Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 24 SEPTEMBER 2014 at 5:30 pm

PRESENT:

Councillor Kitterick (Chair)
Councillor Shelton (Vice Chair)

Councillor Dr Barton
Councillor Fonseca

Councillor Joshi
Councillor Dr Moore

Councillor Unsworth

In accordance with the provisions of the Constitution (A4, 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 Chaplin 20141154, 39 Springfield Road
Councillor Dawood 20141164, 48 London Road
Councillor Clarke 20141023, Infirmary Square, Leicester Royal Infirmary
Councillor Patel 20132317, Sandhills Avenue and Hilltop Road to City Boundary
Councillor Porter 20140558, Burgess Road: Units 3 and 7

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66. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Chowdhury and Potter.
67. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda, including under the Council’s Code of Practice for Development Control Decisions.

Councillors introduced themselves and made the following declarations.

Councillor Shelton declared that in respect of application 20141023, Infirmary Square, Leicester Royal Infirmary, he had attended a site visit. He had also received correspondence relating to applications 20140857, 83-85 Noel Street and 20141164, 48 London Road.

Councillor Dr Barton declared that in respect of application 20141023, Infirmary Square, Leicester Royal Infirmary, she had attended a site visit. She had also received representations relating to applications 20140857, 83-85 Noel Street and 20141164, 48 London Road.

Councillor Dr Moore declared that in respect of application 20141023, Infirmary Square, Leicester Royal Infirmary, she had attended a site visit. Councillor Dr Moore further declared that she had received representations in relation to applications 20132317, Sandhills Avenue and Hilltop Road to City Boundary; 20140558 Burgess Road: Units 3 and 7; 20140857, 83-84 Noel Street and 20141154, 39 Springfield Road.

Councillor Fonseca declared that he had received representations in respect of application 20140857, 83-85 Burgess Road Units 3 and 7, 20141023, Infirmary Square, Leicester Royal Infirmary and 20141164, 48 London Road.

Councillor Joshi declared that in respect of application 20132317, Sandhills Avenue and Hilltop Road to City Boundary, he was a resident of Hamilton. Councillor Joshi confirmed that he had an open mind on the application. Councillor Joshi further declared that he had received representations in respect of applications 20140857, 83-85 Noel Street; 20141154, 39 Springfield Road; 20140558, Burgess Road Units 3 and 7 and 20141164, 48 London Road. In respect of application 20141023, Infirmary Square, Leicester Royal Infirmary, he had been a patient at the hospital and he was also a member of the Leicester Council of Faiths.

Councillor Unsworth declared that in respect of 20141023, Infirmary Square, he had attended a site visit. Councillor Unsworth further declared that he had received representations in respect of applications 20141164, 48 London Road; 20132317; Sandhills Avenue and Hilltop Road to City Boundary; 20140857 83-85 Noel Street and 20140558, Burgess Road: Units 3 and 7.

Councillor Kitterick he had received representations and attended a presentation on application 20132317, Sandhills Avenue and Hilltop Road to City Boundary. He had also attended a site visit in respect of application 20141023, Infirmary Square, Leicester Royal Infirmary. Councillor Kitterick further declared that as ward councillor he was aware of issues in respect of
20141154, 39 Springfield Road, but had an open mind on the application. In
respect of application 20141164, 48 London Road, Councillor Kitterick declared
that he lived in the South Highfields area, he had received various
representations and had spoken to both the applicant and objectors, but this
did not affect his impartiality.

The following councillors attended the meeting and with the sanction of the
Chair, spoke with regards to specific applications and declared the following
interests in accordance with the Code of Practice for Development Control
Decisions:

The Chair explained that both Councillor Chaplin and Dawood would be
speaking on applications in the Castle Ward (which was not their ward). He had
agreed to this as the other Castle Ward councillors had interests pertaining to
both applications and it was deemed appropriate therefore for a councillor from
a different ward to address the committee. The Chair added that he tried to
avoid speaking on planning applications from his own ward as this would
prohibit his participation on the committee for the entire meeting.

Councillor Chaplin declared that in respect of application 20141154, 39
Springfield Road, the application was not in her ward, but she had been asked
by one of the ward councillors to assist a resident who had contacted him. He
was unable to do so himself because he had an interest in the application.

Councillor Dawood declared that in respect of application 20141164, 48
London Road, he had been approached by RMT members and he also had a
number of constituents who were affected by the application.

Councillor Clarke declared that in respect of application 20141023, Infirmary
Square, Leicester Royal Infirmary, he would be addressing the committee as
Heritage Champion. The Chair responded that although there was no provision
in the Code of Conduct for a Heritage Champion to speak on planning issues,
he could address the committee as a councillor, though this application was not
in his ward.

Councillor Patel declared that in respect of application 20132317, Sandhills
Avenue and Hilltop Road to City Boundary, she was ward councillor for the
Humberstone and Hamilton Ward and had discussions with officers, the
Hamilton Residents’ Association and a representative who was working for the
Developers.

Councillor Porter declared that in respect of application 20140558, Burgess
Road Units 3 and 7, he had objected to the original proposal.

68. MINUTES OF THE PREVIOUS MEETING

Councillors Dr Barton and Unsworth requested that the minutes of the previous
meeting held on 3 September 2014 be amended to note that they voted against
the officer’s recommendation to approve planning application 217-219 Fosse
Road North, St Augustine Church and Empire Public House.
RESOLVED:
that the minutes of the previous meeting of the Planning and Development Control Committee held on 3 September 2014, subject to the above amendment, be confirmed as a correct record.

69. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair explained that he would take the Planning Applications out of the order given in the agenda, due to the attendance of officers, ward councillors, members of the public who had registered to speak in objection to applications and in the interests of people in the public gallery.

RESOLVED:
that the report of the Director of Planning, Transportation and Economic Development dated 17 September 2014 on applications together with the supplementary reports and information reported verbally by officers, be received and action taken as below:

70. 20141154 - 39 SPRINGFIELD ROAD

Ward: Castle
Proposal: CHANGE OF USE FROM HOUSE (CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (7 BEDS) (NO USE CLASS)
Applicant: MR MICHAEL HARDATTLE

Councillor Chaplin addressed the committee in objection to the application.

Members gave due consideration to the application and officers responded to the comments and queries raised.

RESOLVED:
that the application be REFUSED for the reasons set out below.

REASONS FOR REFUSAL

1. The proposal would result in the loss of a family house in part of the city where there is a demand for such housing. No evidence has been submitted to indicate that the property is no longer suitable as a family house. It is thereby contrary to Core Strategy policies CS6 and CS8.

2. The proposal would lead to an over-concentration of multiple occupancy properties which would lead to a loss of residential amenity for existing residents, a reduction in choice and range of housing and detriment to the character of the area. It is thereby contrary to Core Strategy policies CS6 and CS8 and saved Local Plan policy PS10.
Mr Gurpal Attwal, the applicant addressed the committee and spoke in support of the application.

Mr Umar Khan addressed the committee and spoke in objection to the application. With prior approval of the Chair, Mr Khan showed some slides on the audio visual equipment during his address.

Councillor Dawood then addressed the committee in objection to the application.

Members then gave due consideration to the application and officers responded to the comments and queries raised. Members expressed concerns that there was a lack of safe off-street parking and satisfactory places for stopping to pick up or drop off passengers which led to highway obstructions. There were concerns that there was a detrimental impact to highway safety given the level of traffic, busy junctions and also the proximity of bus stops which presented problems for bus drivers. Members also expressed concerns that the highway obstructions were detrimental to safe and effective operation of an important public transport interchange. In addition there were further concerns that the location of the taxi booking office could lead to dangerous manoeuvres across and into London Road.

Councillor Kitterick, seconded by Councillor Shelton proposed that the application be refused for the reasons stated above. Upon being put to the vote, the motion to refuse was CARRIED.

RESOLVED:

that the application be REFUSED for the reasons set out below, with the exacting wording to be delegated to officers in conjunction with the Chair and Vice Chair:

1) the lack of off street parking or safe and satisfactory places for stopping to pick up or drop off passengers, would lead to highway obstructions to the detriment of highway function and safety given the level of traffic, the busy junctions and the proximity of bus stops.

2) the highway obstructions would be detrimental to the safe and effective operation of an important public transport interchange; and

3) the location at the corner of Station Street and London
Road would be likely to lead to dangerous movements across and into London Road.

72. 20141023 - INFIRMARY SQUARE, LEICESTER ROYAL INFIRMARY

Ward: Castle
Proposal: DEMOLITION OF LANGHAM WING, WOOD WING, TWO BRIDGE LINKS AND ST LUKES CHAPEL; NEW EMERGENCY DEPARTMENT BUILDING (CLASS D1); PEDESTRIAN AND VEHICULAR ACCESS AND LANDSCAPING (AMENDED PLANS) (S278 AGREEMENT)
Applicant: UNIVERSITY HOSPITALS OF LEICESTER NHS TRUST

Mr John Adler, Chief Executive, University Hospitals of Leicester addressed the committee in support of the application. With prior approval from the Chair, Mr Adler showed some slides on the audio visual equipment during his presentation.

Mr Stuart Bailey, Civic Society, Ms Jennifer Squance, Chair of the Leicestershire Nurses’ League addressed the committee in objection to the application.

Councillor Clarke then addressed the committee in objection to the application.

Members of the committee then gave due consideration to the application and officers responded to the comments and queries raised.

Members expressed sadness that the proposal would involve the demolition of St Luke’s Chapel but there was also recognition that Leicester needed a new Accident and Emergency facility. There was some discussion concerning the chapel and its artefacts. Members agreed that condition three should be amended and a note to applicant added to make it clear that arrangements in respect of the artefacts should be detailed, timescales specified and the permanent home and context specifically identified.

RESOLVED:
that the application be APPROVED subject to an amendment to Condition three and an additional note to applicant to make it clear that artefacts should be detailed, timescales specified and the permanent home and context specifically identified, and also 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 development is begun, details of the design and materials for all external finishes 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.)

3. Before the demolition is commenced a detailed management plan containing the methods of removal and the relocation strategy, interim and permanent locations, for the artefacts within St Luke's Chapel shall be submitted to and agreed in writing with the City Council as local planning authority. The works shall only be carried out in accordance with the approved management plan. (In the interests of the historic environment and in accordance with Core Strategy policy CS18)

4. Before any works are undertaken in relation to the demolition, a full recording survey shall be undertaken of St Luke's Chapel in line with a level 4 record as defined in Understanding Historic Buildings; a guide to good recording practice (English Heritage 2005). The survey shall be submitted to the City Council as local planning authority for approval and then sent to the records office for archiving. (In the interests of the historic environment and in accordance with Core Strategy policy CS18)

5. (A) No demolition or development shall take place or commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall include an assessment of significance and research questions; and: (1) the programme and methodology of site investigation and recording; (2) the programme for post investigation assessment; (3) provision to be made for analysis of the site investigation and recording; (4) provision to be made for publication and dissemination of the analysis and records of the site investigation; (5) provision to be made for archive deposition of the analysis and records of the site investigation; (6) nomination of a competent person or persons or organization to undertake the works set out within the Written Scheme of Investigation. (B) No demolition or development shall take place other than in accordance with the Written Scheme of Investigation approved under (A) above. (C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under (A) above, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured, unless agreed in writing with City Council as local planning authority. (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18.)

6. Before the development is begun details of the method of removal and interim location of the Wood Memorial Shelter shall be submitted to and
agreed in writing with the City Council as local planning authority. The works shall only be carried out in accordance with the agreed details. (In the interests of the historic environment and in accordance with Core Strategy policy CS18)

7. Before the development is occupied details of a signing/wayfinding strategy for the application site and vehicular/pedestrian access points shall be submitted to and agreed in writing by the City Council as local planning authority and the agreed strategy shall be carried out and retained thereafter. (In the interests of highway and pedestrian safety and in accordance with Core Strategy policy CS03)

8. Before the development is begun a detailed design plan of external lighting to be used 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. The approved scheme shall be implemented and retained thereafter. (In the interests of protecting wildlife habitats and in accordance with policy BE22 and policy CS 17 Biodiversity of the Core Strategy)

9. Before the development is begun details of the 25 x bat bricks/tiles/box; 10 x bird bricks/boxes to be incorporated within the elevations of the proposed buildings shall be submitted to and agreed in writing with the City Council as local planning authority. The development shall be carried out in accordance with the agreed details and the agreed features retained thereafter. (In the interest of biodiversity and in accordance with Policy CS 17 Biodiversity of the Core Strategy).

10. Should the development not commence within 12 months of the date of the last protected species survey (4th July 2014), 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)

11. Development at the Leicester Royal Infirmary may impact on protected species of wildlife. It is a criminal offence to kill, injure or disturb protected species and their habitat in accordance with the Wildlife and Countryside Act (1981) as amended and The Habitat & Species Regulations (2010). Mitigation measures provided in Capita Bat Ecology Report dated August 2014 Paragraph 6.4 should be followed and a letter of confirmation provided to the Local Planning Authority following completion of each roof dismantled. If, during the development a protected species is found, work must cease immediately and a suitably qualified ecologist or Natural England be contacted. Contact details for Natural England are: 0845 600 3078
8.30am - 4.15pm (Monday - Friday) (In the interests of nature conservation and in accordance with Core Strategy policy CS17)

12. Before the development authorised by this permission is begun, a detailed landscaping scheme showing the treatment of all parts of the site which will remain unbuilt upon shall be submitted to and approved by 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; (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots). The approved landscaping scheme shall be carried out within one year of completion of the development. For a period of not less than five 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 policy CS3.)

13. 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.)

14. 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.)

15. 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.)

16. No part of the development shall be occupied until the following works have been carried out in accordance with details shown on the approved plans: (a) footway crossing(s) at each vehicular access; (b) alterations to footway crossing(s); (c) reinstatement of any redundant
footway crossings and/or damaged or altered areas of footway or other highway. (To ensure a satisfactory means of access to the highway, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

17. 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 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 and look at a parking management scheme to discourage off-site parking; (d) 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).

18. No part of the development shall be occupied until the following works have been carried out in accordance with details shown on the approved plans: (a) surfacing and marking out of all parking areas; (b) provision of loading unloading areas; (c) provision of turning space. The parking, loading/unloading areas and turning space shall not be used for any other purpose. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

19. No part of the development shall be occupied until secure and covered cycle parking and powered two wheeler parking 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 of the City of Leicester Local Plan).

20. At least 1 car parking spaces for the use of disabled people shall be provided before the development is occupied in accordance with guidance in the Leicester City Council and Leicestershire County Council document ‘6Cs Design Guide’ and shall be retained and kept
available for use by disabled people. (To ensure adequate provision for the needs of disabled people, and in accordance with policy AM11 of the City of Leicester Local Plan and Core Strategy policy CS3.)

21. All trees on the site subject to a Tree Preservation Order shall be protected from damage during building operations, in accordance with details to be 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.)

22. All vegetation intended for clearance shall be clearly identified on site in accordance with details to be submitted to and approved by the City Council as local planning authority, before any clearance is begun. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

23. 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.)

24. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the City Council as local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement 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 demolition and 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.)

25. No part of the development shall be occupied until surface water drainage works following the recommendations within the flood risk assessment have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall: (i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving
groundwater and/or surface waters; (ii) include a timetable for its implementation; and (iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. (To reduce the risk of flooding and in accordance with policy BE20 of the City of Leicester Local Plan.)

26. Before the development is begun plans for the disposal of foul sewage shall be submitted to and approved by the City Council as local planning authority. The scheme shall be implemented in accordance with the approved details before the development is occupied. (To ensure that the development is provided with satisfactory means of drainage and to minimise the risk of pollution and in accordance with Core Strategy policy CS02)

27. Before the construction commences on the site, full details of the combined heat and power/ community heating scheme shall be submitted to and agreed in writing with the City Council as local planning authority. Before the development is occupied satisfactory evidence will be required demonstrating satisfactory operation of the agreed Combined Heat and Power and Community heating Scheme, including on-site installation, in accordance with agreed details. (To ensure sustainable energy efficiency in accordance with policy CS2/3 of the Leicester City Core Strategy Plan).

28. The scheme shall comply in all respects with the detailed guidance in BS 8300:2009 ‘Design of buildings and their approaches to meet the needs of disabled people’, and Approved Document M of the Building Regulations. (To ensure the development meets the needs of disabled people in accordance with Core Strategy policy CS3).

29. No construction or demolition work, other than the removal of the Jarvis link bridge and 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 as local planning authority. The methodology must be submitted at least 10 working days before such work commences and agreed, in writing, by the City Council. The City Council 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 properties amenity and in accordance with Policy PS10 of the City of Leicester Local Plan)

30. This consent shall relate to the submitted plans as amended by plan ref. no. AR910008 P01, 910006 P06, 040001 P05, 061200 P06, 061200 P09, CE 930001 P01, LA 940006 P01, 940001 P05, 940004
NOTES FOR APPLICANT

1. It is unlikely that any construction or demolition work will be agreed outside of the hours detailed above unless the City Council Noise Team is satisfied that: - a) the work will not be detrimental to occupiers of neighbouring properties or b) the developer is able to demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.

2. Development on the site shall avoid the bird nesting season (March to September), but if necessary a re-check for nests should be made by an ecologist (or an appointed competent person) not more than 24 hours prior to the commencement of works and details of findings submitted to the LPA. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone will also be marked out to avoid disturbance to the nest whilst it is in use.

All wild birds are protected under the Wildlife and Countryside Act (1981) as amended making it an offence to kill, injure or disturb a wild bird during the nesting season or to damage or destroy an active nest or eggs during that time.

3. Highway works are required to enable this development. The applicant will be required to enter into a s278 agreement with the Highway Authority. The applicant should seek the advice of Ravi Mohankumar, (0116) 4542848 who will coordinate the highway works. For details of Travel Plans please contact Bal Minhas 0116 4542849.

Councillor Dr Barton left the meeting at this point.

73. 20132317 - SANDHILLS AVENUE AND HILLTOP ROAD TO CITY BOUNDARY

Ward: Humberstone & Hamilton
Proposal: DETAILED PERMISSION FOR SOUTHERN LINK ROAD CONNECTING TO SANDHILLS AVE INCLUDING FOOTPATHS/CYCLEWAYS, LANDSCAPING AND ASSOCIATED ENGINEERING WORKS (INCLUDING SUDS), OUTLINE PERMISSION FOR MIXED USE RESIDENTIAL-LED DEVELOPMENT [MAINLY IN CHARNWOOD BC], TO BE DEVELOPED IN PHASES, INCLUDING: PREPARATORY
WORKS INCLUDING DEMOLITION AS NECESSARY; APPROXIMATELY 4,500 RESIDENTIAL UNITS (INCLUDING AFFORDABLE HOMES); SPECIALIST HOUSING; UP TO 13 HECTARES OF EMPLOYMENT LAND; TWO LOCAL CENTRES AND ONE DISTRICT CENTRE INCLUDING A FOOD-STORE (UP TO 4,500SQM GROSS) WITH PARKING; PROVISION FOR SCHOOLS AND HEALTHCARE FACILITIES; RESERVE SITE FOR GYPSIES AND TRAVELLERS; OPEN SPACE INCLUDING NATURAL AND SEMI NATURAL GREEN SPACE; FACILITIES FOR CHILDREN AND YOUNG PEOPLE; OUTDOOR SPORTS PROVISION ; ASSOCIATED INFRASTRUCTURE INCLUDING FOOTPATHS/CYCLEWAYS, NORTH WEST LINK ROAD WITH A BRIDGE ACROSS THE RAILWAY LINE; ASSOCIATED ENGINEERING AND LANDSCAPING WORKS. [SEE APPLICATION FORM FOR FULL DESCRIPTION]
Applicant: COMMERCIAL ESTATES PROJECTS &c

Mr Nick Thompson, Senior Director, Nathaniel Lichfield and Partners addressed the committee in support of the application.

Mr Owen Bentley, Chairman of the Barkby and Barkby Thorpe Parishes Action Group addressed the committee in objection to the application.

Councillor Rita Patel then addressed the committee in objection to the application.

Members of the committee then gave due consideration to the application and officers responded to the comments and queries raised.

RESOLVED:
that the application be APPROVED subject to the final schedule and wording of conditions to be delegated to officers to allow for further discussions with Charnwood Borough Council in advance of the consideration of their application at a meeting on 24 October 2014.

Councillor Dr Moore left the meeting at this point.

74. 20140558 - BURGESS ROAD; UNITS 3 AND 7

Ward: Aylestone
Proposal: RESIDENTIAL DEVELOPMENT COMPRISING 60 FLATS (48 X 1BED; 12 X 2 BED) (CLASS C3) IN TWO 3-STOREY BUILDINGS WITH ASSOCIATED CAR PARKING FOLLOWING DEMOLITION OF EXISTING INDUSTRIAL BUILDINGS (AMENDED)
Applicant: BRAYDEN KANE LTD
Councillor Porter addressed the committee in objection to the application.

Members of the committee gave due consideration to the application and officers responded to the comments and queries raised.

Members noted that a representation from a neighbouring business had been received expressing concerns that the noise of construction would be such that it would make it very difficult for their business to operate. Members requested that there be a note to the applicant asking them to coordinate with the neighbouring business to see whether a workable solution regarding noise could be found.

RESOLVED:
that the application be APPROVED subject to a note to applicant asking them to coordinate with the neighbouring business to see whether a workable solution regarding noise could be found, and also 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. No development shall take place until samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. (To ensure the appearance of the development is satisfactory and in accordance with the aims of Core Strategy policy CS3)

3. 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 in writing by the local planning authority. The approved remediation scheme shall be implemented and a completion report shall be submitted to and approved in writing by the local planning authority before any flat is occupied. Any parts of the site where contamination was previously unidentified and found during the development process shall be subject to remediationworks carried out and approved in writing by the 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)

4. No flat shall be occupied until any existing footway crossings that become redundant as a result of the development and/or damaged or altered areas of footway or other highway on Burgess Road adjacent to the application site have been reinstated in accordance with the Council's standards contained in 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. The flats hereby permitted shall not be occupied until a Travel Plan, including a programme of implementation, has been submitted to and approved in writing by the local planning authority. The travel plan shall be implemented in accordance with the approved details and programme. (To encourage the use of sustainable modes of travel, in accordance with Core Strategy policy CS15)

6. The parking, turning and manoeuvring arrangements indicated on Drawing No P03a shall be provided and hard surfaced with individual parking spaces marked out or identified in full prior to the first occupation of any of the flats hereby permitted and shall be retained thereafter. (In the interests of ensuring highway safety)

7. No flat shall be occupied until two metre by two metre pedestrian visibility splays at either side of the each of the accesses from Burgess Road have been provided in accordance with details that have first been submitted to and approved in writing by the local planning authority. (In the interests of ensuring pedestrian and highway safety)

8. No flat shall be occupied until secure and covered cycle parking facilities for at least 40 cycles have been provided and made available for use in accordance with details that have first been submitted and approved in writing by the local planning authority. The cycle parking shall thereafter be retained. (To encourage the use of sustainable modes of travel and in accordance with policy AM02 of the City of Leicester Local Plan)

9. No flat shall be occupied until facilities for the storage of refuse and recycling bins have been provided and made available for use, in accordance with details that have first been submitted to and approved
in writing by the local planning authority. The bin storage facilities shall thereafter be retained. (In the interests of the appearance of the development and the amenities of its occupiers, and in accordance with policies PS10 and H07 of the City of Leicester Local Plan)

10. No development shall take place until details of a landscaping scheme for the areas indicated as such on the approved plans has been submitted to and approved in writing by the local planning authority. This shall including details of trees and shrubs to be planted, schedules of plants, noting species, plant sizes and proposed numbers/densities and hard surfacing materials. The approved landscaping scheme shall be completed before the first occupation of any of the flats or in accordance with a timetable that has first been agreed by the local planning authority. Planted material shall be replaced if it dies, is removed or becomes seriously diseased in the next planting season in accordance with the approved landscaping scheme. (To ensure the appearance of the development is satisfactory in the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03)

11. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the local planning authority before occupation of the development. The landscape management plan shall be carried out as approved. (To ensure the landscaping is properly maintained in the interests of the appearance of the development and in accordance with policy UD06 of the City of Leicester Local Plan)

12. No flat shall be occupied until the boundary treatments shown on the approved plans have been provided. The boundary treatments shall thereafter be retained. (To ensure the appearance of the development is satisfactory, in accordance with Core Strategy policy CS03)

13. No development shall take place until full design details, including confirmation of the predicted total energy loads, of the proposed solar photo voltaic installations on each of the units to provide 18% of the development's total estimated operational energy demand form on site renewable sources energy sources have been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before the first occupation of any of the flats. The installations shall be retained thereafter and maintained in working order for the life of the development. (To reduce the effect of the development on climate change in accordance with Policy BE16 of the City of Leicester Local Plan)

14. The dwellings shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code
Certificate has been issued for it certifying that Code Level 3 has been achieved. (To ensure sustainable energy efficiency in accordance with the aims of Core Strategy Policy CS02)

15. No development shall take place until either i) details of a scheme to provide an on-site decentralised energy system (combined heat and power / community heating scheme) or connection to an existing decentralised energy network to serve the development; or ii) a detailed assessment demonstrating that this is not feasible, has been submitted to and approved in writing by the local planning authority. Where it is demonstrated as being feasible, the approved scheme shall be implemented before the first occupation of any flat and maintained as operational for the lifetime of the development. (To ensure sustainable energy efficiency and reduce the impact of the development on climate change, in accordance with Core Strategy Policy CS02)

16. No development shall be commenced until a scheme for the provision and implementation of a Sustainable Drainage System (SUDS) has been submitted and approved in writing by the City Council as local planning authority. The scheme shall be designed to ensure surface water run-off rate from the site is less than that currently. Development shall be carried out in accordance with the approved details and the scheme retained for the lifetime of the development. (To reduce the risk of flooding as the site is in a critical drainage area and in accordance with policy BE20 of the City of Leicester Local Plan)

17. No development shall take place until a scheme for the provision and implementation of surface and foul water drainage system has been submitted to and approved in writing by the City Council as local planning authority. No flats shall be occupied until the drainage for it has been provided in accordance with the approved scheme. (To prevent the increased risk of flooding and in accordance Core Strategy policy CS02)

18. No development shall take place until details showing how all dwellings will be designed, constructed and maintained to Lifetime Homes Standards (July 2010) and the Lifetime Homes Design Guide (2011) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved. (To ensure the houses are adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS6)

19. The development shall be carried out in accordance with the following approved plans except as may be provided for by the conditions above: ref no. 1199-P03b, -P10, P11, -P05b, P04( in respect of Blocks C and D. (For the avoidance of doubt and in the interests of proper planning)

75. 20140857 - 83-85 NOEL STREET
Ward: Westcotes
Proposal: CHANGE OF USE OF OUTBUILDINGS AT REAR OF HOUSE TO FORM 3 SELF-CONTAINED FLATS (3x1 BED); SINGLE STOREY EXTENSIONS (CLASS C3)
Applicant: ASP (LEICESTER)

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

RESOLVED:

that the application be REFUSED for the reason set out below:

1. By reason of the location, layout and extensions the proposed development would provide an unacceptable level of living environment for future occupiers of the flats and occupiers of 83 and 85 Noel Street in terms of likely loss of privacy; poor outlook; general disturbance and loss of amenity space for the host properties. As such it is contrary to policies H07 and PS10 of the City of Leicester Local Plan and CS03 of the City of Leicester Core Strategy.

76. 20141277 - 8-13 THE CRESCENT KING STREET

Ward: Castle
Proposal: CHANGE OF USE FROM OFFICES (CLASS B1) TO COUNSELLING SERVICE (CLASS D1)
Applicant: MRS SARA SWIRE

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

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 premises shall not be used as place of worship notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987. (The City Council would wish to give particular consideration to the impact of such a use in accordance with policy CS10 of the Core Strategy)

3. This consent shall relate solely to the submitted plans received by the City Council as local planning authority on 06.08.14, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)
Members considered the application and officers responded to the comments and queries raised.

RESOLVED:
that the application be APPROVED subject to the comments and queries raised.

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 annexe shall only be used in conjunction with the main house and shall not be occupied, let, sold or otherwise disposed of as a separate dwelling. (In the interests of residential amenity of the host property and nearby occupiers including adequate private amenity space and parking provision for the annex in accordance with Policies PS10 and AM12 of the City of Leicester Local Plan.)

4. Finished floor levels for the approved development shall be set no lower than existing finished floor levels of the existing house 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).

5. This consent shall relate solely to the submitted plans ref. no. LR/001 received by the City Council as local planning authority on 22/07/2014, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. There are trees on the adjoining site which could be affected by construction work. This permission does not give authority for access to adjacent land or damage to adjacent property including trees and the
applicant should consider the impact on these trees in carrying out this work.

78. CLOSE OF MEETING

The meeting closed at 10.15 pm.