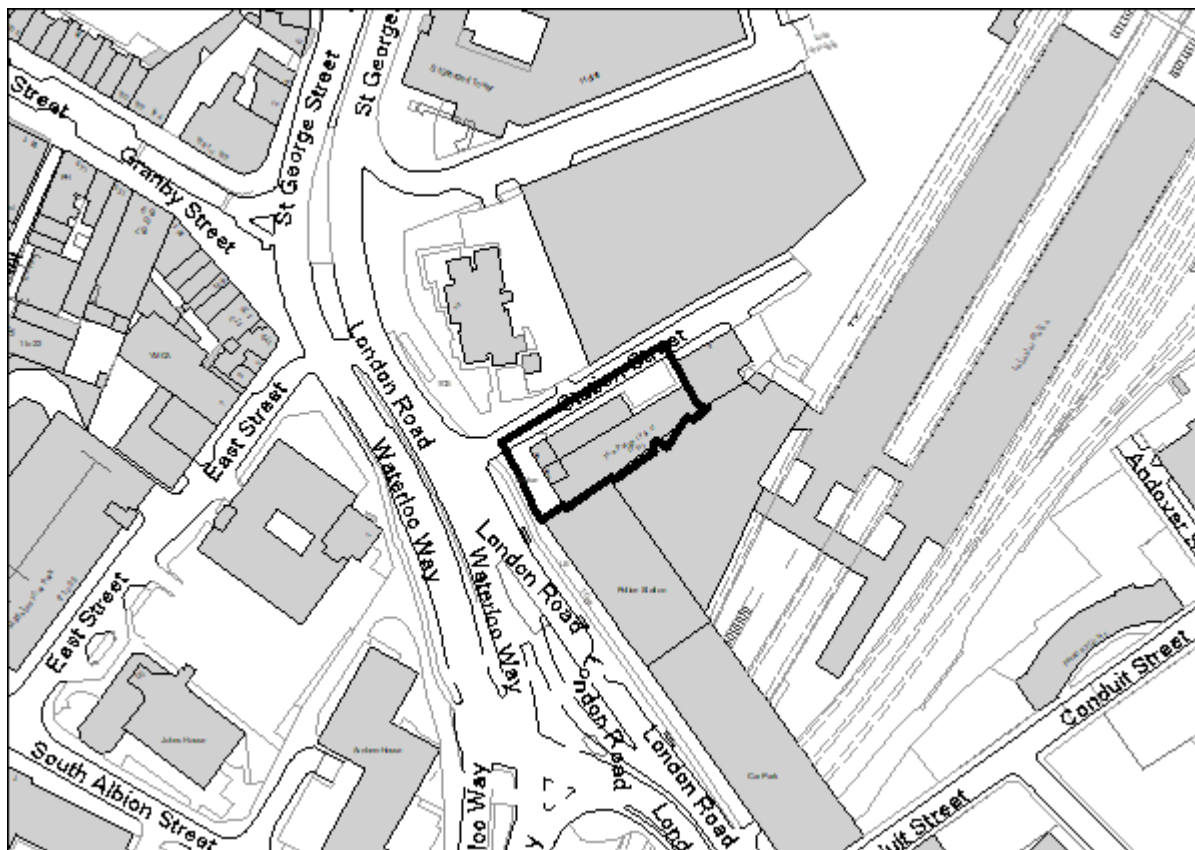


COMMITTEE REPORT

20231214	48A London Road, The Parcel Yard	
Proposal:	Demolition of 48 London Road	
Applicant:	Leicester City Council/Network Rail	
App type:	Operational development - full application	
Status:	Smallscale Major Development	
Expiry Date:	7 September 2023	
JL	TEAM: PM	WARD: Castle



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Summary

- The application is being brought to committee at the request of Councillor Kitterick due to the proposal affecting listed buildings and the proposal to demolish the building without a clear position on what will replace the building.
- Two objections have been received for the application.
- The main issues to consider are the loss of the building and heritage impacts, ecology impacts, impacts on neighbour amenity and highway safety impacts.
- The application is recommended for conditional approval.

The Site

The application site consists of a three-storey art deco building, constructed of stone and brick, fronting onto London Road and is also known as the Parcel Yard. The now vacant building previously included a taxi office and public house. To the first and second floors is office space. There is also a basement to the public house. The building is attached to the Grade II listed railway station (to the south of the site). This listing only covers the frontage of the railway station and porte-cochere.

The original railway "parcel yard" was originally constructed adjacent to the station, with 48 London Road constructed subsequently to this. The now vacant building was constructed in the mid-late 1930s, with some Victorian fabric to the rear. This building has some direct access to the railway station and served an ancillary function.

To the front of the building is a wide footpath and cycle lane, which provides access from the train station to the city centre. The Thomas Cook statue stands to the front of the building. Also to the front there is a mature tree within the footpath.

To the side of the building on Station Street is the delivery access to the public house and covered seating area. There is also a small area of off-street parking, associated with the public house.

The site is located in an Air Quality Management Area, Archaeological Alert Area and Critical Drainage Area. The front of Leicester Railway Station is Grade II Listed. London Road is a classified road.

To the north of the site is Elizabeth House, which provides residential accommodation. Adjacent to this is the former sorting office. Commercial uses are located opposite on Waterloo Way, to the west of the site.

Background

There have been a number of applications made at the site (48 and 48A London Road). Most notable applications include:

20152423 - RETROSPECTIVE APPLICATION FOR ATM AT FRONT OF TAXI OFFICE (NO USE CLASS) (Approved)

20152424 - RETROSPECTIVE APPLICATION FOR INTERNALLY ILLUMINATED SIGN TO ATM AT TAXI OFFICE (NO USE CLASS) (Approved)

20141164 - CONTINUATION OF USE OF TAXI BOOKING OFFICE (NO USE CLASS) (Planning Permission granted on appeal)

20130227 - CHANGE OF USE FROM RETAIL (CLASS A1) TO TAXI BOOKING OFFICE (NO USE CLASS); ALTERATIONS TO SHOP FRONT (Approved)

20021479 - VARIATION OF CONDITION 8 ATTACHED TO PLANNING PERMISSION 19990613 (TO ALLOW THE PREMISES TO REMAIN OPEN TO 02.00 DAILY) (Planning Permission granted on appeal)

20020605 - CHANGE OF USE FROM WAREHOUSE (CLASS B8) TO RESTAURANT AND BAR (CLASS A3) (Approved)

20011153 - VARIATION OF CONDITION 8 ATTACHED TO PLANNING PERMISSION 19990613 (TO EXTEND OPENING HOURS TO 02:00AM FRIDAYS AND SATURDAYS) (Planning Permission granted on appeal)

20010632 - CHANGE OF USE OF WAREHOUSE (CLASS B8) TO BAR-CAFE (CLASS A3) (Withdrawn)

20010582 - VARIATION OF CONDITION 8 ATTACHED TO PLANNING PERMISSION 19990613 (TO EXTEND HOURS OF OPENING TO 2.00AM) (Planning permission granted on appeal)

19990613 - CHANGE OF USE FROM RETAIL (CLASS A1) AND PART OF RAILWAY STATION (NO SPECIFIC USE CLASS) TO BAR AND CAFE (CLASS A3) (Approved)

19971316 - CHANGE OF USE OF PART OF RAILWAY STATION TO BAR AND CAFE (CLASS A3); NEW RAILINGS AND REFUSE BIN STORE (AMENDED PLAN) (Approved)

025586 - CONVERSION OF RETAIL SHOP TO BETTING OFFICE INCLUDING ALTERATIONS TO EXISTING SHOP FRONT (Approved)

025586A - PROVISION OF ILLUMINATED FASCIA SIGN TO BETTING OFFICE (Approved).

This application has been submitted in advance of a future application for the redevelopment of the Railway Station and external environs, details of which are provided below.

The Proposal

The application is for the demolition of 48 London Road (current taxi office and public house). This demolition is to facilitate the further redevelopment of the railway station, for which an application will be submitted in due course. The wider redevelopment of the railway station (which is not part of this application) proposes:

- A new main station entrance
- Improved access to the ticket hall to reduce bottlenecks at peak times
- Increased capacity in the ticket hall area
- A reconfigured porte cochere (currently used as a taxi drop off / pick up area) that will feature additional retail and hospitality outlets
- A new public realm connecting the station with the city centre and surrounding area
- Provision for taxis and passenger pick up and drop off

- Links to Leicester's sustainable travel network
- Safeguarding of the station's unique Victorian heritage through the conservation and restoration of unique historic features.

The scheme is to be partially funded by the Department for Levelling Up, Housing and Communities (DLUCH), where £17.6m of funding has been granted. The remaining costs are being met by Leicester City Council (£5m).

Information has been submitted with this application to indicate a fall-back proposition which would be proposed to be implemented should the wider redevelopment of the railway station not take place. This includes remediation works to the revealed façade and a landscaping scheme which would help to enhance ecology and provide an area for socialisation. Planters (also incorporating SuDS), bird boxes, borders with wildflower meadow mixes and areas of seating are proposed.

The proposed demolition will remove all above ground structures at 48A London Road. Demolition will be carried out in a top-down method, to ground floor slab, leaving hardstanding, foundations, basement and basement roof in situ and intact. A temporary cover will be provided over the basement. Demolition is to be carried out with a manual de-build and mechanical plant for larger parts of the building, such as steel beams. Care will be taken to ensure that there is no damage to the historic fabric of the railway station building. It is then proposed that temporary hoarding to match the existing building line will be erected, which will then be removed at the earliest opportunity. It is proposed that the Thomas Cook statue will remain in situ during the demolition works.

The granite setts that are on the Station Street kerb line- not listed but of historic interest- will be lifted and removed to be preserved and used at a later date for the public realm redevelopment.

The proposal will require the removal of the existing tree to the front of 48A London Road, which will be replaced with new tree planting as part of the larger redevelopment of the public realm.

An associated Listed Building Consent application has also been submitted for this development (reference 20231215) elsewhere on this agenda.

Policy Considerations

National Planning Policy Framework (NPPF) 2023

Paragraph 2 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 contains a presumption in favour of sustainable development. For decision-taking this means:

'c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

Paragraph 8 contains a definition of sustainable development consisting of three objectives 'which are interdependent and need to be pursued in mutually supportive ways'. In shortened form, these are as follows:

a) an economic objective

b) a social objective

c) an environmental objective

Aspects relating to pre-application engagement. Paragraph 39 states that 'Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.'

Paragraph 55 states that 'Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.'

Paragraph 92 states that 'Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.’

Paragraph 110 states that ‘In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.’

Paragraph 111 states that ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’

Paragraph 112 states that ‘Within this context, applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

Paragraph 126 states that ‘The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is

essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'

Paragraph 130 states that 'Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

Paragraph 134 states that 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'

Paragraph 135 states that 'Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'

Paragraph 174 states that 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;'

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

Paragraph 180 states that 'When determining planning applications, local planning authorities should apply the following principles:

c) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.'

Paragraph 186 states that 'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.'

Heritage aspects. The following paragraphs are particularly relevant to heritage matters.

Paragraph 195 states that 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or

minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'

Paragraph 197 states that 'In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.'

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

Paragraph 202 states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

Paragraph 203 states that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Paragraph 204 states that Local Planning Authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

Paragraph 206 states that Local Planning Authorities should look for new development to preserve or enhance significance of heritage assets.

Other planning and material considerations

Development plan policies relevant to this application are listed at the end of this report.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines the statutory duty of local planning authorities to have special regard to the desirability of preserving the setting of listed buildings.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines the statutory duty of local planning authorities to have special regard to the

desirability of preserving or enhancing the character and appearance of conservation areas.

Leicester Street Design Guide (First Edition)

Consultations

- Historic England response-

Leicester Station was built in 1892 for the Midland Railway Company, designed by the company's architect Charles Trubshaw. The station replaced an earlier Midland Railway station of 1840. Alterations to the station were made in the mid and late C20 century.

The surviving 1892 structure consists of a large porte cochere, pedestrian loggia and octagonal turret forms. This forms an impressive frontage to the station, which faces out onto a busy road intersection.

The station's arcaded street facing elevation with its domed clock tower, fine detailing, use of decorative terracotta, and triple span riveted glazed roof are designed to create an impression of grandeur on approach, reflecting the importance of the Midland Railway Company at the end of the C19. For its special architectural and historic interest, Leicester Station is listed Grade II.

48 Station Road (*Officer Note – This is London Road and has been incorrectly referenced from Historic England*) is a later 1920's addition to the station and forms part of the historical development of the listed building. No 48 is attached to and interconnected with the station building and incorporates elements of an earlier C19 parcel yard.

The imposing three-storey building is designed in a mixed Georgian Revival and Art-Deco style. It is built of brick with terracotta detailing. Internally, the building retains some architectural features such as its original Art-Deco staircase.

Located at the north-western end of the station's porte cochere, the building partially obscures the return of the 1892 entrance frontage. This partially obscured north-west façade appears to survive relatively in-tact.

48 London Road is of architectural quality in its own right. It is harmonious with the adjoining station building and it has an imposing presence within the streetscene at a prominent corner.

The submitted scheme proposes the partial demolition of the Grade II listed Station, including the total demolition of 48 London Road and its associated C19 structures. We understand that the demolition of 48 London Road is part of a proposed improvement scheme at Leicester Station.

However, the current proposal simply seeks consent for the demolition of the existing building. Details of the envisaged wider redevelopment, including a

new entrance with access ramps, vehicle drop off area and canopy structure, as well as, an extensive remodelling of the interior spaces and layout are only provided on an informative basis.

The demolition proposed would result in the total loss of 48 London Road which is a building of some architectural quality which contributes to the streetscene. Its loss would also result in the loss of elements of the earlier C19 parcel yard which are incorporated into the building.

Demolition would open-up views of unsightly parts of the station and would reveal scars where it is attached to the earlier station building. In our view, this would constitute harm to the significance of the listed station building as a building of special architectural and historic interest.

Whilst the proposed demolition would have the benefit of revealing the original north-western end of the 1890's railway station, any repairs and restoration work required in association with any such demolition are not specified in any detail.

Furthermore, fallback proposals are provided should the wider redevelopment not proceed, although these provide only minimal detail.

Further concerns relate to the proposed hoarding shown around the site of no.48 and the proposed temporary boarding to windows that would be exposed, shown on the post demolition plans. These proposals would be visually intrusive and there is a danger that it would cease to be a temporary arrangement if the wider redevelopment was not secured.

In determining these applications the LPA should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

The National Planning Policy Framework (NPPF, July 2021) sets out clear guidance for decision-makers, including chapter 16: Conserving and enhancing the historic environment.

Paragraph 197 (c) "In determining applications, local planning authorities should take account of..... the desirability of new development making a positive contribution to local character and distinctiveness."

Paragraph 199 outlines that "great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)".

Paragraph 200 states; "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

Paragraph 202 states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.”

Paragraph 206 states that “Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.”

As outlined above, Historic England consider that the proposed demolition of 48 London Road would result in a harm to the significance of the Grade II listed Station, through loss of the imposing historic building of architectural quality which forms part of the listed station building and contributes to the streetscene. It would also reveal unsightly views of parts of the station and would reveal scars where it is attached. In our view, there is a significant risk that a building of some quality would be demolished only to reveal unsightly views and an open gap alongside the listed station.

The supporting Heritage Impact Assessment sets out that the proposal would cause a low to moderate level of less than substantial harm to the Grade II listed Station. In our view, the proposed demolition works would be more harmful, and would result in at least a medium level of less than substantial harm.

The supporting information suggests that the harm that would result from the proposed demolition could be offset by the heritage and wider benefits that would arise from the envisaged wider redevelopment scheme. However, the applications contain no assurance that the redevelopment will proceed, and the reference to fallback proposals (which contain only minimal detail) are not clear.

Historic England have previously advised that we would have concerns should a proposal for demolition come forward separately to the wider redevelopment scheme and that the Local Authority would need to be satisfied it had appropriate measures in place to ensure works would proceed as anticipated.

If the local planning authority considers that the public benefits of the redevelopment scheme (which do not form part of the current applications) outweigh the acknowledged heritage harm that would result from demolition, we consider that permission/consent for demolition should not be given without taking all reasonable steps to ensure the redevelopment will proceed after the loss has occurred, as outlined in paragraph 206 of the NPPF 2021.

Historic England has concerns regarding the application on heritage grounds. In our view the proposed demolition would cause harm to the overall significance of the Grade II listed building for the reasons outlined above. As the applications have been submitted in isolation, together with a fallback position, Historic England considers that there is a significant risk of the

demolition taking place without the subsequent redevelopment and associated public benefits being secured. Your authority will therefore need to be satisfied that the harm resulting from demolition is justified and outweighed by public benefits and should take all reasonable steps to ensure the redevelopment will proceed after the loss has occurred.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the applications to meet the requirements of paragraphs 197, 199, 200, 202 and 206 of the NPPF.

- Lead Local Flood Authority (LLFA) -

The site is located within Flood Zone 1 and is not in a known flooding hotspot, therefore is at low risk of fluvial and pluvial flooding. A Demolition Method Statement (ref: 10054277-ARL-XX-XX-MS-ZZ-0004-C1) has been provided, which contains a section regarding the Water Environment (section 6.4). This confirms the procedure for managing site drainage during the demolition and mitigation measures to be put in place to prevent pollution of surface water runoff.

The surface water drainage strategy, including the SuDS to be included, for the proposed redevelopment of the station (including the creation of a new entrance and public realm) will need to be confirmed as part of a planning application. The LLFA have no objection to this application.

- Local Highways Authority -

This consultation relates to the proposed demolition of properties in preparation for substantial remodelling of the Railway station which will form one or more separate applications. The description refers to 48 London Road whereas the location refers to no.48A. From the documents submitted the proposals would appear to be demolition of both buildings and therefore this response also relates to both. The response may be taken to apply to the two associated applications, and is based principally on the outline Demolition Method Statement (DMS) submitted with the applications.

A standard condition is requested for submitting and approving future iterations of the DMS (merely because some items have been left to the discretion of the Principle Contractor, so a new DMS is likely to be produced).

- Noise Pollution Team – There are concerns about potential noise and dust nuisance from the site during demolition activities in respect of loss of amenity to occupiers of adjoining properties. There are numerous residential properties (including high-rise), commercial units, licenced premises and hotels in the immediate area. However, there are no objections in general, providing that the details in document: 10054277-ARL-XX-XX-MS-ZZ-0004-C1-Parcel_Yard_Demolition_Method_Statement Revision: 01 March 2023 are implemented throughout.

Representations

Three objections have been received for this application. One of these has since been withdrawn. The remaining reasons for objection include:

- Parcel Yard is a good and handy licensed premises serving people using the railway station – provides a service.
- Taxi office in the building provides a service.
- Cannot understand why the City Council wouldn't want to retain buildings.
- If buildings are making a loss would be better to utilise the properties than knocking down.
- No satisfactory plans for the future use of the land.
- Should be no demolition until it is demonstrated that any future proposal is more beneficial in all respects than the potential use of the existing building.
- Building has been marketed, not every potential use fully explored and blight of demolition might have deterred possible user and investor.
- Building appears capable of beneficial use in imaginative way and should have full regard before demolition approved.
- The building is ideally located where particular needs arise in Leicester for arrivals in the city for work and temporary residence.
- The building might be suitable for additional floors and increased area, not needing parking.
- Not clear that retention of 48A London Road would materially inhibit the remodelling of the station to such an extent that no plans were able to be brought forward without remodelled access and 48A London Road could be refurbished and in use.
- A new satisfactory access to the station could be achieved at the side of and behind 48A London Road, refurbished and retained so there is no case for demolition.
- Councillor Kitterick - Request for these two applications to be considered by the Planning Committee as they represent a major application in the city which affects listed buildings.
Of particular concern is the fact that there is a proposal to demolish a listed building without a clear proposal of what will replace it and there needs to be more clarity about this.
- Conservation Advisory Panel- No objection. The panel expressed regret to the loss of what they considered to be a fine building but did not consider there are grounds for an objection to the demolition as it has no formal heritage designation. Some members welcomed the inclusion of the fall-back scheme and that this eventuality had been considered.

Consideration

Principle of development

The application is for the demolition of the existing building at 48 London Road, adjacent to Leicester Railway Station. The demolition of the building is proposed to facilitate the redevelopment of the railway station.

The application for demolition works has been submitted separately to the application for the redevelopment of the railway station to allow for design works to be carried out prior to the submission of the application and to meet development delivery timescales that are required for the levelling up funding. The phasing of the whole redevelopment of the station will allow for demolition works to be carried out whilst the full planning application is determined.

In principle I consider the proposal would be of significant public benefit in terms of its contribution to a major redevelopment and enhancement of Leicester's railway station. Furthermore, I consider it would also allow for provision of significant benefits to be delivered through the proposed fall-back development (landscaped pocket park), providing an area of improved public realm and enhancing the setting of the listed railway station building should the major scheme not proceed. The Parcel Yard currently overlaps and obscures a decorative parapet and wall of the railway station, and is set back and of a lower stature of the railway station. It is not considered to be a dominant or prominent building when viewing the railway station as a whole and is not a key element of significance. Whilst the building is clearly an example of an Art Deco building, it is not a remarkable example in its own right, something that has been established due to the fact that it is not locally or nationally listed as a heritage asset. The local heritage asset register was reviewed in early 2023. It does not lie within a conservation area.

Whilst the demolition of the building would result in some harm due to the loss of an attractive building which is curtilage listed due to its physical attachment to the listed railway station and ancillary use, it is not considered that this harm would be substantial (in accordance with the NPPF).

The remedial works required would be proposed to be carried out by a specialist contractor, details of which would be required upfront. Although historic photographs can provide a good indication of the brickwork and potentially scarring that would be left as a result of the removal of the Parcel Yard, the full extent of this is unknown at this stage.

Further detail in respect of heritage consideration is included below.

Design

As part of the application, a fallback landscaping scheme to provide a "pocket park" has been provided in the unlikely event that a full planning application/ permission for redevelopment of the railway station should not be forthcoming.

This includes a landscaped area where it is proposed that the area of land left vacant following demolition will be landscaped to include planters and areas of seating. An area is also proposed which would allow for pop up stalls/ kiosks to be erected. It is considered that the proposed open space is of an appropriate design providing enhanced public realm as well as helping to enhance the setting of the listed railway station building. I consider this to be an acceptable proposal, implementation of which can be conditioned should the wider application scheme not be granted.

Heritage Assets

Extensive pre-app engagement has taken place between the applicant and other stakeholders on Government funded works to improve the primary public transport interchange in Leicester. As the Leicester Railway Station is a Grade II Listed Building, a significant component of the design development has related to considering the significance of the heritage asset and augmenting the developing design work to provide more enhancements and reduce harm. Much of the design work relates to the linked but separate application for the main works to the site, which is due to follow within the next few months. This presents an element of challenge to the assessment of the current application, which can reference the wider design but cannot consider it as integral to a set of proposed plans that are more limited in scope.

This application relates to 48A London Road, which was previously a public house, taxi offices and offices that operated under a separate address to the Railway Station. Taken superficially, the property appears architecturally divorced from the Station, both in terms of its most recent use and the exterior design. However, as detailed in the Heritage Statement, the structure does contain some relatively small sections of historic material that is contiguous with the development of the main Listed Building within its interior, as well as having a broader form that was originally built as a linked use to the Station. Although the description relating to the Listed Building does not include 48A London Road, the omission of building detail does not in itself rule out its inclusion within the scope of the listing. Historic England have declined to comment in more detail on this point and the balanced assessment of the Local Planning Authority is that the building should be assessed in terms of its historic material rather than its currently divergent address; therefore, the works proposed require listed building consent (see Item elsewhere on this agenda).

As mentioned above, a detailed Heritage Assessment has been submitted that references the heritage status of the site. This sits alongside a range of material on the proposed works and the context for their funding and delivery. As such, the submission is adequate in terms of the requirements of paragraph 194 of the NPPF. It follows on from extensive pre-app engagement, with both the Local Planning Authority, Historic England and a range of local and national heritage/amenity societies. It should be noted that a number of heritage/ amenity societies were consulted on this application but no responses were received other than from Historic England. The Conservation Advisory Panel did not object to the application.

The site and the adjacent public realm contain a number of other heritage assets, both designated and non-designated. The most significant are the Grade II Listed Station and the Grade II Listed gate piers and cast iron gates to the original Midland Railway Station on Station Street, as well as two Grade II Listed telephone kiosks and a Locally Listed post box on London Road. In addition, to the south of the site is the South Highfields Conservation Area, with the Locally Listed railway bridge parapet to the west. The more limited scope of this initial planning application means that the impact on the setting of heritage assets other than the current/former Railway Station will be negligible.

The proposal is for the total demolition of 48A London Road, including more modern elements, the surviving Victorian internal sections, and the primary inter-war building structure. Some external floorscape materials are proposed for reuse in the later development scheme, but, more generally, the building materials are not to be retained or reused. Although much altered and less legible as a building associated with the main Station, there is clear associational value contained within the built form and the loss of the building in its entirety will result in harm to the setting of the remaining Listed Building. The harm relates in part to the loss of the smaller areas of Victorian structures within the building envelope, but also the loss of the wider inter-war building, which represents a later phase in the development of ancillary facilities within the wider Station complex and one that has a pleasing composition.

Nevertheless, the property more generally is of a much later construction than the main Victorian Station, divergent in form and style, and the product of a different architectural team. It is less significant both in terms of its younger age and its divergent form to the main building adjacent, a point manifested in the awkward junction between its side elevation and the side elevation of the Porte cochere.

This latter point is where the primary benefit to the Grade II Listed Building is made by the applicant in terms of demolition of the later building opening up views to the Porte cochere, which were historically in evidence. I agree that benefit is derived both in terms of hidden detail being visible from the public realm, as well as the more expansive views of the side elevation and the Porte cochere as a whole. Improved views would allow the historic structure to be more legible and its significance to be appreciated more. Historic England have, quite reasonably, raised attention to the scope of works for repair works to the newly exposed elevation being limited, and the aesthetic problems relating to the scarred masonry. Although the application that is to follow is positioned as providing the full specification of how this would be addressed, that cannot be considered as a mitigating factor within this current application. As such, it is recommended that a planning condition be included with any approval that requires a more detailed specification of works be provided for reinstatement works within the scope of this application. At present a scoping report for a condition survey and façade restoration report have both been submitted to give comfort on the intended approach. The Council's Senior Building Conservation Officer has reviewed in the information contained within these documents and considers that the information provided at this time is satisfactory.

In a similar vein, wider public realm works are presented by the applicant as providing a key component within the scope of public benefits relating to the wider project. These cannot be considered in abstract and are immaterial to the assessment of this application at this stage. However, an intermediate landscape plan has been submitted for the development site itself in the event that the wider linked project does not proceed. This design would present benefits to the setting of the Grade II Listed Station and the Grade II Listed boundary treatment features relating to the former station. As above, these should be secured as a planning condition with any approval that may be granted. A comprehensive Building Recording should also be included as a planning condition with any approval that may be granted.

As presented, the application will present clear harm in terms of the curtilage of the Grade II Listed Station, although the wider harm to the setting of other nearby

heritage assets will be very modest or entirely limited. It is considered that the harm will be less than substantial for the reasons detailed above, and subject to the securing of matters of design through planning conditions, the harm would be towards the lower end of the spectrum of harm within that assessment. There will be some modest benefits to the setting of the heritage asset from opening up views of the side of the Porte cochere, subject to repair works secured by condition, and this partially mitigates against the harm described above. Moreover, public realm works to the site, if conditioned, will provide some further public benefit that can provide a balance against the described harm.

This site is located in an area with nationally designated and locally listed non-designated heritage assets, including known archaeology within the wider historic landscape dating from the prehistoric to modern period. The information in the heritage assessment is acceptable in terms of archaeological potential and a suitably worded condition relating to archaeology is recommended.

Residential amenity

During demolition, it is possible that there may be some noise disruption to residential occupiers, especially those in Elizabeth House, adjacent to the site. This disruption will only be temporary. The fallback scheme, should the longer-term development scheme for the station not occur, would not have a detrimental impact on the amenity of residents.

Highways and Parking

The proposed demolition of the building will result in some highways disruption. An outline traffic management plan has been submitted as part of the application which includes details of road closures, hoarding and where the replacement bus service will run from. To ensure full details are provided prior to the commencement of any works a Construction Management Plan will be secured by condition.

The proposal would result in the loss of some off street car parking, associated with the public house. However due to the loss of the building, this loss of parking provision is not considered to be an issue which would warrant the refusal of the application.

Drainage

The site is in flood zone 1 and therefore at low risk of flooding. The proposed landscape plan indicates the use of SuDS planters should the wider station redevelopment not take place.

Nature conservation/Trees/landscaping

The Update Preliminary Roost Assessment and Update Emergence Survey report (EMEC Ecology, August 2023) is acceptable. Recommendations in the report for nesting birds and bats should be followed (in summary below) and made a condition of any planning permission granted:

- Precautionary pre-works check for nesting birds and any vegetation removal carried out outside of bird nesting season.
- Bats - reasonable avoidance measures (RAMS) should be adhered to during the demolition works.

If no works are undertaken on site within 12 months of this survey or if any changes to the proposals are made, a further ecological survey may be necessary due to the mobile nature of species and potential colonisation of the site.

The application also contains details of a landscaping scheme that shall be implemented should the wider redevelopment of the railway station and public realm not take place. This landscaping scheme, which would create a “pocket park” is considered to be an enhancement to the existing public realm outside the railway station and in addition to environmental benefits, will also provide social benefits by allowing areas of seating for socialisation and an area where pop-up stalls can be erected.

Other matters

The Thomas Cook statue, although not listed, is of local interest. The applicant has confirmed that this will be retained in situ. No definitive details have been provided upfront regarding storage arrangements for the granite setts. Therefore, it is considered appropriate for details of the storage of these to be conditioned prior to their removal.

It should be noted that Historic England, whilst raising concerns in relation to this application, have not objected to the proposal.

Conclusion

The application for demolition has been submitted in advance of the application for the full redevelopment of the railway station due to the timescale requirements to secure the levelling up funding. Had the application not come forward in this way, the funding for the redevelopment of the railway station would have been at risk. As there are agreements with DLUH and Network Rail to ensure that the development proceeds and funding is forthcoming, the Local Planning Authority is reasonably confident that the redevelopment of the railway station will be undertaken.

The proposed development would result in the loss of an attractive building in the city, which is curtilage listed due to its physical attachment to the railway station and historic use of the site. 48A London Road as a separate building is not locally or nationally listed. Whilst it is regrettable that there would be the loss of this building, this is necessary to enable the redevelopment of the train station, which would help to improve the appearance of the station, improve accessibility and help to encourage regeneration in this area of the City centre. It is considered that the loss of this building would result in “less than substantial harm” as defined in the NPPF at paragraph 202. The demolition would expose the listed railway station, enhancing the setting of the listed building, which as identified at paragraph 206 of the NPPF, should be treated favourably. Due to the future works proposed, it would not be possible for the redevelopment to happen without the demolition of the building.

Whilst two existing businesses have had to vacate the building to enable the future demolition of the building, the longer term redevelopment of the railway station will help to enhance the appearance of the listed building (railway station) by revealing historic features of the building, improve accessibility and the appearance of the public realm of the entrance of the railway station and act as a catalyst for regeneration in this area of the city in the future and the wider area. This future regeneration is seen to be a significant benefit arising from the scheme in addition to the proposed redevelopment works, which will also result in improved highways benefits due to the changes to the taxi drop off/ pick up arrangements. The proposed landscaping would help to provide longer term environmental benefits.

I recommend that this application is APPROVED subject to conditions:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)

2. A scheme of restoration for the revealed Grade II listed station façade shall be submitted to the Local Planning Authority, as follows:

i. Upon practical completion of the demolition, a condition survey of the revealed Grade II listed station façade shall be undertaken and a report detailing the condition shall be submitted to the local planning authority for approval.

ii. A full scheme of restoration works for the Grade II listed station façade shall be submitted to and approved in writing by the Local Planning Authority.

iii. The scheme of restoration shall be undertaken in accordance with the approved methodology prior to occupation of the proposed public realm redevelopment.

(To preserve the special significance of the Grade II Listed Building and in accordance with Core Strategy policy CS18).

3. Following demolition but prior to the commencement of development works, further details confirming the extent of external repair / alteration works shall be submitted to and approved in writing by the Council. This shall include:

i) window & door schedule of repair;

ii) methodology for masonry cleaning, including sample cleaning schedule;

iii) specification of works to remove any modern additions and visual clutter;

iv) methodology of repairs to masonry.

(To preserve the special significance of the Grade II Listed Building and in accordance with Core Strategy policy CS18).

4. No groundworks, slab removal or new development shall take place or commence until a programme of archaeological investigation and mitigation has been agreed in accordance with a prepared Written Scheme of Investigation submitted to and approved in writing by the local planning authority. The scheme shall include:

- (1) an assessment of significance and how this applies to the regional research framework;
- (2) the programme and methodology of site investigation and recording;
- (3) the programme for post-investigation assessment;
- (4) provision to be made for analysis of the site investigation and recording;
- (5) provision to be made for publication and dissemination of the analysis and records of the site investigation;
- (6) provision to be made for archive deposition of the analysis and records of the site investigation;
- (7) nomination of a competent person or persons or organization to undertake the works set out within the Written Scheme of Investigation.

(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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

5. No groundworks, slab removal or new development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 4 above. (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. In the event of the fallback scheme being implemented, 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 condition 4 above, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

(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).

7. 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 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 CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

8. The development hereby permitted shall be carried out in accordance with the mitigation measures as listed in Table A13 of the Air Quality Assessment (Arcadis, March 2023). (To ensure air quality is acceptable and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)

9. The development hereby permitted shall be carried out in strict accordance with the details contained in 10054277-ARL-XX-XX-MS-ZZ-0004-C1-Parcel_Yard_Demolition_Method_Statement Revision: 01 March 2023, received by the Local Planning Authority on 27 June 2023. (In the interests of the amenity of nearby residential occupiers).

10. The development hereby permitted shall be carried out in accordance with the recommendations as listed at "Assessment of Impacts and Recommendations" in the Updated Preliminary Roost Assessment and Update Emergence Survey (EMEC Ecology, August 2023), received by the Local Planning Authority on 31 August 2023. This includes the need for a pre-work check for nesting birds and scrub/ tree removal outside the bird breeding season. (In the interests of protected species and in accordance with Policy CS17 of the Core Strategy and Habitat and Species Regulations 2017).

11. Demolition works shall be carried out within the bat hibernation season between 1st October and 1st March, as the site was not noted to be suitable for hibernating bats; or alternatively, if work is to be undertaken outside of this period, a further survey to determine the presence or otherwise of bats shall be undertaken. (In the interests of protected species and in accordance with Policy CS17 of the Core Strategy and Habitat and Species Regulations 2017).

12. If no works are undertaken on site within 12 months of the Updated Preliminary Roost Assessment and Update Emergence Survey (EMEC Ecology, August 2023) or if any changes to the proposals are made, a further ecological survey shall be submitted to and approved in writing by the Local Planning Authority. (Due to the mobile nature of species and potential colonisation of the site and in accordance with Core Strategy Policy CS17 and the NPPF).

13. Prior to the commencement of demolition, details of the storage of the granite setts to be removed shall be submitted to and approved in writing by the Local Planning Authority. (To ensure the satisfactory development of the site, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

14. Should an application for the redevelopment of Leicester Railway Station not be granted or applied for, the fallback scheme, including landscaping shall be implemented in full accordance with the following drawings within 24 months of practical completion of the demolition of the buildings on the site:

Fallback Plans - Roof Plan, 177016-ARC-ZZ-RF1-DRG-EAR-907009 P02;
Fallback Plans - Lower Ground Floor, 177016-ARC-ZZ-000-DRG-EAR-097007 P02 and

Fallback Plans - Ground Floor, 177016-ARC-ZZ-001-DRG-EAR-097008 P02, received by the local planning authority on 27 June 2023.

and

Parcel Yard Fall-Back Option Landscape Concept Plan, 10054277-ARC-ZZ-LSC-1001 REV A and
Fallback Elevations - SW, N & NW, 177016-ARC-ZZ-ZZZ-DRG-EAR-201004 P01,
received by the local planning authority on 28 June 2023.

(For the avoidance of doubt and to ensure that the site is developed to a satisfactory condition).

15. The development hereby permitted shall be carried out in full accordance with the following drawings:

Site Plans – Location Plan, 177016-ARC-ZZ-ZZZ-DRG-EAR-08100 P02;
Site Plans – Site Plan, 177016-ARC-ZZ-ZZZ-DRG-EAR-081001 P02;
Post Demolition Plans – Lower Ground Floor, 177016-ARC-ZZ-000-DRG-EAR-097004 P02;
Proposed Demolition Plans – Lower Ground Floor, 177016-ARC-ZZ-000-DRG-EAR-097001 P04; and
Post Demolition Plans – Roof Plan, 177016-ARC-ZZ-RF1-DRG-EAR-097006 P02,
Received by the local planning authority on 27 June 2023

Proposed Demolition Plans – Ground Floor, 177016-ARC-ZZ-001-DRG-EAR-097002 P04;
Post Demolition Plans – Ground Floor, 177016-ARC-ZZ-001-DRG-EAR-097005 P02;
Proposed Demolition Plans – Roof Plan, 177016-ARC-ZZ-RF1-DRG-EAR-097003 P04;
Demolition Elevations – NE & SE, 177016-ARC-ZZ-ZZZ-DRG-EAR-201004 P03;
Demolition Elevations – SW & NW, 177016-ARC-ZZ-ZZZ-DRG-EAR-201003 P04; and
Post Demolition Elevations – SW, N & NW, 177016-ARC-ZZ-ZZZ-DRG-EAR-201005 P01,
Received by the local planning authority on 28 June 2023

Site Layout Plan, 10054277-AUK-XX-XX-DR-ZZ-0007-P1;
Demolition Extents, 10054277-AUK-XX-XX-DR-ZZ-0008-P1; and
Traffic Management Plan, 10054277-AUK-XX-XX-DR-ZZ-0009-P1,
Received by the local planning authority on 13 July 2023

(For the avoidance of doubt)

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).

The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.

2. 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.

3. For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.

4. Temporary direction signing for developments can be provided within the highway. The Highway Authority requires all temporary signing schemes are designed, implemented and maintained to an appropriate and acceptable standard. The temporary signing scheme including details of the sign faces, locations and means of fixing must be submitted for approval. These signs must comply with the Traffic Signs Regulations and General Directions (TSRGD). Applications must be submitted to the Council at least four weeks before the signs are to be erected. Applicants will agree to reimburse the City Council for the full costs involved in the processing of the application and any subsequent planning, design, implementation and maintenance of the signs. The Local Authorities (Transport Charges) Regulations 1998 refers, and charges are set in LCC minor charges report updated annually; available via this link <https://www.leicester.gov.uk/media/181997/minor-fees-and-charges-for-transportation-services-2020-2021.pdf>.

In the event of signs not being removed expeditiously, the Council will remove them and recharge the costs to the promoter. For more information please contact highwaysdc@leicester.gov.uk.

5. As the existing building to be demolished abuts the highway boundary, any barriers, scaffolding, hoarding, footway closure etc. required for the demolition works to be undertaken will require a licence. This should be applied for by emailing Licensing@leicester.gov.uk.

Policies relating to this recommendation

2006_AM01 Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.

2006_AM02 Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.

- 2006_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 2006_PS11 Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.
- 2006_UD06 New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
- 2014_CS02 Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
- 2014_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
- 2014_CS04 The Strategic Regeneration Area will be the focus of major housing development and physical change to provide the impetus for economic, environmental and social investment and provide benefits for existing communities. New development must be comprehensive and co-ordinated. The policy gives detailed requirements for various parts of the Area.
- 2014_CS12 In recognition of the City Centre's role in the City's economy and wider regeneration, the policy sets out strategies and measures to promote its growth as a sub-regional shopping, leisure, historic and cultural destination, and the most accessible and sustainable location for main town centre uses.
- 2014_CS17 The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.
- 2014_CS18 The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.