be installed at occupation of the 100th dwelling and maintained as such. (To secure adequate play facilities and in accordance with Core Strategy policy CS8).

6. Should the development not commence within 12 months of the date of the last protected species survey (September 2016), 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 shall be submitted to and agreed in writing with the local planning authority and any identified mitigation measures carried out before the development is begun. Thereafter the survey should be repeated annually until the development begins. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat & Species Regulations 2010 and CS 17 of the Core Strategy.)

7. A mitigation scheme to minimise disturbance to protected species and other wildlife as recommended in the Ecology Method Statement for Site Clearance works completed by FPCR dated August 2016 should be implemented prior to commencement of works and in the presence of a suitably qualified ecologist. Confirmation of completion of clearance works and any constraints/species identified during this process should be submitted in writing to the LPA prior to commencement of development and inform on any further mitigation required to be incorporated in the Landscape & Ecology Management Plan as necessary. During the construction phase a suitably qualified ecologist should be contacted immediately and works ceased if a protected species is found during this process and as detailed in the method statement and agreed Landscape and Ecology Management Plan in accordance with policy CS 17 Biodiversity of the Core Strategy.
and Habitat and Species Regulations 2010).

8. The elevations and roofs of all buildings constructed pursuant to the permission shall be constructed in materials as per the approved plan no. H6894/P06 REV E received 23/1/17. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)

9. No part of the development shall be occupied until the proposed access and associated highway works shown on the ADC Infrastructure Proposed site access arrangement drawing number ADC1048/001D and ADC1048/002D are completed as per detailed design submitted to and agreed by Leicester City Council as Planning Authority in consultation with the Highway Authority. (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.)

10. Before the occupation of each dwelling the car parking space(s) shall be provided within the curtilage of that dwelling and shall be retained for vehicle parking. (To secure adequate off-street parking provision, and in accordance with Core Strategy policy CS3.)

11. 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.)

12. 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.)

13. No part of the development shall be occupied until dropped kerbs and ramps, suitable for wheelchairs and prams, have been provided in the footways at all major pedestrian crossing points, at road junctions, and at footway crossings, in accordance with the written details approved in advance by the City Council as local planning authority. (For the safety and convenience of pedestrians including disabled people and pram and wheelchair users; and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

14. No part of the development shall be occupied until secure and covered cycle parking has been provided for the apartments 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).
15. Before the occupation of any part of the development, all parking areas for the apartments 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 AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

16. No development shall take place until a Construction Method Statement and Phasing Plan has been submitted to, and approved in writing by the City Council as local planning authority. The approved Statement and Phasing Plan shall be adhered to throughout the construction period. The Statement and Phasing Plan 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 construction works. (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 CS3.)

17. Prior to the first occupation of each unit, the occupiers of each of the dwellings shall be provided with a ‘Residents Travel Pack’ details of which shall be submitted to and approved by the City Council, as the local planning authority in advance. The contents of the Travel Pack shall consist of: information promoting the use of sustainable personal journey planners, walking and cycle maps, two flexi-ticket bus passes per household valid for a period of 12 consecutive weeks each, bus maps, the latest bus timetables applicable to the proposed development, and bus fare discount information. (In the interest of promoting sustainable development, and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy)

18. The flats shall not be occupied until details of arrangements for storage of bins and collection of waste in the form of a detailed waste management strategy have been submitted to and approved by the City Council as local planning authority. The strategy shall include for the flats details of access and security of the bin store for both residents and the collection company, general maintenance and upkeep, how new and existing residents will be informed about their waste services, signage to encourage recycling facilities and storage facilities for bulky waste items. These arrangements shall be maintained thereafter. (In the interests of the amenities of the surrounding area, and in accordance with policies UD06, H07 and
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. Before the development is begun, all existing trees, shrubs or hedges to be retained on the site and trees located on the boundary shall be protected by fences erected not within the root protection area in accordance with details which shall first have been submitted to and approved by the City Council as local planning authority. 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.)

21. Prior to the commencement of development details of drainage, and especially foul drainage, shall be submitted to and approved in writing by the local planning authority. No dwelling 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).

22. Prior to commencement of development a training and employment method statement strategy shall be submitted to and approved by the City Council as local planning authority. The strategy shall contain guidelines to subsequent developers designed to maximise local job opportunities and include: 1) Measures designed to provide appropriate targeted training and other initiatives to provide employment advice and/or programmes for residents within the local area to enable them to obtain the requisite knowledge skill experience, confidence and opportunity to be employed in jobs connected with the Development; 2) Measures to provide collaboration with local job centres, training agencies and other employment based initiatives within the City of Leicester to further the objective of maximising local job opportunities resulting from the development. Within 28 days of a written request from the City Council the developer shall provide details of all steps taken under the approved statement. The development shall be undertaken in accordance with the approved statement. (In accordance with Policy CS10 of the Core Strategy.)
23. No development shall be carried out until the site has been investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, has been submitted to and approved by the City Council as local planning authority. The approved remediation scheme shall be implemented and a completion report shall be submitted to and approved in writing by the City Council as local planning authority before any part of the development is occupied. Any parts of the site where contamination was previously unidentified and found during the development process shall be subject to remediation works carried out and approved in writing by the City Council as local planning authority prior to the occupation of the development. The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’. (To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PS11 of the City of Leicester Local Plan.)

24. This consent shall relate solely to the amended plans ref. nos. G10541 06F 1 of 2 and G10541 07F 2 of 2; H6894/102 REV J, H6894/101-1 REV J 1 of 2 and 101-2 REV J 2 of 2; tracking plans H6894/100-100, 101 and 102; attenuation plan GL0541/05A and house types (28/10/2016) received by the City Council as local planning authority, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. 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. The associated costs for alterations of the TRO's should be funded by the applicant. For more information please contact highwaysdc@leicester.gov.uk.
2. With regards to the Travel Pack the contents of the pack are intended to raise the awareness and promote sustainable travel, in particularly for trips covering local amenities. The applicant should seek advice from Bal Minhas (Leicester City Council's Travel Plan Officer via telephone 0116 4542849).

106. THE LEICESTER (CONSOLIDATION) TRAFFIC REGULATION ORDER 2006, (AMENDMENT) (HALLATON STREET), ORDER 2017

The Director, Planning, Development and Transportation submitted a report to enable the Committee to give their views for the Director of Planning, Development and Transportation to take into account when considering the recommendations of the report.

Councillor Clarke addressed the Committee in respect of the Traffic Regulation Order (TRO) stating that residents had expressed concerns about parking, safety, the number of Heavy Goods Vehicles (HGVs) coming into the area and where those HGVs, when making a delivery to the business in question on Hallaton Street, would turn around.

Members considered the report and comments were made that businesses should be encouraged, however this TRO appeared to be effectively an intervention for just one business. A suggestion was made for goods to be unloaded elsewhere and brought into the factory. A comment was also made that TROs only worked where there was traffic enforcement and most traffic enforcement took place in the City Council. It was questioned therefore whether the TRO on its own would be effective.

In response to concerns about the cost to the Council arising from the TRO, it was reported that the business was asked to pay a proportion of the TRO cost, because the TRO was also intended to improve safety and prevent inconvenience for the residents by removing the requirement for reversing of HGVs in the area.

Members in summary were not convinced in the value of the TRO and questioned whether operational adjustments in terms of the business could be explored.

AGREED:

that the views of the Committee be forwarded to the Director of Planning, Development and Transportation to take into account when considering whether or not to make the proposed Traffic Regulation Order.

107. 20161906 58 PERCY RD

Ward: Aylestone
Proposal: CHANGE OF USE FROM FACTORY (CLASS B2) TO SNOOKER CLUB (CLASS D2) WITH CAR PARKING AT REAR (AMENDED PLAN RECEIVED 07/01/2017)
Applicant: MR STEPHEN FLUDE

Councillor Clarke addressed the committee in objection to the application.

Members considered the report and officers responded to the comments and queries raised. Concerns were raised about parking and the possibility of increased problems should there be functions, particularly non snooker related functions at the club, or if in the future there was another change of use.

The Chair moved that the application be approved subject to an additional condition to restrict the use as a snooker club with the wording to be delegated to officers in consultation with the Chair and Vice Chair. This was seconded by Councillor Chohan and upon being put to the vote, the motion to approve was CARRIED.

RESOLVED:

that the application be APPROVED subject to the conditions set out below and an additional condition to restrict the use as a snooker club with the wording to be delegated to officers in consultation with the Chair and Vice Chair.

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 use shall not be carried on outside the hours of 07:00 and 23:00 daily. (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 the approved plan received by the City Council on 7th January 2017, 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. This consent shall relate solely to the amended plan received by the City Council as local planning authority on 7th January 2017, unless otherwise submitted to and approved in writing by the City Council as local planning authority. (For the avoidance of doubt.)
The Planning Officer presented the report and explained that there was an additional condition as follows, which was not detailed in the addendum:

*Notwithstanding the submitted plan, the ground floor window openings on the boundary with 54 Lancashire Street shall be bricked up and retained as such. (In the interests of residential amenity and in accordance with Policy PS10 of the City of Leicester Local Plan.)*

Mrs Kaur addressed the Committee and spoke in objection to the application.

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

Members considered the report and officers responded to comments and queries raised. Members expressed concerns about the possibility of disturbance to residents because of the close proximity to residential houses. A restriction to the hours of use was suggested.

The Chair moved that the hours of use be restricted to 07.30 to 18.00 Monday to Saturday and excluding use on public holidays. This was seconded by Councillor Cank. The Chair then moved that the application be approved, subject to the restriction to the hours of use, and the additional condition as detailed above. This was seconded by Councillor Cank and upon being put to the vote, the motion to approve was CARRIED.

**RESOLVED:**

that the application be APPROVED subject to the hours of use being restricted to 07.30 – 18.00, Monday to Saturday and excluding use on public holidays, the additional condition as detailed above and 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. At the time of development the first floor windows facing 54 Lancashire Street shall be fitted with sealed obscure glazing and retained as such. (In the interests of the amenity of occupiers of 54 Lancashire Street and in accordance with policy PS10 of the City of Leicester Local Plan).
3. The use shall not be carried on outside the hours of 0730 – 1930 hours Monday to Saturday and not at all on Sundays or public holidays. (In the interests of the amenities of nearby occupiers, and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan.)

4. Before the development is begun, the materials to be used for the blocking up of windows and replacement roof tiles 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.)

5. No work shall take place to repair or work on vehicles within the external yard area facing Lancashire Street shown on the existing plan 06/15/P02/2. (In the interests of residential amenity and in accordance with Policies PS10 and PS11 of the City of Leicester Local Plan.)

6. This consent shall relate solely to the submitted plans received by the City Council as local planning authority on 05/09/16 and 08/11/16, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

Councillor Dr Barton left the meeting at the end of the determination of this application.

109. 20162055 30 ABER ROAD

Ward: Stoneygate
Proposal: CONSTRUCTION OF TWO STOREY EXTENSION AT REAR OF DWELLING, ALTERATIONS (CLASS C3)
Applicant: MR ATUL BAGUL

Mr Black, representing the applicant, addressed the Committee and spoke in favour of the application.

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

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

The Chair moved that the application be approved in accordance with the officers’ recommendation. This was seconded by Councillor Chohan and upon being put to the vote, the motion to approve was CARRIED.

RESOLVED:
that the application be APPROVED subject to the as 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 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. Finished floor levels within the proposed development shall be set no lower than existing finished floor levels and flood proofing/resilience techniques shall be incorporated in accordance with 'Improving the Flood Performance of New Buildings' (Department of Communities and Local Government, 2007). (To minimise the risk of damage in times of flooding, and in accordance with policy BE20 of the City of Leicester Local Plan and Core Strategy policy CS02).

4. Before the development is begun, the roots of the existing Weeping Willow within the garden of 44 Holmfield Avenue shall be protected from damage from the building operations including foundations in accordance with details which shall first have been submitted to and approved by the City Council as local planning authority. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

5. Before the development is begun details of the work to be carried out to the row of trees along the boundary with Evington Brook shall first have been submitted to and approved by the City Council as local planning authority. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

6. 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.)

7. This consent shall relate solely to the submitted plans ref. no. 2, 4 and 5 received by the City Council as local planning authority on 18/10/2016, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The applicant is advised that condition 4 may require special foundations to protect the roots of the Weeping Willow.

110. 20162254 10 WESTCOTES DRIVE, SCOTIA HOTEL

Ward: Westcotes
Proposal: CHANGE OF USE FROM HOTEL (CLASS C1) TO 10
FLATS (3 x STUDIO, 6 x 1 BED, 1 x 3 BED) (CLASS C3)  
(AMENDED PLAN RECEIVED 30.01.17)  
Applicant: MR K AMIN

Councillor Connelly addressed the Committee and spoke in objection to the application.

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

The Chair moved that the application be approved in accordance with the officers’ recommendation. This was seconded by Councillor Cutkelvin 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 external elevations shall be constructed in facing bricks to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)

3. The existing external staircase at the rear shall only be used in case of emergency and shall not be used to access the flats. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)

4. No part of the development shall be occupied until the part of the dropped kerb outside the property and in front of the approved boundary wall has been reinstated in accordance with the ‘6Cs Design Guide’ (view from www.leicester.gov.uk/6cs-design-guide). (For the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

5. No part of the development shall be occupied until secure cycle parking for five cycles has been provided to the satisfaction of the City Council and such secure cycle parking shall be retained thereafter. (In the interests of the satisfactory development of the site and in accordance with policies AM12 and AM02 of the City of Leicester Local Plan.)

6. This consent shall relate to the submitted plan ref. no. 16018-D02 received by the City Council as local planning authority on 25.11.16
and to amended plan ref. no. 16018-D03 received by the City Council as local planning authority on 30.01.17, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

Councillor Moore left the meeting at the end of the determination of this application.

111. 20162347 15 SELBY AVENUE

Ward: Humberstone & Hamilton
Proposal: CHANGE OF USE FROM HOUSE (1 x 3 BED) TO TWO APARTMENTS (1 X 2 BED AND 1 X 3 BED); CONSTRUCTION OF SINGLE STOREY EXTENSION AT FRONT, SIDE AND REAR OF HOUSE (CLASS C3)(AMENDED PLANS REC 29/12/16)
Applicant: MR F ALIMAHOMEDE

Councillor Dempster addressed the Committee in objection to the application.

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

The Chair moved that the application be approved in accordance with the officers’ recommendation. This was seconded by Councillor Cutkelvin 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 to the submitted plans received by the City Council as local planning authority on 29/12/16, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

112. 20161692 8 RATCLIFFE ROAD

Councillor Grant, having previously expressed a view on the application, withdrew from the meeting for the determination of this item.
Ward: Knighton
Proposal: CONSTRUCTION OF TWO STOREY EXTENSION AT SIDE AND REAR; SINGLE STOREY EXTENSION AND BALCONY AT REAR; DETACHED BUILDING AT REAR OF HOUSE (CLASS C3) (AMENDED PLANS RECEIVED 09/01/2017)
Applicant: MRS SUREKHA CHAUHAN

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

The Chair moved that the application be approved in accordance with the officers’ recommendation. This was seconded by Councillor Chohan 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. The use of the detached single storey building hereby approved shall not be used as living accommodation and shall be incidental to the use of 8 Ratcliffe Road and shall not be used, sold, leased or otherwise disposed of as a separate unit of residential accommodation at any time unless planning permission has previously been granted by the City Council as the Local Planning Authority. (For the avoidance of doubt, in the interests of residential amenity and in accordance with policy PS10 of the City of Leicester Local Plan.)

4. This consent shall relate solely to the amended plans ref. no. RPD/AUG/2016/053/02 and RPD/AUG/2016/03, RPD/AUG/2016/053/05 and RPD/AUG/2016/053/06 received by the City Council as local planning authority on 09/01/2017 and 17/01/2017, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

Councillor Grant returned to the meeting after the determination of this application.
Members considered the application and officers responded to comments and queries raised.

The Chair moved that the application be approved in accordance with the officers’ recommendation. This was seconded by Councillor Malik 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. Before the occupation of any flat, all first floor windows shall be fitted with sealed obscure glazing and retained as such. (In the interests of the amenity of occupiers of Fleetwood Road and in accordance with policy PS10 of the City of Leicester Local Plan).

3. No part of the development shall be occupied until details for secure and covered cycle parking for three cycles has been submitted to and agreed in writing with the City Council as local planning authority and retained thereafter. (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).

4. This consent shall relate solely to the submitted plan ref no. 1400/P05c received on 19/10/17 and amended plans ref. no. 1400/P03i received by the City Council as local planning authority on 13/1/17 and plans ref 1400/P04d and 1400/P06d received on 16/1/17 unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)
Proposal: CHANGE OF USE FROM RESIDENTIAL CARE HOME (CLASS C2) TO TWO STUDIOS AND ONE FLAT (1 X 2 BEDS) ON PART OF GROUND FLOOR (CLASS C3) AND TWO UNITS OF HOUSES IN MULTIPLE OCCUPATION (1 X 6 BED & 1 X 10 BED) ON PART OF GROUND AND FIRST FLOOR (SUI GENERIS)
Applicant: CHEER HEALTH

Members considered the application and officers responded to the comments and queries raised. Members discussed the provision for cycle parking and requested an amendment to a condition to stipulate that the cycle provision should be secure and lockable.

The Chair moved that the application be approved subject to an amendment to a condition to stipulate that the cycle provision should be secure and lockable. This was seconded by Councillor Cank 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 an amendment to Condition 2 to require secure and lockable cycle provision.

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 approved plan, before development commences details of secure and covered cycle parking for at least a minimum of 20 cycles shall be submitted to and agreed in writing with the City Council as local planning authority and implemented before the occupation of the first unit and retained as such. (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).

3. Before the occupation of any part of the development, all parking areas shall be surfaced and marked out in accordance with the approved plan (Plan 16026.SK22) 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 AM12 of the City of Leicester Local Plan and Core Strategy policy CS3.)

4. This consent shall relate solely to the submitted plans ref. no. 16026.SK25 and 16026.SK26 received by the City Council as local planning authority on 02/11/2016, and the additional plans received on 20/1/17 unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)
Members considered the report and officers responded to the comments and queries raised. Members questioned the use of the detached outbuilding and an additional condition was requested to stipulate that it should not be used for any commercial purposes.

The Chair moved that the application be approved, subject to an additional condition to stipulate that the detached outbuilding should not be used for any commercial purposes. This was seconded by Councillor Dr Chowdhury and upon being put to the vote, the motion to approve was CARRIED.

RESOLVED:
that the application be APPROVED, subject to an additional condition to stipulate that the detached outbuilding should not be used for any commercial purposes, and 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 detached outbuilding shall not be used as living accommodation and shall not be used independently of the main house. (In the interests of residential amenity in accordance with Policies PS10 and AM12 of the City of Leicester Local Plan.)

3. The two-storey side and single storey rear extension hereby approved shall not be sold, leased in its entirety or otherwise disposed of as a separate and independent unit of the original residential accommodation known as 4 Millersdale Avenue, Leicester at any time unless planning permission has been granted by the City Council as the local planning authority. (In the interests of residential amenity in accordance with Policies PS10 and AM12 of the City of Leicester Local Plan.)

4. The two-storey side and single storey rear extension hereby approved shall not be occupied or used at any time other than as an extension of the residential use of the property known as 4 Millersdale Avenue, Leicester (In the interests of residential amenity in accordance with
Policies PS10 and AM12 of the City of Leicester Local Plan.)

5. This consent shall relate to the amended plans received by the City Council as local planning authority on 27/1/17, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The use of the premises/site remains as dwelling house (Class C3), and this consent authorises no other use.

116. 20162395 110 CANON STREET

Ward: Rushey Mead
Proposal: CONSTRUCTION OF A SINGLE STOREY EXTENSION AT SIDE AND REAR OF SHOP (CLASS A1); EXTERNAL ALTERATIONS; CONSTRUCTION OF ROOF EXTENSIONS COMPRISING HIP TO GABLES BOTH SIDES, REAR DORMER, FRONT ROOFLIGHT AND RAISING OF RIDGE OF FIRST FLOOR FLAT (CLASS C3)
Applicant: MR MUKESH RATHOD

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

The Chair moved that the application be approved in accordance with the officers’ recommendation. This was seconded by Councillor Khote 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 submitted drawings numbered 2016/07/202/A Pages 1 of 7, 2 of 7, 3 of 7, 4 of 7, 5 of 7, 6 of 7 and 7 of 7 received by the City Council as local planning authority on 2nd December 2016, unless otherwise submitted to and approved in writing by the City Council as local planning authority. (For the avoidance of doubt.)
117. PROVISIONAL DATES FOR PLANNING AND DEVELOPMENT CONTROL COMMITTEE MEETINGS 2017/18

Members were asked to note the provisional dates for meetings of the Planning and Development Control Committee for 2017/2018, as follows:

**2017**

- 24\(^{th}\) May
- 28\(^{th}\) June
- 9\(^{th}\) August
- 20\(^{th}\) September
- 1\(^{st}\) November
- 13\(^{th}\) December
- 7\(^{th}\) June
- 19 July
- 30 August
- 11 October
- 22 November

**2018**

- 10\(^{th}\) January
- Tuesday 20\(^{th}\) February
- 4\(^{th}\) April
- 23\(^{rd}\) May
- 31 January
- 14 March
- 25 April

**AGREED:**

that the dates be noted.

118. CLOSE OF MEETING

The meeting closed at 10.25pm