



Leicester  
City Council

**Wards: see individual reports**

**Planning & Development Control Committee**

**Date: 21<sup>st</sup> November  
2018**

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**SUPPLEMENTARY REPORT ON APPLICATIONS AND CONTRAVENTIONS:**

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APPLICATION ORDER**

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- Please do not allow the full extent of the opening hours for at least 2 years. Instead, allow Planning, or this committee to review feedback from local residents and the Noise team over the next 2 years to assess how the new Centre is being used and whether the conditions of approval are being met.
- I would ask that in year 1: No events beyond 9pm, and no events on Sunday - at all
- I would ask that in year 2: assuming the centre has been used without breaching health, safety and noise controls, these hours be extended to 10pm Mon-Sat and 8pm on Sundays.
- This is a fair and reasonable request as there are many young families surrounding this centre.
- Please also note, there have been many issues with events from the DIU community in recent years that have caused no end of pain for local residents through the centres already in use on Frisby Road. If a new centre is approved on Overton Rd, the conditions must be more stringent and should be provisioned based on proven behaviour.
- A final condition should also state no events or celebrations outside the main hall at any time for any reason. This is one of the main bugbears as events consistently spill over onto the main roads and the racket lasts for hours. If this new centre is approved, ALL celebrations should be entirely within the confines of the main hall - and this should be stated in black and white.



an appropriate mix of housing. In the above policy context and having particular regard to the City's current housing supply position, I conclude that the development of the site for student accommodation would make a small contribution to the City Council's housing supply.

#### Level of Accommodation

The provision of ventilation to the proposed internal bin store is a requirement for building regulations and therefore those details are not available as part of this planning application. A condition requiring the submission of a management plan is considered to be necessary and appropriate to ensure that the site is managed effectively; accordingly, the recommended condition no. 2 controls this.

The proposed development for 20 studios is not considered to be of a particularly high density. The site is within close proximity within the City Centre whereby higher density development is considered to be most appropriate. The provision of shared facilities is available on site which includes laundry rooms and a 'common living' room. Each of the units also has an open plan living area which provides a more private space for future occupants. Each unit provides a good outlook and the site is situated within walking distance of a number of services and amenities, including parks.

<b>Recommendation: Conditional approval</b>	
<b>20180604</b>	<b>39-41 CASTLE STREET</b>
Proposal:	DEMOLITION OF EXISTING TWO STOREY OFFICE BUILDING (CLASS B1) AND REDEVELOPMENT OF SITE TO PROVIDE A PART 3, PART 4, AND PART 5 STOREY BUILDING COMPRISING 20 CLUSTER FLATS (122 STUDENT BEDROOMS) AND 3 X 1 BED STUDENT STUDIO FLATS) (SUI-GENERIS). (AMENDED PLANS) (S106 AGREEMENT)
Applicant:	VICTORIA HALL MANAGEMENT LIMITED
App type:	Operational development - full application
Status:	Smallscale Major Development
Expiry Date:	14 December 2018
AS	WARD: Castle

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**Amended Conditions:** 4, 13 and 14 to read “Prior to the commencement of development above ground level”

Additional condition (25): hours of work.

**Further Considerations:**

The applicant has requested that the above conditions be conditioned as such. The LLFA has agreed that is acceptable with regards to the SuDS and drainage condition. I am content with regards to the submission of the brick panel.

Historic England has confirmed that “the reduction on massing of the development proposal by further stepping-down the third floor fulfils our previous recommendation. As a consequence, the development proposal will open-up the view looking south along Castle Street towards the Church of St Mary de Castro and the Great Hall and will therefore enhance this aspect of their setting”.

For clarification the S106 agreement requires contribution towards landscaping enhancement works at Castle Gardens and not biodiversity works.

**CONDITIONS**

4. Prior to the commencement of development above ground level, a sample brick panel 1 metre square showing brick, bonding & mortar shall be constructed on site for inspection and approval by the City Council as local planning authority. No works shall be carried out other than in accordance with the approved details. (To preserve the special character of the area and in accordance with policy CS18 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

13. Prior to the commencement of development above ground level, 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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE COMMENCMENT condition).
  
14. Prior to the commencement of development above ground level, details of drainage, and especially foul drainage, shall be submitted to and approved by the local planning authority. No flat 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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE COMMENCMENT condition).
  
25. No construction or demolition work (unless otherwise agreed in writing), other than unforeseen emergency work, shall be undertaken outside of the hours of 0730 to 1800 Monday to Friday, 0730 to 1300 Saturday or at any time on Sundays or Bank Holidays, unless the methodology has been submitted to the City Council Noise Team. The methodology must be submitted at least 10 working days before such work commences and agreed, in writing, by the City Council Noise Team.  
The City Council Noise Team shall be notified of any unforeseen emergency work as soon as is practical after the necessity of such work has been decided by the developer or by anyone undertaking the works on the developer's behalf. (In the interests of neighbouring amenity and in accordance with Policy PS10 of the City of Leicester Local Plan)

<b>Recommendation: Conditional approval</b>	
<b>20180607</b>	<b>FOSSE ROAD SOUTH, SHOPPING PRECINCT TO SHOP UNITS 1-21</b>
Proposal:	ALTERATIONS TO FORECOURT TO FRONT AND SIDE OF SHOPPING PARADE TO PROVIDE 16 CAR PARKING SPACES ; VEHICULAR ACCESS FROM FOSSE ROAD SOUTH AND EXIT TO HINCKLEY ROAD; ASSOCIATED LANDSCAPING. (AMENDED PLANS RECEIVED 30/10/2018)
Applicant:	MR H & P PARMAR
App type:	Operational development - full application
Status:	Minor development
Expiry Date:	23 November 2018
SSA	WARD: Westcotes

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**Amended Description:** reference to *ancillary to shops* deleted

**Amended Condition 2:** “including positioning of the bollards”

### **Representations**

Councillor Sarah Russell raised concerns about the highway impact and pedestrian safety and included in her representations that the impact of the proposals should be considered by the committee.

One of the objectors who had intended to speak to their objection is unwell and has requested that the item be deferred.

### **Further Considerations**

The highway impact and pedestrian safety concerns raised by Councillor Russell are covered in the main report.



<b>Recommendation: Conditional approval</b>	
<b>20181232</b>	<b>29 WOOD HILL</b>
Proposal:	CHANGE OF USE FROM OF PART OF LIGHT INDUSTRIAL BUSINESS (CLASS B1) TO 10 RESIDENTIAL FLATS (2X STUDIO, 8X 1BED) (CLASS C3); INCREASE IN ROOF HEIGHT TO FRONT WITH DORMER WINDOWS; FIRST FLOOR SIDE EXTENSION; ALTERATIONS (AMENDED PLANS RECEIVED 29/08/2018 AND 30/10/2018)
Applicant:	MR SINGH
App type:	Change of use
Status:	Change of use
Expiry Date:	26 November 2018
PK	WARD: North Evington

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**Amended Recommendation:** Recommendation for Approval subject to condition and the completion of Unilateral Undertaking

**Amended Condition:** **3** (to include: *prior to first occupation*)

**New Note to Applicant:** **2** Unilateral undertaking

### Policy Considerations

#### Supplementary Planning Documents (SPD)

Green Space SPD

### Consultations

Landscape Development: The proposed residential development, within the North Evington ward, will result in a net increase in the number of residents within an area which already exhibits a deficiency in green space. Opportunities to create new open space to address the needs of the new residents are severely limited and therefore we will be looking to make quality improvements to existing green space provision to minimise the impact of this development.

Based on the formula from the Green Space SPD a contribution of £9,607 is required. The contribution would be used to fund replacement planting and an improved seating area on Asfordby Street.

### Further Considerations

#### Developer Contributions

The Green Space SPD outlines the requirements of Open Space contributions which would apply for conversions. The development is for 10 self-contained flats (Class C3).

As such, the developer contributions would amount to a total of £9,607.00 which will be secured via a Unilateral Undertaking. The contributions would be used to fund replacement planting and an improved seating area on Asfordby Street.

#### Conclusion

The development includes no external amenity area; however the developer has agreed to contribute to improve the open space of Asfordby Street and this is being secured by way of a Unilateral Undertaking which would help improve open space in the local area. Acceptable noise mitigation can be secured by condition.

I therefore recommend that the application be APPROVED subject to the following conditions and completion of a Unilateral Agreement:

#### CONDITIONS

3. No development shall take place until an acoustic survey has been undertaken to assess level of existing ambient noise internally. An insulation scheme to prevent the transmission of the noise into the development from the light industrial use below, shall be carried out *prior to first occupation* of the flats, and in accordance with details which shall first have been agreed in writing with the City Council as local planning authority, and retained as such. (The scheme shall include ventilation arrangements. The applicant should note that windows shall not be sealed closed). (In the interests of residential amenity of future occupants, and in accordance with saved policy H07 of The Local Plan. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

#### NOTES FOR APPLICANT

2. This permission includes a Unilateral Undertaking.