



Leicester  
City Council

**Wards Affected:**       **Westcotes**  
                                  **Castle**  
                                  **Rowley Fields**

**CABINET**

**20<sup>th</sup> MAY 2002**

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**Draft Supplementary Planning Guidance for Bede Island South**  
**(Revised Version)**

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**SUPPORTING INFORMATION**

**1.1 Report**

Supplementary Planning Guidance (SPG) provides direction on the type and form of development that the City Council would expect for particular sites and buildings. SPG was first prepared for this site some 2 years ago and adopted by the Council in November 2000. At around the same time, Barratt East Midlands Ltd purchased the former Raab Karcher site, which makes up the major central part of BIS, and submitted a full planning application to the Council.

Barratt's planning application was for a primarily residential scheme, and the Council supported this use. However, in assessing the application it became clear that the proposed scheme failed on a number of counts to adequately match up to the site's tremendous development potential. After lengthy discussions agreement was subsequently reached with Barratts that a new application be submitted which sets a standard of development commensurate with the site's strategic importance.

In response to this fresh approach on behalf of the applicant, it was felt that the opportunity should be taken to revise the existing SPG to re-emphasise the importance of comprehensive treatment to the site, and to address particular issues such as linkages to adjoining sites, maximising the advantage of the riverside location and seeking the removal of the electricity lines/pylons.

Barratt E. M. Ltd has undertaken to progress the development of BIS by commissioning a new company of architects to completely re-think its approach to the site, and re-submit a new scheme to the Council based on the objectives set out in the draft revised SPG. Barratts have recently prepared a masterplan for the whole site and submitted a detailed planning application for the central area (which they term Phases 1 and 2).

The draft revised SPG contains not only the Council's standard development requirements but also more detailed guidance on how these wider objectives can be achieved. Section 12 within the draft revised SPG sets out the need to prepare a master plan for the whole of BIS to provide a framework for subsequent planning applications to the site in part or in whole. Plan 4 within the draft revised SPG, illustrates how the wider objectives could be achieved in a masterplan approach. (The plan is deliberately represented in a basic outline form in order that it does not appear overly prescriptive and to allow a certain degree of flexibility.)

Members attention is drawn to the linked issue of the electricity power lines and the former railway sidings (designated as a Site of Importance for Nature Conservation or SINC in the Replacement Local Plan). The SPG allows for development on part of the SINC on strict condition that the development value thus released would in part be used to 'cross fund' the removal of the power lines. (See SPG Section 6.7)

Recent Government and Council planning policy calls for higher densities within new residential developments. Based on the guidance contained in the Governments Planning Policy Guidance Note No3, the potential number of residential units that a primarily residential scheme to BIS could support would be in the region of between 700 – 1200 units.

The current planning application by Barratts (for Phases 1 & 2), is for 475 units. These phases form the core of Barratt's master plan for the whole of BIS which contains a further 2 development phases and was prepared on the basis of the revised SPG. Barratts master plan proposes a total of 820 residential units.

## **1.2 Details of Consultation Process**

The preparation of SPG to facilitate a mixed use development on such a large site with a unique set of opportunities and constraints, such as at Bede Island South has necessitated a broad consultation exercise, and has included the following organisations and groups.

### December 2001 – March 2002. Internal City Council Departmental Liaison

Consultation with Urban Design, Property Services, Development Control, Traffic Group, Highways management, Pollution Control, Town Clerk's and Corporate Resources – Legal Services, Education, Arts and Leisure, Housing,

### November 1999 – March 2002. External Consultation with Statutory and Non Statutory Organisations.

Leicester Regeneration Company, East Midlands Electricity, Health Authority, Police Authority, British Waterways, Environment Agency.

### 25 March 2002 – 12 April 2002. Main Public Consultation.

Consultation with local ward councillors, businesses, residents and all other stakeholders on or in the immediate vicinity of the site. A letter explaining why revised guidance had been prepared and a copy of the draft SPG was sent out to individuals and organisations with a direct interest in the site. A letter was also sent out to all other neighbouring households and businesses (approximately 150

properties), again explaining the need for revised guidance and outlining the contents of the SPG. People were advised that they could obtain a copy of the guidance direct from the Urban Design Group or view a copy of the guidance at the following.

- LCC New Walk Centre. B Block. Customer Services
- Westcotes Library, Narborough Road.
- The Council's Internet web site.

### 1.3 Response to Consultation

Officers have been made aware of the fact that many local residents and business leaders have taken the opportunity to view a copy of the SPG. The relatively small number of people who have responded to the consultation is therefore, taken as a sign that these people are in general agreement with the contents of the guidance. All of the organisations listed below have also expressed general approval of the guidance but have highlighted some points of particular concern.

Consultee Comment	Response
<p><b>1. Railtrack</b></p> <p>a) The amount of time allowed for the consultation period is insufficient.</p> <p>b) Development on the railway spur and sidings to the west of the site should not be conditional upon the developer first removing the electricity pylons and cables.</p> <p>c) The SPG should state that any proposed scheme to BIS which excludes Railtrack land would fail to demonstrate the Council's requirement for comprehensive development.</p> <p>d) If part of the site is developed that excludes the Railtrack land, then access should be safeguarded for the company to get onto its land.</p> <p>e) It should be stated within the brief that</p>	<p>The consultation period was tight but not unreasonable given the existing guidance and the awareness that a full planning application for the site was to be submitted to the Council in March 2002.</p> <p>The railway spur and sidings are identified as a SINC (Site of Importance for Nature Conservation) in the Replacement City of Leicester Local Plan. Normally development would not be permitted on land designated as a SINC. In this rare instance development will be considered to the SINC land in return for first removing the pylons and cables which the Council considers to be of greater environmental importance.</p> <p>Section 12 of the SPG clearly states that proposed schemes to part of BIS must be accompanied by a master plan that demonstrates how the proposal fits into a comprehensive scheme to BIS, that includes land owned by Railtrack.</p> <p>Railtrack can still gain access to the spur and sidings from the main Ivanhoe Line, the Great Central Way and from Bede Island North. The issue of access into this area from the main part of BIS is a legal matter rather than a planning consideration.</p> <p>Pedestrian and cycle links from the central</p>

<p>even if the sidings cannot be brought forward for development, the developers would still have a responsibility to provide pedestrian and cycle links across this land to the Great Central Way.</p> <p>f) The identification and retention of Railtrack land in this location for nature conservation adds a further constraint to the viability of delivering the Railtrack land as part of a comprehensive scheme. The benefits of a comprehensive scheme and links to surrounding areas outweigh the need to protect low grade ecological areas. The brief should recognise this position.</p> <p><b>2. Leicestershire Constabulary</b></p> <p>a) Reservations regarding the provision of rear parking and garage courts for dwelling houses and the problems associated with this form of development.</p> <p><b>3. Leicester City Football Club (LCFC)</b></p> <p>a) Whilst acknowledging the SPG in support of affordable housing, LCFC would support an emphasis towards high quality housing.</p> <p>b) LCFC discourages the provision of a restaurant due to the outline planning consent for a restaurant on land LCFC owns next to the new stadium site on Raw Dykes Road. A restaurant is also being incorporated within LCFC's new stadium development.</p> <p>c) LCFC discourages the provision of a hotel at BIS</p>	<p>part of BIS to the Great Central Way are very desirable and will be sought by planning officers in relation to all planning applications for the site. On its own however this not a issue that can be made an essential requirement to develop BIS.</p> <p>The Railtrack land is identified as a SINC (Site of Importance for Nature Conservation). The protection of SINC's forms a policy in the Replacement City of Leicester Local Plan.</p> <p>In relatively high density schemes it is not always possible to provide a parking space either on-street or on-plot for every dwelling. Places Streets and Movement the accompanying guide to the Governments Design Bulletin 32 advocates the use of rear parking courts to overcome this problem. Taking into consideration the mistakes made in the planning of rear parking courts in the past, the revised SPG also explains in detail how proposed rear parking courts should be planned to avoid anti-social behaviour.</p> <p>The City Council's adopted policy towards affordable housing applies to schemes that comprise more than 25 dwellings. The exact form of the affordable housing is negotiable and can consist of low cost market housing, rented or by shared ownership.</p> <p>The presence or otherwise of existing restaurants in the area is not in this instance a planning consideration, nor can the Planning Authority be seen to be inhibiting competition between similar business ventures.</p> <p>The points listed above apply to this objection.</p>
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<p>d) LCFC does not support high buildings on BIS, considering buildings of 3 or more storeys to be out of keeping with the regeneration of the area.</p> <p>e) As an adjoining land owner and organisation that itself generates a large amount of pedestrian and vehicular traffic on match days, LCFC would discourage any leisure or retail development on BIS that is likely to generate excessive noise and traffic.</p>	<p>The Government's Planning Policy Guidance Note No3 calls for higher density residential development within urban areas. BIS is quite capable from a design point of view of accommodating buildings of 3 storeys or more. Other regeneration schemes within the area are therefore also likely to be higher than 2 storeys.</p> <p>This point is acknowledged and accepted. The revised SPG therefore states that all retail, leisure and places of worship proposals to BIS should be for local residents only and not designed to cater for a city-wide audience.</p>
<p><b>4. English Nature</b></p> <p>Whilst generally welcoming the revised SPG, English Nature are particularly concerned about the potential loss of any of the SINC. In circumstances such as this where it is considered that other matters (in this case the removal of the power lines) outweigh the ecological interest, compensation measures should be put in place that more than adequately make up for the damage done.</p>	<p>The potential loss of any of the SINC is a matter of regret, and only in such very special circumstances has it been necessary to accept such a need. The SPG suggests the creation of a similar sized area of new habitat south of the site in Aylestone Meadows. In order to more adequately balance the loss of established SINC it is proposed that the new habitat should be up to twice the area of that lost. The SPG will be amended accordingly.</p>
<p><b>5. British Waterways</b></p> <p>The company made numerous comments about urban design, particularly with reference to the relationship between new development and the River Soar/Grand Union Canal.</p>	<p>All of the points raised by BW have been addressed in the revised SPG.</p>
<p><b>6. Councillor Garrity</b></p> <p>Councillor Garrity wrote to comment that:</p> <p>a) Would like to see the riverside location allowing for boats such as a water bus facility, as well as visitors to bars and restaurants.</p> <p>b) Activities around the "Riverside Square" are likely to be monopolised by students.</p>	<p>This is acknowledged and accepted. There are already mooring rings to the adjoining towpath, available for boaters. The SPG would not exclude in any way, a water bus service from being established at BIS. A residential community within a high density scheme together with drinking and dining places would facilitate the possibility of this being established.</p> <p>This is not a matter for the SPG to address.</p>

## **1.4 Comments of the Strategic Planning and Regeneration Scrutiny Committee.**

Officers presented a report about the draft revised SPG to a special meeting of the Strategic Planning and Regeneration Scrutiny Committee held on 22<sup>nd</sup> April. Scrutiny Committee broadly welcomed the revised SPG but sought to emphasise the importance of the items listed below:

- a) That the Council should seek to secure a high quality development to BIS.
- b) That the proposed new bridge crossing over the River Soar/Grand Union Canal should similarly be designed to a high standard to complement the quality of the residential development.
- c) Developers must embrace the concept of a comprehensive planning and design approach to BIS.
- d) The issue of crime and disorder should be considered in the design and layout of new buildings in relation to both existing and proposed public open space. In particular members sought assurances that new development should not only visually enhance, but, greatly improve the environment of the Great Central Way from a personal safety point of view. Similarly the creation of a riverside boulevard must also be designed as a place where people feel safe at all times of the day.
- e) That every effort should be made to facilitate and encourage the developer to relocate the overhead power lines and pylons to an underground location.
- f) That item 5.C in the SPG is rigorously enforced in order to ensure that retail development at BIS does not exceed 300 square meters in floor area.
- g) That in assessing the appropriate level of affordable housing, consideration should be given to matters of design quality, the developers intention to build dwellings within high Council Tax bands, and that low cost rental dwellings often accommodate a transient population.

Officers in attendance at the special meeting of the Scrutiny Committee acknowledged the Committee's support for the revised SPG, and gave assurances that the particular items listed above would be the subject of detailed analyses by Officers in the course of assessing the current and future planning applications for Bede Island South.

Following recent discussions the revised SPG will be further strengthened in the following areas:

- a) **APPENDIX B – ADDITIONAL REQUIREMENTS FOR HOUSING DEVELOPMENT.**  
Officers will continue to explore options for the provision of affordable housing at Bede Island South, and in particular the concept of incorporating residential units for local key workers such as graduate health care professionals at the Leicester Royal Infirmary, in partnership with a local housing association. Upon cross-departmental agreement, the SPG will be amended accordingly.
- b) **APPENDIX C – DESIGN REQUIREMENTS FOR A NEW BRIDGE OVER THE RIVER SOAR.**  
This section of the SPG will be strengthened to reflect the Council's desire to see the new bridge built to the highest standards of design quality.

## **FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

### **1. Financial Implications**

The City Council owns a narrow strip of land within Bede Island South, adjacent to the river/canal towpath. The sale of this land to the main developer will generate a capital receipt, the amount of which can not be estimated at this early stage.

### **2. Legal Implications**

There are no legal implications.

### **3. Equal Opportunities Implications**

The SPG seeks to ensure that all public areas and community facilities are fully accessible to all sections of the community.

### **4. Policy Implications, Sustainability and Environmental Issues**

Policy, sustainability and environmental implications are all issues inherent in the report and SPG.

### **5. Crime and Disorder Implications**

The SPG for Bede Island South site specifically includes proposals that are designed to create a safe environment for users of all future developments on the site. The SPG also addresses the issue of making existing public routes that bound the site, such as the Great Central Way and the river/canal towpath, much safer environments for people to use.

### **6. Human Rights Act**

There are no direct implications

### **7. Elderly People / People on Low Incomes**

The guidance includes measures to enhance public transport and provide affordable housing within the development.

### **8. Background Papers – Local Government Act 1972**

City of Leicester Local Plan (Adopted December 1994)  
Replacement City of Leicester Local Plan (Deposit Copy 2001)

## **9. Consultations**

These are referred to in the main body of this report (See paragraph 1.4 above)

## **10. Officer Contact**

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