

Leicester  
City Council

**WARDS AFFECTED: All**

**Cabinet**

**2 April 2007**

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## **Supplementary Planning Guidance – Tall Buildings**

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### **Report of the Service Director of Planning and Policy, Regeneration and Culture.**

#### **1 Purpose of Report**

- 1.1 This report seeks Cabinet approval and adoption of the Supplementary Planning Guidance Document for Tall Buildings.

#### **2 Summary**

- 2.1 The government is encouraging planning authorities to accommodate greater levels of new building densities. The SPD for Tall Buildings, which is attached to the main report as Appendix A, aims to guide developers in the planning and design of tall buildings, and stipulates the criteria by which they will be assessed by the planning authority.
- 2.2 The draft SPD has been the subject of an extensive consultation exercise, the feedback from which is contained in the “Statement of Main Issues Raised Through Sustainability Appraisal and Public Consultation” report, which is attached as Appendix B of the main report. The “Sustainability Appraisal Report” is attached as Appendix C of the main report.

#### **3 Recommendations**

That Cabinet formally adopts the Supplementary Planning Guidance for Tall Buildings.

#### **4.1 Financial & Legal Implications**

There are no significant financial implications attached to this report. Where developments take place there will be income generated to the City Council in the form of contributions in accordance with Sections 106, 46 and 47 of the Planning and Compulsory Purchase Act 2004 and planning application fees. Martin Judson 28.2.07. Extension 7390.

#### **4.2 Legal Implications**

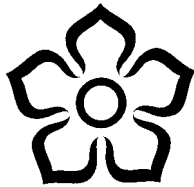
There are no legal implications attached to this report. Under the Council's Constitution and in accordance with the Local Authorities (Functions and Responsibilities) Regulations, approval of supplementary planning documents is a Cabinet responsibility. Anthony Cross Head of Litigation. Date 6.3.07. Extension 296363

#### **5 Report Author**

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## DECISION STATUS

<b>Key Decision</b>	No
<b>Reason</b>	N/A
<b>Appeared in Forward Plan</b>	N/A
<b>Executive or Council Decision</b>	Executive (Cabinet)



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## **Supplementary Planning Document – Tall Buildings**

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### **Report of the Service Director for Planning and Policy, Regeneration and Culture Report**

#### **1. Background**

- 1.1. The SPD for Tall Buildings has been prepared in response to the government's call for higher density developments in towns and cities. The development community has responded quickly, and as a result the City Council as the Local Planning Authority is increasingly being presented with informal enquiries and planning applications for tall buildings. The purpose of the SPD therefore, is to make clear to land owners, developers and architects the strict criteria that will be used to assess all proposals for tall buildings.

#### **2. The Issues**

- 2.1. The SPD purposely does not identify designated areas of the city as being suitable for tall buildings. This is due to three main factors, which are.
- 2.2. It would require a full and highly detailed urban design study and character appraisal of the entire city. However, limitations upon time and resources prohibit this approach.
- 2.3. What the City Council, the Leicester Regeneration and their planning consultants have already undertaken is the preparation of comprehensive Development Frameworks for the city's main Regeneration/Intervention Areas. Within the Development Frameworks certain sites and/or areas are identified as being suitable for tall buildings. This comprehensive "Development Plan" lead approach is one that is fully supported by the Commission for Architecture and the Built Environment" (CABE). A copy of CABE's "Guidance On Tall Buildings" is attached to this report as Appendix D.
- 2.4. Identifying in the Tall Building SPD, other areas or sites outside of the recognised Regeneration/Intervention Areas as being suitable for tall buildings in isolation of other planning and development considerations covered in Development Frameworks is seen as high risk. The risk being that once an area has been identified as suitable for tall buildings in principle and supported by policy, that any planning application to develop a tall building can only be assessed, approved or refused on design grounds alone, which is highly subjective, and open to legal challenge and appeals etc. In the worst case scenario the city could acquire numerous tall buildings in the locations we identified but of dubious quality.

2.5. The purpose of this SPD therefore is twofold. Firstly, to provide supplementary information to guide the design of tall buildings within designated areas identified with the Development Frameworks and. Secondly, to set out a broad raft of strict criteria for the assessment of tall building proposals outside of the Regeneration/Intervention Areas. In these areas the assessment criteria clearly puts the onus upon developers and their agents to undertake the necessary urban design studies and character appraisals, and prove the case for a tall building.

2.6. The headings within the assessment criteria of the SPD are as follows:

- Relationship to context
- Effect on the historic environment
- Relationship to transport infrastructure
- Architectural excellence of the building
- Contribution to public spaces and facilities
- Effect on the local environment
- Contribution to permeability and legibility
- Best practice guidance relating to sustainable design and construction
- Effect on the long term regeneration of the locality and the city
- Summary of material required of developers by the Planning Service

### 3. Conclusion and Recommendations

3.1. Cabinet formally adopts the Supplementary planning Guidance for Tall Buildings.

### 4. OTHER IMPLICATIONS

Equal Opportunities	No	
Policy	Yes	This SPD supports the draft SPD for Leicester Abbey Meadows and the Area Strategy Guidance for Office Core (New Business Quarter) 2004 and St George's North and South 2005, Local Plan policy UD02 – building, Layout, Form and Positioning.
Sustainable and Environmental	Yes	Well designed tall buildings maximise land area and optimise energy consumption.
Crime and Disorder	No	The SPD requires all architects of tall buildings to be fully aware of the design failures relating to crime and anti-social behaviour often associated with residential tower blocks built during the 1950s and 60s.
Human Rights Act	No	
Older People on Low Income	No	

#### 4.1 Risk Assessment Matrix

	<b>Risk</b>	<b>Likelihood L/M/H</b>	<b>Severity Impact L/M/H</b>	<b>Control Actions (if necessary/or appropriate)</b>
1	A poor quality tall building is developed.	Low	High	The need for developers to meet the extensive assessment criteria for all proposed tall building will be strictly adhered to.
2				
3				

#### 5. Background Papers – Local Government Act 1972

- Report to Strategic Planning & Regeneration Scrutiny Committee – Draft Tall Buildings SPD – 9 November 2005.
- Report to Development Control Committee with Strategic Planning & Scrutiny Committee – Draft Tall Building SPD – 7 March 2006.
- City of Leicester Local Plan 2006
- English Heritage and Commission for Architecture and Built Environment (CABE) – Guidance On Tall Buildings – March 2003.
- English Heritage and CABE – Guidance On Tall Buildings – Consultation draft January 2007.

#### 6. Consultations

##### Consultee

R&C Head of Finance.

Head of legal Services.

Government Office of East Midlands.

East Midlands Regeneration Agency.

English Heritage.

English Nature.

Countryside Agency.

Commission for Architecture and the Built Environment.

All landowners, developers and architects who are known to have an interest in tall buildings.

All elected members of LCC

Public Notice placed in Leicester Mercury.

LCC regeneration web site for public consultation.

Copies placed at Bishop Street Reference Library

##### Date Consulted

February 2007

February 2007

April 2006

April 2006

April 2006

April 2006

April 2006

April 2006

April 2006

April 2006

24 April 2006

24 Ap' '06 onwards

24 Ap' '06 onwards