

Leicester
City Council

**MEETING OF THE PLANNING AND DEVELOPMENT CONTROL
COMMITTEE**

DATE: WEDNESDAY, 18 NOVEMBER 2020
TIME: 5:30 pm
PLACE: Virtual Meeting via Zoom

Members of the Committee

Councillor Riyait (Chair)
Councillor Aldred (Vice-Chair)

Councillors Gee, Halford, Joel, Rae Bhatia, Thalukdar, Valand and Whittle

One unallocated Labour group place

One unallocated Non group place.

Members of the Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

A. Thomas .

For Monitoring Officer

Officer contact:

Ayleena Thomas, tel: 0116 454 6369 / Aqil Sarang, tel: 0116 454 5591 / Elaine Baker, tel: 0116 454 6355
e-mail: ayleena.thomas@leicester.gov.uk / elaine.baker@leicester.gov.uk / aqil.sarang@leicester.gov.uk
Democratic Support, Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Information for members of the public

PLEASE NOTE that any member of the press and public may listen in to proceedings at this 'virtual' meeting via a weblink which will be publicised on the Council website before the meeting. Members of the press and public may tweet, blog etc. during the live broadcast as they would be able to during a regular Committee meeting at City Hall / Town Hall. It is important, however, that Councillors can discuss and take decisions without disruption. The only participants in this virtual meeting therefore will be the Committee members, the officers advising the Committee and any applicants, objectors and Ward Members relevant to the applications to be considered who have registered to participate in accordance with the Committee's rules on public speaking.

Attending meetings and access to information

You have the right to attend formal meetings such as full Council, committee meetings & Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk, from the Council's Customer Service Centre or by contacting us using the details below.

Making meetings accessible to all

Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

Further information

If you have any queries about any of the above or the business to be discussed, please contact any of the following Democratic Support Officers:

Ayleena Thomas, tel: 0116 454 6369 (email: ayleena.thomas@leicester.gov.uk)

Aqil Sarang, tel: 0116 454 5591 (email: aqil.sarang@leicester.gov.uk)

Elaine Baker, tel: 0116 454 6355 (email: elaine.baker@leicester.gov.uk)

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**

PUBLIC SESSION

AGENDA

LIVE STREAM OF MEETING

A live stream of the meeting can be followed on the following link:

https://www.youtube.com/channel/UCddTWo00_gs0cp-301XDbXA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business to be discussed on the Agenda.

Members will be aware of the Code of Practice for Member involvement in Development Control decisions. They are also asked to declare any interest they might have in any matter on the committee agenda and/or contact with applicants, agents or third parties. The Chair, acting on advice from the Monitoring Officer, will then determine whether the interest disclosed is such to require the Member to withdraw from the committee during consideration of the relevant officer report.

Members who are not on the committee but who are attending to make representations in accordance with the Code of Practice are also required to declare any interest. The Chair, acting on advice from the Monitoring Officer, will determine whether the interest disclosed is such that the Member is not able to make representations. Members requiring guidance should contact the Monitoring Officer or the Committee's legal adviser prior to the committee meeting.

3. CHAIRS ANNOUNCEMENTS

4. MINUTES OF THE PREVIOUS MEETING

Members are asked to confirm that the minutes of the meeting of the Planning and Development Control Committee held on 28 October 2020 are a correct record.

5. ARRANGEMENTS FOR FORTHCOMING PLANNING AND DEVELOPMENT CONTROL COMMITTEE MEETINGS

The following meeting dates have been agreed with the Chair and Vice-Chair of the Committee under Council Procedure Rule 39(a)(ii), (Part 4A of the Council's Constitution).

Members therefore are asked to note that it is proposed to hold meetings at 5.30 pm on the following dates:

- Wednesday 18 November 2020 (already arranged)
- Wednesday 9 December 2020 (already arranged)
- Wednesday 6 January 2021
- Wednesday 27 January 2021
- Tuesday 16 February 2021 (due to Budget Council)
- Wednesday 10 March 2021
- Wednesday 31 March 2021
- Wednesday 21 April 2021
- Wednesday 12 May 2021

Consideration will be given as circumstances change as to whether a meeting will be in virtual or physical format.

6. PLANNING APPLICATIONS AND CONTRAVENTIONS [Appendix A](#)

The Committee is asked to consider the recommendations of the Director, Planning, Development and Transportation contained in the attached reports, within the categories identified in the index appended with the reports.

(i) 20201345 1-1A MONSELL DRIVE [Appendix A1](#)

(ii) 20201133 9-11 MARBLE STREET [Appendix A2](#)

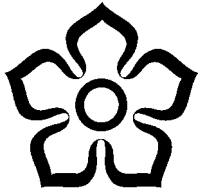
7. ANY URGENT BUSINESS

8. CLOSE OF MEETING

MEMBERS' BRIEFING SESSION

After the meeting has closed, there will be an informal briefing session for Members, which will include the following:

- Draft Local Plan



Leicester
City Council

**Wards:
See individual reports.**

Planning & Development Control Committee

Date: 18th November 2020

REPORTS ON APPLICATIONS AND CONTRAVENTIONS

Report of the Director, Planning and Transportation

1 Introduction

- 1.1 This is a regulatory committee with a specific responsibility to make decisions on planning applications that have not been delegated to officers and decide whether enforcement action should be taken against breaches of planning control. The reports include the relevant information needed for committee members to reach a decision.
- 1.2 There are a number of standard considerations that must be covered in reports requiring a decision. To assist committee members and to avoid duplication these are listed below, together with some general advice on planning considerations that can relate to recommendations in this report. Where specific considerations are material planning considerations they are included in the individual agenda items.

2 Planning policy and guidance

- 2.1 Planning applications must be decided in accordance with National Planning Policy, the Development Plan, principally the Core Strategy, saved policies of the City of Leicester Local Plan and any future Development Plan Documents, unless these are outweighed by other material considerations. Individual reports refer to the policies relevant to that application.

3 Sustainability and environmental impact

- 3.1 The policies of the Local Plan and the LDF Core Strategy were the subject of a Sustainability Appraisal that contained the requirements of the Strategic Environmental Assessment (SEA) Directive 2001. Other Local Development Documents will be screened for their environmental impact at the start of preparation to determine whether an SEA is required. The sustainability implications material to each recommendation, including any Environmental Statement submitted with a planning application are examined in each report.
- 3.2 All applications for development falling within the remit of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 are screened to determine whether an environmental impact assessment is required.

- 3.3 The sustainability and environmental implications material to each recommendation, including any Environmental Statement submitted with a planning application are examined and detailed within each report.
- 3.4 Core Strategy Policy 2, addressing climate change and flood risk, sets out the planning approach to dealing with climate change. Saved Local Plan policies and adopted supplementary planning documents address specific aspects of climate change. These are included in individual reports where relevant.

4 Equalities and personal circumstances

- 4.1 Whilst there is a degree of information gathered and monitored regarding the ethnicity of applicants it is established policy not to identify individual applicants by ethnic origin, as this would be a breach of data protection and also it is not a planning consideration. Section 149 of the Equality Act 2010 provides that local authorities must, in exercising their functions, have regard to the need to:
- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 4.2 The identity or characteristics, or economic circumstances of an applicant or intended users of a development are not normally material considerations. Where there are relevant issues, such as the provision of specialist accommodation or employment opportunities these are addressed in the individual report.

5 Crime and disorder

- 5.1 Issues of crime prevention and personal safety are material considerations in determining planning applications. Where relevant these are dealt with in individual reports.

6 Finance

- 6.1 The cost of operating the development management service, including processing applications and pursuing enforcement action, is met from the Planning service budget which includes the income expected to be generated by planning application fees.
- 6.2 Development management decisions can result in appeals to the Secretary of State or in some circumstances legal challenges that can have cost implications for the City Council. These implications can be minimised by ensuring decisions taken are always based on material and supportable planning considerations. Where there are special costs directly relevant to a recommendation these are discussed in the individual reports.
- 6.3 Under the Localism Act 2011 local finance considerations may be a material planning consideration. When this is relevant it will be discussed in the individual report.

7 Planning Obligations

- 7.1 Where impacts arise from proposed development the City Council can require developers to meet the cost of dealing with those impacts, such as increased demand for school places, through planning obligations. These must arise from the council's adopted planning policies, fairly and reasonably relate to the development and its impact and cannot be used to remedy existing inadequacies in services or facilities. The council must be able to produce evidence to justify the need for the contribution and its plans to invest them in the relevant infrastructure or service, and must have regard to the Community Infrastructure Levy Regulations 2010.
- 7.2 Planning obligations cannot make an otherwise unacceptable planning application acceptable.
- 7.3 Recommendations to secure planning obligations are included in relevant individual reports, however it should be noted however that the viability of a development can lead to obligations being waived. This will be reported upon within the report where relevant.

8 Legal

- 8.1 The recommendations in this report are made under powers contained in the Planning Acts. Specific legal implications, including the service of statutory notices, initiating prosecution proceedings and preparation of legal agreements are identified in individual reports. As appropriate, the City Barrister and Head of Standards has been consulted and his comments are incorporated in individual reports.
- 8.2 Provisions in the Human Rights Act 1998 relevant to considering planning applications are Article 8 (the right to respect for private and family life), Article 1 of the First Protocol (protection of property) and, where relevant, Article 14 (prohibition of discrimination).
- 8.3 The issue of Human Rights is a material consideration in the determination of planning applications and enforcement issues. Article 8 requires respect for private and family life and the home. Article 1 of the first protocol provides an entitlement to peaceful enjoyment of possessions. Article 14 deals with the prohibition of discrimination. It is necessary to consider whether refusing planning permission and/or taking enforcement action would interfere with the human rights of the applicant/developer/recipient. These rights are 'qualified', so committee must decide whether any interference is in accordance with planning law, has a legitimate aim and is proportionate.
- 8.4 The impact on the human rights of an applicant or other interested person must be balanced against the public interest in terms of protecting the environment and the rights of other people living in the area.
- 8.5 Case law has confirmed that the processes for determination of planning appeals by the Secretary of State are lawful and do not breach Article 6 (right to a fair trial).

9 Background Papers

Individual planning applications are available for inspection on line at www.leicester.gov.uk/planning. Comments and representations on individual

applications are kept on application files, which can be inspected on line in the relevant application record.

10 Consultations

Consultations with other services and external organisations are referred to in individual reports.

11 Report Author

Grant Butterworth (0116) 454 5044 (internal 37 5044).

Recommendation: Conditional approval	
20201345	1-1A Monsell Drive
Proposal:	Variation of conditions 11 (TPO trees to be protected from damage) & 12 (Existing trees, shrubs, hedges to be protected) attached to planning permission 20191818 (Demolition of existing apartment buildings (Class C3); Construction of two and three storey Care Home (60 Bed) (Class C2) to allow for changes to the tree protection measures and felling of four trees protected by TPO N4.0177 (Amended plan received 7/10/2020)
Applicant:	Mr Adrian Doyle
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20201345
Expiry Date:	18 November 2020
ACB	WARD: Aylestone



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Summary

- The application is being reported to committee due to the number of objections received.
- A report was withdrawn from the meeting on 28th October to republicise amendment
- 30 people have objected on the grounds that too many trees would be felled. Some of the objectors have repeated their concerns.
- Councillor Porter has supported these objections

- Issues are the impact on the trees and amenity
- Application is recommended for approval.

The Site

The application relates to a site which is on the corner of Lutterworth Road and Monsell Drive which was originally occupied by a two-storey detached house. The site is located within an area that is largely residential in character.

The site is currently being developed as a care home.

27 individual trees on the application site and the adjacent undeveloped site are protected by a Tree Preservation Order (TPO) no N4.177. The TPO further covers a group of trees which are mainly Cypress trees on the boundary with 60 Lutterworth Road.

To the east of the site is a vacant plot which was occupied by a house. There are residential properties to the north, south and west of the site.

Background

In July 2005, permission was granted (20032496) for the erection of two 3-storey apartment blocks comprising 17 2-bedroom flats. This entailed demolition of the house that occupied the site and removal of some existing vegetation including removal of one of the TPO trees.

In February 2006 planning permission (20051768) was refused for an increased number of flats to 24 on the grounds of increased traffic generation and a loss of character to the area. The scale of the buildings was similar to that previously approved.

An appeal against this decision was subsequently dismissed. The Inspector concluded that the proposed development would have no material effect on highway safety or traffic congestion in the area or on the availability of parking. Neither would it have a material detrimental effect on the character of the area with reference to density. However, the Inspector dismissed the appeal on the grounds that the proposed development was likely to result in future demands for the trees to the front of the development to be removed which would expose the buildings and they would appear stark and conspicuous on the prominent corner of Lutterworth Road and Monsell Drive. This, she concluded, would have a material harmful effect on the character and appearance of the site and the surrounding area.

Planning permission 20032496 was implemented, with the smaller block facing Monsell Drive being predominantly complete and the external shell of the larger of the two blocks being finished. These buildings have since been demolished (see below).

In July 2011 planning permission 20110503 was granted for change of use from seventeen self-contained flats to care home (62 bed); two-storey link extension;

three storey extensions at front of blocks A and B; two storey and single storey extension at rear of block A. This permission was not implemented and has expired.

In January 2018 planning permission 20162240 was granted for change of use from flats to care home (50 bed and 4 x 2 bed assisted living apartments) (Class C2); construction of three storey extension at front; three storey extension at side and rear; single storey detached bin store; single storey detached cycle store; associated landscaping and car parking. The plans included removal of 8 further non-protected trees. The development was not implemented.

In June 2018 planning permission 20180439 was granted to vary condition 22 of planning permission 20162240 to allow for the removal of the basement, an increase in height of the three-storey extension and the removal of the assisted living element to create an additional 10 bedrooms for the care home. This development was not implemented

In August 2018 consent was granted (20181490) for the felling of one of the protected trees. This was at the rear of the site and was a mature tree in poor condition and of little amenity value.

In March 2019 consent was granted for the felling of another of the protected trees. This was a relatively small tree at the front of the site and was in poor condition.

Following structural surveys by the applicant it was clear that the approved conversion scheme could not be done and the existing buildings would have to be demolished.

In December 2019 planning permission 20191818 was granted for the demolition of the apartment buildings and the construction of a two and three storey care home (60 bed) (Class C2). The plans were comparable with that approved as a conversion scheme under 20180439 but allowed for the removal and replacement of a further tree.

That is the permission which has been part implemented and the full conditions applying are:

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

2. *The walls, roof, windows doors and other external materials shall be constructed in accordance with the details submitted in the application form. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)*

3. *Plant and machinery shall only be operated and installed in accordance with the details submitted on approved plan SK-001 rev P2 submitted to the City Council as Local Planning Authority on 19 November 2019. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)*

4. *Before the occupation of any part of the development, all parking areas shall be surfaced and marked out in accordance with details which shall first have been submitted to*

and approved by the City Council as local planning authority, and shall be retained for parking and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner, and in accordance with policy AM11 of the City of Leicester Local Plan and Core Strategy policy CS3.)

5. No part of the development shall be occupied until secure and covered cycle parking has been provided and retained thereafter, in accordance with the details shown on the approved plan AL(9)901 rev J. (In the interests of the satisfactory development of the site and in accordance with policy AM02 of the City of Leicester Local Plan).

6. The use shall only operate in accordance with the details submitted in the Travel Plan dated October 2016 and approved under application 20162240. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

7. All street works shall be constructed in accordance with the Council's standards contained in the "6Cs Design Guide" (view from www.leicester.gov.uk/6cs-design-guide). (To achieve a satisfactory form of development, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

8. No part of the development shall be occupied until the 2 metre by 2 metre sight lines on each side of each vehicular access have been provided, and they shall be retained thereafter. (In the interests of the safety of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

9. The gate at the entrance from Monsell Drive shall be set back at least 5m from the footway and retained as such. (In the interests of highway safety and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

10. All works shall be carried out in accordance with British Standard for Tree Work BS 3998:2010. (In the interests of the health and amenity value of the trees and in accordance with Policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

11. All trees on the site subject to a Tree Preservation Order shall be protected from damage during building operations, in accordance with details submitted within the Tree Survey dated 25 October 2019. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

12. Prior to the commence of the development, all existing trees, shrubs or hedges to be retained on the site shall be protected by fences erected not within the root protection area in accordance with details submitted within the Tree Survey dated 25 October 2019. No materials whatsoever shall be stored, rubbish dumped, fires lit or buildings erected within these fences; no changes in ground level shall be made within the spread of any tree, shrub or hedge without the previous written approval of the local planning authority. No trees shall be used as anchorages, nor shall any items whatsoever be affixed to any retained tree. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

13. All vegetation intended for clearance shall be clearly identified on site in accordance with details submitted within the Tree Survey dated 25 October 2019, before any clearance is begun. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

14. During works of demolition and construction all operations shall only be carried out in accordance with the details shown on plan SK(8)910 received by the City Council as Local Planning Authority on 13 August 2018 in respect of temporary site entrances, temporary storage areas for soil and other materials, and the placing of plant and site huts. (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 CS3.)

15. In the first planting season following the removal of each tree, a replacement tree shall be planted. The replacement tree(s) shall be 2:1 at 14/16 Extra Heavy Standard of the same species unless an alternative scheme has first been submitted to and approved by the City Council as local planning authority. All replacement trees shall be maintained for a minimum period of five years following planting. Any tree that dies, becomes seriously damaged or is removed shall be replaced by another of the same specification at the same place in the first available planting season. (In the interests of the amenity of the area, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

16. No part of the development shall be occupied until evidence demonstrating satisfactory operation of the approved Combined Heat and Power based community based heating and hot water system including on-site installation has been submitted to and approved in writing by the City Council. (In the interests of securing energy efficiency in accordance with Policy CS2 of the Core Strategy.)

17. The approved landscaping scheme shall be carried out within one year of completion of the development. For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

18. No part of the development shall be occupied until the arrangements for storage of bins shown on the approved plans have been provided. These arrangements shall be maintained thereafter. (In the interests of the amenities of the surrounding area, and in accordance with policy PS10 of the City of Leicester Local Plan and Core Strategy policy CS3.)

19. No part of the development shall be occupied until the Sustainable Drainage System (SuDS) for the site has been completed in accordance with the approved details. The Sustainable Drainage System shall be managed and maintained thereafter in accordance with the approved management and maintenance plan. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy.)

20. The development shall not commence above ground level until details of 8 bat bricks and 12 bird boxes to be incorporated within the elevations of the proposed building have been submitted to and agreed in writing by the City Council as Local Planning Authority. The locations should be determined by an ecologist who should also supervise their installation. The development shall be carried out in accordance with the agreed details and the bat and bird boxes shall be retained thereafter. (In the interests of biodiversity and in accordance with policy CS17 of the Leicester Core Strategy.)

21. Before any external lighting is installed a detailed design plan of lighting to be used which shows the locations of lights, their type of light emittance and wavelength, together

with a lux contour map showing the variation in light, shall be submitted to and approved in writing by the local planning authority. The lighting shall be designed to cause minimum disturbance to protected species that may inhabit the site with appropriate areas remaining dark and a maximum of 1 lux on vegetated areas where considered necessary. The approved scheme shall be implemented and retained thereafter. No additional lighting shall be installed without prior agreement from the Local Planning Authority. (In the interests of protecting wildlife habitats and in accordance with saved policy BE22 of the City of Leicester Local Plan and policy CS 17 of the Leicester Core Strategy)

22. *The use shall not commence until the drainage, and especially foul drainage, has been installed in accordance with the details approved by the City Council as local planning authority under application 20181828. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy)*

23. *The development hereby approved shall be carried out solely in accordance with the following drawings:*

AL(1)105 rev A (Roof Plan) received 23 September 2019

AL(1)104 rev A(Attic Plan) received 23 September 2019

AL(1)103 rev A(Second Floor Plan) received 23 September 2019

AL(1)102 rev A (First Floor Plan) received 23 September 2019

AL(1)101 rev A (Ground Floor Plan) received 23 September 2019

AL(1)140 rev A, AL(1)141 rev A and AL(1)142 rev A (Elevations) received 23 September 2019

AL(9)901 rev J (Site Plan) received 23 September 2019

AL(9)902 rev K (Landscaping) received 19 November 2019

Unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

In March 2020 a report was received that the tree protection fencing was not in the position shown on the approved plans and that there had been some changes to the land levels which were also not shown. An investigation found that the tree protection fencing around 3 trees to the north east corner of the site was not in the correct place.

This application has been submitted as a result of the investigation and discussions with the developer to provide most appropriate approach to protecting trees to be retained and to secure satisfactory replacements as appropriate in the interests of the long term future of trees on the site.

The Proposal

The proposal is to vary conditions 11 and 12 attached to planning permission 20191818 (“the extant consent”) to allow for a reduced tree protection area around three trees to the north east corner of the site.

The proposal to vary the 2019 permission also includes the additional felling of a Cypress tree in the garden area to allow for benches to be installed and the felling and replacement of 3 (one holly , two cypress) trees on the boundary of the site with 60 Lutterworth Road. One Plum tree and two Beech trees would have canopies reduced to allow for scaffolding to be installed without long term harm to those trees

Amended plans were received following the original publicity that remove the felling of one of the Cypress trees and clarify that the 3 trees to the boundary with 60 Lutterworth Road that are covered by the TPO will be felled. The amended plans also show that T19 of the TPO to the front of the site will be felled and a replacement tree will be planted.

Policy Considerations

National Planning Policy Framework (NPPF) 2019

The National Planning Policy Framework (NPPF) 2019 sets out the Government's planning policies for England and how these are expected to be applied.

Paragraph 2 states that applications for planning permission must be determined in accordance with development plans unless material considerations indicate otherwise.

Paragraph 11 states that there will be a presumption in favour of sustainable development.

Paragraph 170 states that decisions should contribute to and enhance the natural and local environment by minimising impact on and providing net gains for biodiversity and prevent new development from contributing to, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Development Plan policies

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

Consultations

Trees and Woodlands – In light of the finished levels of the site the proposal is acceptable and would result in minimal tree loss, most of which will be at the back of the site and new development, not seen by the public, there would remain sufficient tree cover on the rear boundary. It would not be possible to construct to the approved plans without the removal/changes to tree protection due to the car parking provision and these changes are therefore acceptable. Following receipt of the amended plans they confirm that the proposal to fell T19 and details of its replacement are acceptable

Representations

Objections have been received from 30 people. Some of these have submitted further representations to emphasise the concerns. The grounds of objection are;

- The developer knew the site had protected trees and should work around them

- The tree protection to the north east corner has already been located in the proposed position and has never been in the approved position
- The proposal will cause more damage to trees and lead to further applications to remove them.
- The previous buildings should not have been allowed to be demolished.
- The proposal will have more of an impact on wildlife in the area.
- Impact on residential amenity of neighbouring property due to further felling of trees on the southern boundary.
- Removing more trees will impact on drainage.

Cllr Porter has objected to the application on the grounds that the loss of trees would affect the amenity of the occupiers of neighbouring properties. Further that the developers should have been fully aware of the protection and that if the application is approved the whole tree protection policy should be abandoned.

Further representations have been received alleging that the planning service has made poor decisions previously regarding acceptable development and tree removal/protection. There are further allegations that there has been inadequate and ineffective enforcement.

Consideration

The principle of the development, including the design of the buildings and its surround has been established by the extant consent. This is an application to vary the conditions attached to an earlier permission the Council is only required to consider the questions of the conditions subject to which a new planning permission could be granted. However, the application must be determined according to the current development plan and relevant material considerations. There have been no changes to the materials considerations or Development Plan since the extant consent was granted but access for machinery to construct the approved development and the method of construction of the car park have resulted in a need to amend conditions 11 and 12 of the extant consent.

The main issues under consideration is the impact on the protected trees, removal of trees and visual and general amenity.

Although the application is for a variation of condition, if approved it would result in a new planning permission for the development, and as a result the other proposed conditions from the extant consent also need reviewing.

Impact on trees

The site is covered by a TPO and the extant consent included details of the tree protection methods. The majority of protection methods would remain as approved however in the north east corner of the site the protective fencing needs to be moved so that it is directly adjacent to the current position of tree T19 of the TPO and 3.3m from T17 of the TPO. This is to allow for construction of the parking spaces and for machinery to access the north east part of the site to enable the construction to occur. This part of the development has already occurred on site. I do not consider that it would result in significant compaction of the soil around the

roots to result in the loss of these trees. I therefore consider that this element of the application is acceptable.

Government guidance on TPOs states that a local planning authority's consent is not required for carrying out work on trees subject to an Order so far as such work is necessary to implement a full planning permission. For example, the Order is overridden if a tree has to be removed to make way for a new building for which full planning permission has been granted. Condition 11 was therefore imposed to ensure that the protected trees would be retained on the site.

The proposal also includes felling of three Cypress trees on the boundary with 60 Lutterworth Road which are part of the group section of the TPO. I consider that this is acceptable as sufficient tree cover would remain.

The tree identified as T19 is located on the boundary with Monsell Drive and there are a number other mature trees in this location. The amended plans show that tree T19 (Lime) of the TPO would be felled and replaced with a *Tilia cordata* 'Rancho' to be located near to T6 of the TPO. T19 needs to be felled as it is adjacent to the car park area and would suffer damage in the longer term. I consider that the proposal to fell T19 and its replacement is acceptable and is in the interests of renewal and maintaining long term tree cover. Condition 15 will ensure a suitable size of replacement tree is planted.

In recommending on this and previous applications, officers consider that the right balance has been struck between reasonable and appropriate sustainable development and the retention/ provision of trees of good quality and high amenity value.

Amenity

The site has a substantial coverage of trees particularly close to boundaries. Consents granted previously have accepted the need for retaining/replacing/managing trees and landscaping in the interests of allowing reasonable and beneficial development. The removal and replacement of trees now proposed will not significantly harm the visual amenity of the site and wider area. Further the renewal of trees on the site is in the long term interest of such amenity.

As this is an application for variation of conditions it would result in a new planning permission being granted and therefore the other conditions require reviewing.

Other matters

A number of the objections say that the developers should have been aware of the tree protection. I consider that the developers were aware of the protected nature of the trees. Plans for developments and their impacts often need to be re-assessed through the process of construction.

One of the objections states that the previous buildings should not have been demolished. This has already been approved under the extant consent as the

previous buildings on the site were found not to be of adequate construction standards and therefore had to be demolished in order to make use of the site.

Removal of the 4 trees is unlikely to significantly harm wildlife due to the still dense tree coverage on the site and the Nature Conservation Officer considers the impact to be acceptable and manageable.

Condition 1

The development has already commenced; however, all planning permissions must have a start date and therefore I recommend a condition to reflect the approved start date.

Condition 2

The materials to be used were detailed in the original application and I therefore recommend a revised condition to reflect this.

Condition 3

Plant and machinery have not been installed yet and I therefore recommend a revised condition to reflect the previously approved details.

Condition 4

The parking areas have not yet been provided and the development is not occupied. I therefore recommend the same condition.

Condition 5

The cycle parking has not been provided and I therefore recommend a revised condition to reflect the approved details.

Condition 6

The Travel Plan is still a requirement and I therefore recommend the same condition.

Condition 7

The works to Monsell Drive has not been completed and I therefore recommend the same condition.

Condition 8

This is a condition which will require ongoing compliance and I therefore recommend the same condition.

Condition 9

The gate has not yet been installed and I therefore recommend the same condition.

Condition 10

All works are still to be carried out in accordance with the British Standard and I therefore recommend the same condition

Conditions 11, 12 and 13 are recommended to be amended to reflect the amended details.

Condition 14

The development is still at construction phase and therefore I recommend a revised version of the condition.

Condition 15

There is still a requirement for the trees lost to be replaced and I therefore recommend the same condition.

Condition 16

The combined heat and power system have not yet been installed and I therefore recommend the same condition to confirm its satisfactory operation.

Condition 17

The requirement to implement the approved landscaping scheme should remain.

Condition 18

There will still be a requirement for bin storage and I therefore recommend a revised version of the condition.

Condition 19

The sustainable drainage system has not yet been installed and the condition requires ongoing compliance. I therefore recommend a revised version of the condition.

Condition 20

Application 20201503 has been approved to discharge this condition. I therefore recommend an amended condition to reflect the approved details and require the installation to be carried out.

Condition 21

No plan of the lighting to be installed has yet been received and I therefore recommend the same condition.

Condition 22

The drainage has not yet been installed and I therefore recommend the same condition

Condition 23

The approved plans have not been amended and I therefore recommend a revised version of the condition.

Conclusion

The development of the site is allowed under the 2019 permission and the development could proceed under that albeit potentially not fully in accordance with all the conditions. Any enforcement action would need to be limited to what could reasonably achieve the aims of those conditions. Approving this application would enable the development to meet those aims without having to resort to such action.

This application is to allow for variations to deal with revised arrangements for tree protection/retention.

In conclusion, I consider that the changes to the tree protection areas will not have a significant impact on the root system of the trees such as to risk their lifespan.

I further consider that the removal of three further trees adjacent to 60 Lutterworth Road and T19 fronting Monsell Drive will not have a significant impact on the amenity value of the trees or on the visual amenity of the site and wider area.

I consider that the development with the variation is in compliance with all relevant policies and further I consider that the development as now proposed would have been approved under application 20191818.

I recommend that this application is APPROVED subject to the following conditions

CONDITIONS

1. The development shall be begun by 13 December 2022. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The walls, roof, windows doors and other external materials shall be constructed in accordance with the details submitted in the application form and plan AL(0)060 submitted with application 20191818. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Plant and machinery shall only be operated and installed in accordance with the details submitted on approved plan SK-001 rev P2 submitted to the City Council as Local Planning Authority under application 20191818 on 19 November 2019. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)

4. Before the occupation of any part of the development, all parking areas shall be surfaced and marked out in accordance with details which shall first have been submitted to and approved by the City Council as local planning authority, and shall be retained for parking and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner, and in accordance with policy AM11 of the City of Leicester Local Plan and Core Strategy policy CS3.)
5. No part of the development shall be occupied until secure and covered cycle parking has been provided and retained thereafter, in accordance with the details shown on the approved plan AL(9)901 rev J submitted with application 20191818. (In the interests of the satisfactory development of the site and in accordance with policy AM02 of the City of Leicester Local Plan).
6. The use shall only operate in accordance with the details submitted in the Travel Plan dated October 2016 and approved under application 20162240 The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).
7. All street works shall be constructed in accordance with the Council's standards contained in the "6Cs Design Guide" (view from www.leicester.gov.uk/6cs-design-guide). (To achieve a satisfactory form of development, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
8. No part of the development shall be occupied until the 2 metre by 2 metre sight lines on each side of each vehicular access have been provided, and they shall be retained thereafter. (In the interests of the safety of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
9. The gate at the entrance from Monsell Drive shall be set back at least 5m from the footway and retained as such. (In the interests of highway safety and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
10. All works shall be carried out in accordance with British Standard for Tree Work BS 3998:2010. (In the interests of the health and amenity value of the trees and in accordance with Policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
11. All trees on the site subject to a Tree Preservation Order except for those to be felled shall be protected from damage during building operations, in accordance with details submitted on the approved plan ref no 4074 rev D received by the City Council as local planning authority on 9 October 2020 (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
12. Prior to the commence of the development, all existing trees, shrubs or hedges to be retained on the site shall be protected by fences erected not within the

root protection area in accordance with details submitted within the approved plan ref no 4074 rev D received by the City Council as local planning authority on 9 October 2020. No materials whatsoever shall be stored, rubbish dumped, fires lit or buildings erected within these fences; no changes in ground level shall be made within the spread of any tree, shrub or hedge without the previous written approval of the local planning authority. No trees shall be used as anchorages, nor shall any items whatsoever be affixed to any retained tree. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

13. All vegetation intended for clearance shall be clearly identified on site in accordance with details submitted on plan ref no 4074 rev D received by the City Council as local planning authority on 9 October 2020, before any clearance is begun. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

14. During works of demolition and construction all operations shall only be carried out in accordance with the details shown on plan SK(8)910 received by the City Council as Local Planning Authority on 13 August 2018 under application 20191818 in respect of temporary site entrances, temporary storage areas for soil and other materials, and the placing of plant and site huts. (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 CS3.)

15. In the first planting season following the removal of each tree, a replacement tree shall be planted. The replacement tree(s) shall be 2:1 at 14/16 Extra Heavy Standard of the same species unless an alternative scheme has first been submitted to and approved by the City Council as local planning authority. All replacement trees shall be maintained for a minimum period of five years following planting. Any tree that dies, becomes seriously damaged or is removed shall be replaced by another of the same specification at the same place in the first available planting season. (In the interests of the amenity of the area, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

16. No part of the development shall be occupied until evidence demonstrating satisfactory operation of the approved Combined Heat and Power based community based heating and hot water system including on-site installation has been submitted to and approved in writing by the City Council. (In the interests of securing energy efficiency in accordance with Policy CS2 of the Core Strategy.)

17. The approved landscaping scheme shall be carried out within one year of completion of the development. For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

18. No part of the development shall be occupied until the arrangements for storage of bins shown on the approved plans AL(9)904 under application 20191818 have been provided. These arrangements shall be maintained thereafter. (In the interests of the amenities of the surrounding area, and in accordance with policy PS10 of the City of Leicester Local Plan and Core Strategy policy CS3.)

19. No part of the development shall be occupied until the Sustainable Drainage System (SuDS) for the site has been completed in accordance with the approved details shown on plan DD150 submitted with application 20191818. The Sustainable Drainage System shall be managed and maintained thereafter in accordance with the approved management and maintenance plan. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy.)

20. The development shall not be occupied until the 8 bird bricks and 10 bat tubes approved under application 20201503 have been installed under the supervision of an ecologist. The bat tubes and bird boxes shall be retained thereafter. (In the interests of biodiversity and in accordance with policy CS17 of the Leicester Core Strategy.)

21. Before any external lighting is installed a detailed design plan of lighting to be used which shows the locations of lights, their type of light emittance and wavelength, together with a lux contour map showing the variation in light, shall be submitted to and approved in writing by the local planning authority. The lighting shall be designed to cause minimum disturbance to protected species that may inhabit the site with appropriate areas remaining dark and a maximum of 1 lux on vegetated areas where considered necessary. The approved scheme shall be implemented and retained thereafter. No additional lighting shall be installed without prior agreement from the Local Planning Authority. (In the interests of protecting wildlife habitats and in accordance with saved policy BE22 of the City of Leicester Local Plan and policy CS 17 of the Leicester Core Strategy)

22. The use shall not commence until the drainage, and especially foul drainage, has been installed in accordance with the details shown on plan DD150 approved by the City Council as local planning authority under application 20181828. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy)

23. The development hereby approved shall be carried out solely in accordance with the following drawings submitted under application 20191818:

AL(1)105 rev A (Roof Plan) received 23 September 2019

AL(1)104 rev A(Attic Plan) received 23 September 2019

AL(1)103 rev A(Second Floor Plan) received 23 September 2019

AL(1)102 rev A (First Floor Plan) received 23 September 2019

AL(1)101 rev A (Ground Floor Plan) received 23 September 2019

AL(1)140 rev A, AL(1)141 rev A and AL(1)142 rev A (Elevations) received 23 September 2019

AL(9)901 rev J (Site Plan) received 23 September 2019

AL(9)902 rev K (Landscaping) received 19 November 2019

and 4074 rev D (Tree Protection Plan submitted with this application and received on 9 October 2020

Unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. Development on the site shall avoid the bird nesting season (March to September), but if necessary a re-check for nests should be made by an ecologist (or an appointed competent person) not more than 24 hours prior to the commencement of works and evidence provided to the City Council as Local Planning Authority. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone will also be marked out to avoid disturbance whilst the nest is in use. All wild birds are protected under the Wildlife and Countryside Act (1981) as amended making it an offence to kill, injure or disturb a wild bird during the nesting season or to damage or destroy an active nest or eggs during that time.

2. 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).

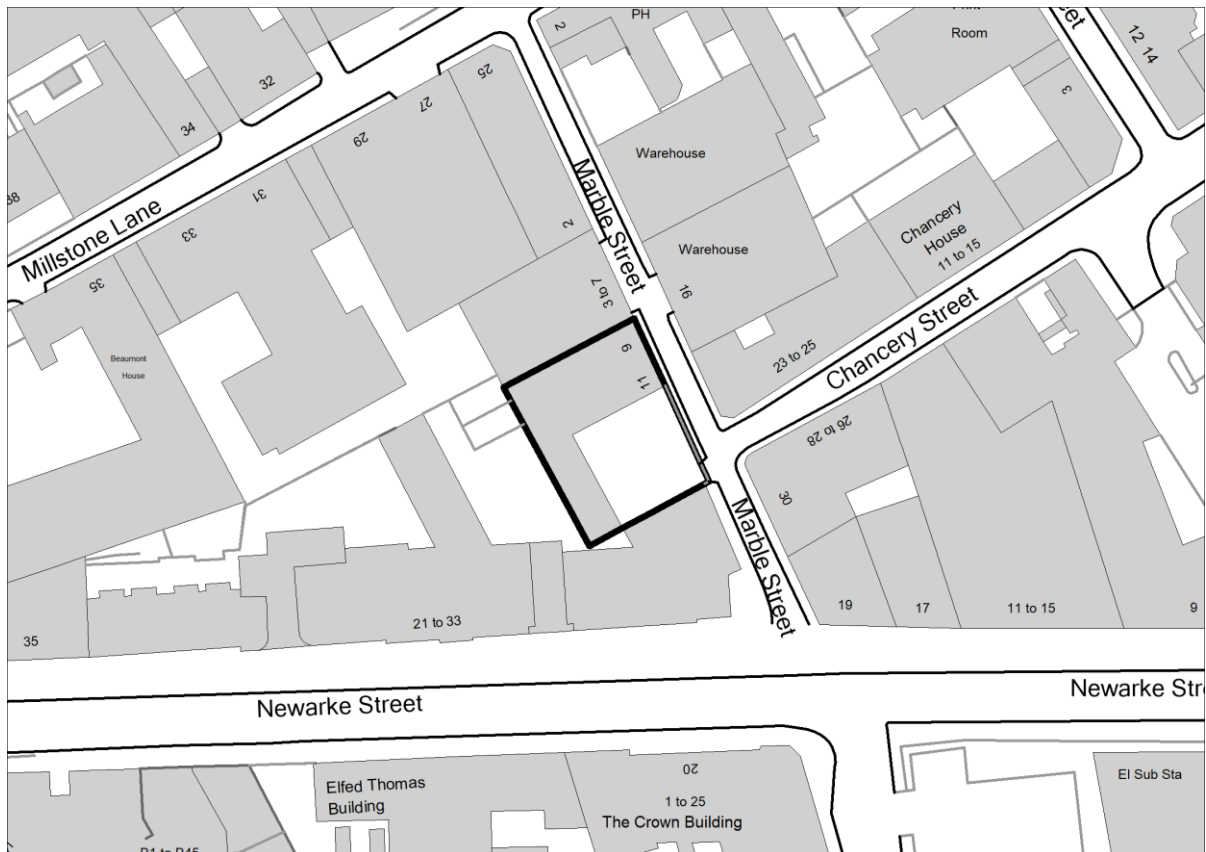
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2019 is considered to be a positive outcome of these discussions.

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_AM11	Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01.
2006_BE16	Planning permission will be granted for the development of renewable energy installations where local impacts are not outweighed by wider benefits. Major developments must realise their potential for incorporating renewable energy technologies.
2006_BE20	Developments that are likely to create flood risk onsite or elsewhere will only be permitted if adequate mitigation measures can be implemented.
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_CS13 The Council will seek to maintain and enhance the quality of the green network so that residents and visitors have easy access to good quality green space, sport and recreation provision that meets the needs of local people.
- 2014_CS14 The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.
- 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_CS19 New development must be supported by the required infrastructure at the appropriate stage. Developer contributions will be sought where needs arise as a result of the development either individually or collectively.

Recommendation: Conditional Approval (Section 106)	
20201133	9-11 Marble Street
Proposal:	Demolition of existing buildings. Construction of six storey building comprising of 4 cluster flats (48 student bedrooms) and 13 x 1 bed student studio flats (Sui Generis), communal area and amenity area. (Amended plans) (subject to a unilateral undertaking under s106)
Applicant:	Mr Kane Tang
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20201133
Expiry Date:	30 November 2020
AS	WARD: Castle



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Summary

- This application is being brought to committee at the request of Cllr Kitterick to consider the acceptability of the living accommodation.
- Two objections, including one from Cllr Kitterick, have been received.
- The key issues are the principle of development, heritage and living standards.

The Site

Currently the site consists of a two, three, and four storey building and car park with brick wall/gates to the front. The site area is around 500sq.m and is located to the west side of Marble Street. The buildings are currently in use as print works/supplier of office equipment.

To the north boundary is Market Street Conservation Area with the Greyfriars Conservation Area and Townscape Heritage Initiative (THI) area just beyond it. The site is also within an archaeological alert area and an air quality management area.

The site is located within the central commercial zone, the Strategic Regeneration Area and a primarily/professional office area.

Marble Street is a narrow street running north to south between Millstone Lane and Newarke Street.

To the south and west of the site fronting Newarke Street is a purpose built student accommodation to a height of eight storeys and to the north is a converted five storey red brick factory. The buildings opposite are between two and four storeys high and are located at the junction with Chancery Street.

Background

20011794 – 3 to 8 storey building with 43 cluster-flats and 1 studio flat (Class C3); was approved in May 2002.

The majority of that development fronting Newarke Street has been built.

The part of the original site not developed at that time is now the subject of this application.

The Proposal

The proposal is for the demolition of the existing building and to construct a new building to a maximum height of six storeys with the sixth floor set back. This will accommodate 61 students in 4 cluster flats (48 beds) and thirteen 1 bed studios contained flats.

The ground floor would contain 3 studios, a laundry room and a 72sq.m communal area. There would also be an amenity area and cycle and waste storage, a post room and a large foyer adjacent to the post room.

The first, second, third and fourth floors would each have 12 bedrooms with en-suite facilities. Each floor would have a separate living/dining area and a communal kitchen.

The fifth floor would have 10 self contained units.

The 3 studio flats on the ground floor have floors areas around 20sq.m. The 10 studio flats to the fifth floor range from 19sq.m to 23sq.m.

The cluster flats bedrooms range between 14sq.m and 16sq.m with the majority being around 14sq.m.

Amendments to the submitted proposal made small increases to the size of some of the bedrooms/studios and now includes a brown roof to the proposed cycle store and an increased number of waste bins.

Policy Considerations

National Planning Policy Framework (NPPF) 2019

Section 2 – achieving sustainable development

Paragraph 11 – the presumption in favour of sustainable development

Paragraphs 39 – 42 the importance of pre-application engagement

Section 5 – Delivering a sufficient supply of homes

Section 9 – Promoting sustainable transport

Paragraphs 122 – 123 – Achieving appropriate densities

Section 7 – Ensuring the vitality of town centres.

Paragraph 85.

Section 12 – Achieving well designed places.

Paragraph 124 – creation of high quality buildings.

Paragraph 126 – design expectations.

Paragraph 127 – visually attractive, create places that are safe, inclusive and accessible and which promote health and well-being

Paragraph 128– Design quality considered throughout the evolution and assessment of individual proposals.

Paragraph 130 – Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Paragraph 170, 175 – Biodiversity

Paragraphs 178 – 193 – Pollution

Section 16 – Conserving and enhancing the historic environment

Paragraphs 189, 190, 192, 193, 194, 195, 196, 197, 199, 200

Development Plan Policies

The most relevant policies are PS10, H07, CS03, CS04, CS12, CS18

Supplementary Planning Documents (SPD)

Residential Amenity SPD (adopted 2008)

Tall Buildings SPD (2007)

Green Space SPD (revised 2013)

Student housing SPD (2012)

Climate Change SPD (2011)

Greyfriars Conservation Area Character Appraisal (2015)

Greyfriars Townscape Heritage Initiative

Market Street Conservation Area Character Appraisal (2015)

City of Leicester Local Plan Appendix One– Vehicle Parking Standards

Achieving Well Designed Homes October 2019 - Leicester City Council's Corporate Guidance.

Economic Development Needs Assessment (2020). (emerging)

Other legal or policy context

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed building or their setting or any features of special architectural or historic interest which they possess.

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.

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

Consultations

Pollution (Noise)

No objection.

Pollution (land contamination)

Having looked at the report submitted it is recommended that a land contamination condition be attached.

Local Highway Authority (LHA)

The proposal does not include provision of any parking spaces and no vehicle access to proposed for the site. Given the location this does not raise any concerns with regard to general parking.

The applicant will need to consider the requirement for disabled parking for the development, particularly if any of the residential units or community areas are to be designed to mobility standards. An existing vehicle access will be stopped up as part of the proposed development. The applicant will therefore be required to remove the footway crossing and reinstate the footway accordingly. Pedestrian access to the site both for residents and servicing is shown as being directly from Marble Street, which is acceptable.

Cycle parking should be a minimum of 34 spaces for single occupancy, bedrooms generally accommodate two bed spaces, so if double occupancy is to be accommodated then the number of cycle storage spaces would need to be higher. We would recommend that at least 34 spaces be provided in this case.

The site is likely to be highly sustainable in terms of travel. It is recommended that residents are provided with Travel Packs.

Lead Local Flood Authority (LLFA)

Details have been submitted and there is no objection subject to further requirements being submitted by way of condition.

City Archaeologist

This proposed development is located in an area with known archaeology, and within a large Roman cemetery and the city's Roman and Medieval suburbs. Human remains dating to the Roman period were found at c1.5m below the current ground surface within 25m of the current proposed development. Construction and associated engineering works may disturb further: human remains and archaeological deposits, including beneath existing cellars and basements. It is therefore recommended a condition be attached required a Written Scheme of Investigation be submitted.

Waste management

The development requires sufficient space for the storage of 4 x 1100 litre refuse bins and 3 x 1100 litre recycling bins. There must be adequate room to store the bins, for residents to access them, there should be a maximum distance of 10 metres from the bin storage area to the road or 20 metres if it is an assisted collection. The door must be wide enough, the store shall have a cleanable floor, be ventilated and well lit.

Environment Team (Energy)

The argument for an air source heat pump, based system being unsuitable is accepted. On that basis, it is recommended a condition be attached requiring full design details of on-site installations to provide energy efficiency measures.

Landscape Development (Open Space)

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

Based on the formula from the Green Space SPD a contribution of £37,718 is required for this application. The contribution will be used for replanting works at Castle Gardens (£17,854) and towards the provision of improved basketball facilities at Victoria Park (£19,864).

Air Quality

The proposal is located within an air quality management area and it is therefore recommended that conditions should be attached regarding the ventilation of the ground floor units facing the street, travel packs and cycle racks.

National Health Service

The NHS requested a contribution through CIL. LCC haven't adopted CIL. The request is therefore not policy compliant.

Conservation Advisory Panel:

The discussion focused on the design, finish and materiality of the new development proposed. While varying comments were raised, the members concluded that the proposed finishes, in particular the light grey brickwork, are welcomed. It was agreed that this would allow for the building to be legible as 'modern' infill development, with no obvious opposition to the adjacent heritage assets (Greyfriars and Market Conservation Area). The design was complimented, considered well-thought through and adequate for the location; a definite improvement on the previously approved scheme.

Representations

Councillor Kitterick has objected and requested a committee decision as he considers the proposal has sub-standard space provision, given that it appears there are many rooms with as little internal space as 13.5 square metres. He considers that this should be a matter for the Committee to consider as the proposal is a significant development and the issue of minimum space standards for developments in the city are a matter currently under debate in the Local Plan process.

A further objection questions whether there is a demand for more student flats in this area. Further concerns raised are that the room sizes are less than 14sq.m, the kitchens are too small for 12 people, limited access to Marble St unsuitable for large vehicles and lack of character. Leicester City Council should provide a report into bespoke student flat developments for the last 10 years and show how many HMO's are up to standard for habitation.

Consideration

Principle of Development / Policy Context

The proposal site lies within the Professional Office Area, as defined on the Local Plan proposals map and referred to in Core Strategy policy CS10. The existing building was not considered worthy of grading in the city centre office review undertaken as part of the emerging Economic Development Needs Assessment (2020).

Residential development and continuing investment in university related projects are supported within the strategic regeneration area and city centre (Policies CS04 & CS12).

I consider that the proposed use for residential rather than business use is acceptable.

The main policy relating to student accommodation in the Core Strategy (2014) is CS06, which requires that:

‘...Proposals for purpose built student housing will normally be accepted if they meet identified needs, are well designed and managed and can be well integrated with local built form and existing communities within walking distance of the main campuses.’

This is supported by the Student Housing SPD which provides more detail to support the criteria set out in Core Strategy Policy CS6. Paragraph 1.16 of the SPD refers to the 6 criteria against which applications are to be determined:

A. Does the development meet an identified need for the type of accommodation proposed?

I accept that there is continuing demand for additional purpose built accommodation within the city.

B. Development will be encouraged within reasonable walking distance of the two university campuses.

The site is close to De Montfort University campus and, although more distant, a reasonable walking route (via New Walk) to Leicester University.

C. The scale of development, including height and massing of the buildings, should be designed to not adversely conflict with adjacent properties or the general residential environment of the surrounding area.

This is considered in the report below.

D. When considered with existing nearby student provision, the development should not have an unacceptable cumulative impact upon surrounding residential neighbourhoods.

The level of student accommodation proposed is not significant in the context of the overall scale of such accommodation available within the city, and the site is within a central location with a wide range of other uses. Paragraph 2.15 of the SPD indicates that cumulative impact is less likely to be an issue within the city centre.

E. The layout, standards and facilities provided in the development ensure a positive living experience.

The layout, standards and facilities provided in the development must ensure a positive living experience. The units also need to be of an appropriate size and layout for modern student accommodation. This is discussed further below.

F. Appropriate management is in place to minimise potential negative impacts from occupants or the development on surrounding properties and

neighbourhoods, and to create a positive and safe living environment for students.

The recommendation includes for an off-site contribution of £37,718.00 for open space provision. A management plan and a travel plan condition would also be attached to any approval.

I conclude that the proposal would comply with Policies CS10 and CS06 of the Leicester Core Strategy (2014), and that the proposal is acceptable in principle.

Given the principle of the use the other main issues to consider in terms of the application are townscape, massing and urban form, design, conservation and heritage, residential amenity, sustainable drainage, landscaping, amenity, access, and archaeology.

Townscape, massing, scale and heights

Paragraph 126 of the NPPF suggests that to provide maximum clarity about design expectation at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality of design.

To comply with the NPPF a number of Actual Visual Representations have been submitted. These views have been taken from a range of points around the site. With these views the proposal can be properly assessed.

The proposal would be six storeys with the sixth floor set back from the proposed front elevation with dormer style windows to the front and rear.

The main height would be in line with the existing red brick building to the north side and would be lower than the student accommodation to the south.

The front elevation has been designed to respect the adjoining red brick building by including a glazed separation element. I consider that the glazed section would ensure that there is a satisfactory juxtaposition between the two and is a welcome feature in the street.

Active frontage

To the ground floor front elevation there would be the large communal area and entrance which will have a curtain walling system which will allow light to penetrate within and out of the building.

Materials

The materials proposed are a mixture of light and dark grey brick with the majority being a light shade, rain screen cladding in a bronze colour, two types of curtain walling (front and rear elevation), render to the rear wall, a zinc graphite grey roof and parapet copings/window cills would be aluminium in a matt finish.

The main choice of brick is consistent with the area. To ensure a high quality finish I would recommend conditions requiring a sample panel be constructed on site and samples of materials be provided.

The windows include perforated and louvred ventilation units which I consider are acceptable in appearance.

Living conditions (for occupiers)

The floor area of the proposed cluster flat bedrooms would be between 13.5sq.m and 16sq.m. Each would contain en suite facilities. There would be separate shared living/ dining and kitchen areas with a floor area of approximately 50sq.m per floor. The kitchen/living/dining areas have sufficient seating for 12 residents to be seated at one time, providing areas for sitting at tables and sofa seating.

The studio flats would be approximately 20sq.m. I consider that this is reasonable given the nature of the accommodation and the provision of shared facilities on the ground floor.

The provision of a mixture of studio flats and cluster flats is welcomed. The cluster flats provide greater opportunity for occupants to mix with others and the shared kitchen/dining/lounge areas are a sufficient size to enable this.

In addition to the above there would be a communal room to the ground floor identified as a social hub space with an area of approximately 72sq.m. This is also a welcome provision benefiting all residents and providing a good meeting and activity space.

To the rear there would be a landscaped seating area for use by all occupiers.

I am satisfied that the proposal would provide acceptable amenity for student occupants and conclude that the proposal complies with saved Policies H07 and PS10 of the Local Plan (2006) and Core Strategy (2014) Policy CS6.

Residential amenity (for neighbours)

The adjoining residential property is purpose built student accommodation and the proposal has been designed so there would be no direct overlooking and no loss of privacy. I do not consider that additional activity would have an unacceptable impact upon the occupiers of nearby properties.

Historic Environment Conservation

The proposal is not attached to a listed or locally listed building. It is adjoining the Market Street Conservation Area and the nearby Greyfriars Conservation Area. I consider that the proposal is a modern infill development which has been designed to reflect the character of the north side of the site and the narrow width of the street.

Archaeology

Due to its location I recommend a condition requiring a Written Scheme of Investigation be submitted.

Waste storage and collection

Within the building there would be a refuse bin area with access from within the building. The application has been amended to include 7 refuse bins, which is acceptable. The access for bin collection is direct from Marble Street.

Highways

The development is located in a sustainable location being within walking distance of the city centre and De Montfort University. The proposal also includes cycle parking.

A management plan condition would secure arrangements for student drop off at the beginning and end of term times, which will help to avoid congestion in the vicinity at those times. Travel packs are also recommended for each occupier.

'I conclude that the proposal complies with Policies CS03 and CS14 of the Core Strategy (2014) and saved Policies AM01 and AM02 of the Local Plan (2006).

Sustainable Energy

A sustainable energy statement has been submitted and I consider it to be appropriate to attach a condition requiring the finer details of their proposal and the maintenance of the system.

Drainage

The details submitted are considered acceptable and further requirements can be satisfied through the use of conditions. The details submitted should be completed prior to the occupation of the site.

Nature conservation / landscaping

A small landscaped courtyard is proposed to the rear and will contain some planting and seating. This area is available for use by all the residents. A brown roof has been included above the proposed single storey cycle store. The applicant has provided details of the type, number and location of the bat and swift boxes that have been requested.

There is no objection to this development on ecological grounds providing the principles of national and local planning policy related to biodiversity are complied with. The proposal is acceptable in ecology terms and I recommend a number of conditions be attached requiring the details of any lighting proposed, and details of the brown roof, I conclude that the proposal complies with Policy CS17 of the Core Strategy (2014).

Pollution

Land contamination: Due to its location a land contamination condition will be attached.

Noise: I am satisfied that no further information is required regarding noise in this locality.

Air Quality

At ground floor there is no sleeping accommodation proposed on the side of the building closest to the street. The Social Hub Space is proposed to be mechanically

ventilated with heat recovery and appropriate levels of filtration in order to provide the fresh air and mitigate any risk of overheating. I consider that to be acceptable.

Green Space Provision

Policy CS13 of the Leicester Core Strategy (2014) states that new development proposals should meet the need for green space provision arising from the development, and that new on-site provision or S106 contributions to improve the quality of, or access to, existing open space will be expected.

The proposal is likely to increase pressure on existing green space provision within an area which exhibits a deficiency in such provision, and that opportunities to create new open space to address the needs of residents are extremely limited within this area. Limited provision can be made on the application site and accordingly a contribution to qualitative improvements off-site is sought. In accordance with the Green Space SPD guidance, the proposal generates a requirement for a contribution of £37,718.

With this provision, the proposal complies with Policy CS13 of the Core Strategy.

Developer Contributions

The statutory tests for the use of section 106 obligations are set out in Regulation 122 of the CIL Regulations 2010. This states that obligations should be:-

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development.

The applicant has agreed to contribute towards replanting works at Castle Gardens (£17,854.) and improved basketball facilities at Victoria Park (£19,864.)

The open space contribution for the above works would be £37,718

I conclude that the proposal complies with Core Strategy (2014) Policy CS19.

Conclusion

I consider that the proposed development complies with the Student SPD, the NPPF and Core Strategy Policies. The proposed development is also appropriate to its setting and complies with CS Policy 03 with its high quality design and CS Policy 18 with regard to preserving the historic environment and the overarching aims of the NPPF.

The proposed new building has been designed to preserve the nearby Market Street and Greyfriars Conservation Areas.

I consider that the proposal would have a minimal effect upon the amenities currently enjoyed by the nearby residents.

The development would contribute to the shortfall in the City Council's five year housing supply.

I recommend APPROVAL subject to conditions and a SECTION 106 AGREEMENT/UNDERTAKING to secure off site green space enhancements.

CONDITIONS

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

2. The flats shall only be occupied by students enrolled on full-time courses at further and higher education establishments or students working at a medical or educational institution, as part of their medical or education course. The owner, landlord or authority in control of the development shall keep an up to date register of the name of each person in occupation of the development together with course(s) attended, and shall make the register available for inspection by the Local Planning Authority on demand at all reasonable times. (To enable the Local Planning Authority to consider the need for affordable housing and education provision and to assess floor space standards and the suitability of the accommodation for general residential purposes in accordance with policies CS06, CS07 & CS19 of the Core Strategy and policies PS10 & H07 of the City of Leicester Local Plan.)

3. A. No demolition or new development shall take place in relation to the proposal until the applicant has secured the implementation of an appropriate programme of archaeological work to be undertaken by a competent and experienced organisation in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved by the City Council as the local planning authority. The scheme must include an assessment of significance, research questions, and:

(1) the programme and methodology of site investigation and recording (with contingency for further excavation if required);

(2) the programme for post-investigation assessment;

(3) provision to be made for analysis of the site investigation and recording;

(4) provision to be made for publication and dissemination of the analysis and records of the site investigation;

(5) provision to be made for archive deposition of the analysis and records of the site investigation;

B. No development shall take place other than in accordance with the Written Scheme of Investigation approved under (A) above.

C. The development shall not be occupied until the site investigation and post-investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under (A) above, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured, unless agreed in writing with City Council as local planning authority.

(To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18. To ensure that the

details are agreed in time to be incorporated into the scheme, this is a PRE-COMMENCEMENT condition).

4. Prior to the commencement of the development above ground level, samples of the materials to be used on all external elevations and roofs, and the construction on site for inspection of sample panels (size, number and detail to be agreed) showing (but not necessarily limited to) brick, bonding & mortar, window frames, reveals, ventilation panels/louvres and cladding shall be provided and approved in writing by the City Council as local planning authority. No works shall be carried out other than in accordance with approved details. (In the interests of visual amenity and to preserve the special character of the area and in accordance policies CS03 and CS18 of the Core Strategy.)

5. Prior to the occupation of the development the details as shown on plan no. 8584-CPM-01-XX-DR-A-7003 P05 for 4 x bat boxes and 6 x swift boxes (set in clusters of 3) shall be incorporated within the elevations, the locations should be determined by an ecologist who should also supervise their installation. The development shall be carried out in accordance with the agreed details and their use monitored for a period of two years and results submitted annually to that authority with the agreed features retained thereafter (In the interest of biodiversity and in accordance with Policy CS17 Biodiversity of the Core Strategy.)

6. Prior to the commencement of the development above ground level, full specification details of the proposed brown roof including construction, planting details and maintenance strategy shall be submitted to and approved in writing by the City Council as local planning authority. The brown roof shall be provided and maintained thereafter in accordance with those details (To ensure sustainable construction and adaptation and mitigation of climate change in accordance with Core Strategy policies CS02 and CS17. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

7. Prior to the commencement of the development above, a detailed landscaping scheme and ecological management plan (LEMP) showing the treatment of all parts of the site which will remain unbuilt upon shall be submitted to and approved in writing by the City Council as local planning authority. This scheme shall include details of: i) new shrub planting, including plant type, size, quantities and locations which should be native species and plant species attractive to pollinating insects; and (ii) other surface treatments. The approved landscaping scheme shall be carried out within one year of completion of the development. For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.) To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

8. Prior to the commencement of the development above ground level a detailed design plan of the external lighting to be used which shows the locations of lights, their type of light emittance and wavelength, together with a lux contour map showing the variation in light, shall be submitted and approved in writing by the local planning authority. The lighting should be designed to cause minimum disturbance to protected species that may inhabit the site with appropriate areas remaining dark and a maximum of 1 lux on vegetated areas where considered necessary. The approved scheme shall be implemented and retained thereafter. No additional lighting should be installed without prior agreement from the Local Planning Authority (In the interests of protecting wildlife habitats and in accordance with policy BE22 and policy CS17 Biodiversity of the Core Strategy.)

9. Prior to the commencement of the development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved by the local planning authority. No flat shall be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details and shall be retained as such. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

10. Prior to the commencement of the development details of drainage, shall be submitted to and approved by the local planning authority. No flat shall be occupied until the drainage has been installed in accordance with the approved details and shall be retained as such. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy). To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition)

11. The approved Travel Plan shall be maintained and operated on first occupation and thereafter with any future changes to the approved plan being submitted to and approved in writing by the City Council as local planning authority. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM12 of the City of Leicester Local Plan and Core Strategy policies CS14 and CS15).

12. Prior to the start of each academic year each student taking up residency in each of the flats shall be provided with the agreed 'New Residents Travel Pack'. (In the interest of sustainable development and in accordance with policy AM02 of the City of Leicester Local Plan and Core Strategy policy CS14).

13. No part of the development shall be occupied until details of the proposed 27 cycle parking spaces which shall be lit have been submitted to and approved in writing by the City Council as local planning authority. The approved spaces shall be provided in accordance with the approved details before occupation and retained as

such thereafter. (In the interests of the satisfactory development of the site and in accordance with policies AM02 and CS02 of the City of Leicester Local Plan).

14. No part of the development shall be occupied until the bin store has been provided in accordance with the details approved. This provision shall thereafter be retained. (In the interests of the satisfactory development of the site and in accordance with policies H07 of the City of Leicester Local Plan).

15. No part of the development shall be occupied until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated. (For the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

16. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the City Council as local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) the loading and unloading of plant and materials; (iii) the storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works. (To ensure the satisfactory development of the site, and in accordance with policies AM01, UD06 of the City of Leicester Local Plan and Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

17. No development shall take place until full design details of on-site installations to provide energy efficiency measures, including a combined heat and power system supplying the hot water for the development, have been submitted to and approved in writing by the City Council as local planning authority. No part of the development shall be occupied until evidence demonstrating satisfactory operation of the approved scheme including on-site installation has been submitted to and approved in writing by the City Council. These details shall be retained as such. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition)

18. No development shall be carried out until the site has been investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, has been submitted to and approved by the City Council as local planning authority. The approved remediation scheme shall be implemented and a completion report shall be submitted to and approved in writing by the City Council as local planning authority before any part of the development is occupied. Any parts of the site where contamination was previously unidentified and

found during the development process shall be subject to remediation works carried out and approved in writing by the City Council as local planning authority prior to the occupation of the development. The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11". (To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PS11 of the City of Leicester Local Plan. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

19. No accommodation shall be occupied until a management plan has been submitted to and approved in writing by the local planning authority. The management plan shall include details of: (a) measures to control the impact of the student occupiers on the surrounding area including the arrangements for refuse collection; and (b) how the arrival and departure of the student occupiers will be managed at the start and finish of each academic term. The premises shall be managed in accordance with the approved management plan thereafter. (To ensure the premises are managed so as minimise the effect of the development on the surrounding area; to ensure that traffic and parking demands at the start and end of terms does not result in congestion in surrounding streets or harm to road safety; and in accordance with policy PS10 of the City of Leicester Local Plan)

20. This consent shall relate solely to the following plans:

Ground floor: 8584-CPM-01-00-DR-A-2001 P09
First floor: 8584-CPM-01-01-DR-A-2002 P08
Second floor: 8584-CPM-01-02-DR-A-2003 P08
Third floor: 8584-CPM-01-03-DR-A-2004 P08
Fourth floor: 8584-CPM-01-04-DR-A-2005 P08
Fifth floor: 8584-CPM-01-05-DR-A-2006 P08
Roof plan: 8584-CPM-01-ZZ-DR-A-2400 P02
Elevations: 8584-CPM-01-ZZ-DR-A-2010 P06
Landscape: 8584-CPM-01-XX-DR-A-7003 P05
Biodiversity plan: 8584-CPM01-ZZ-DR-A-4001 P01
Sections: 8584-CPM-01-ZZ-DR-A-2020 P02
Strip sections 1: 8584-CPM-01-ZZ-DR-A-2550 P03
Strip sections 2: 8584-CPM-01-ZZ-DR-A-2551

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. 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 2019 is considered to be a positive outcome of these discussions.

2. 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.

3. If any 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.

4. With regards to the Travel Pack the contents of the pack are intended to raise the awareness and promote sustainable travel, in particularly for trips covering local amenities. The applicant should contact highwaysdc@leicester.gov.uk for advice.

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_AM12	Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
2006_BE20	Developments that are likely to create flood risk onsite or elsewhere will only be permitted if adequate mitigation measures can be implemented.
2006_BE22	Planning permission for development that consists of, or includes, external lighting will be permitted where the City Council is satisfied that it meets certain criteria.
2006_H07	Criteria for the development of new flats and the conversion of existing buildings to self-contained flats.
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_CS01	The overall objective of the Core Strategy is to ensure that Leicester develops as a sustainable city, with an improved quality of life for all its citizens. The policy includes guidelines for the location of housing and other development.

- 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_CS06 The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
- 2014_CS07 New residential development should contribute to the creation and enhancement of sustainable mixed communities through the provision of affordable housing. The policy sets out the broad requirements for affordable housing.
- 2014_CS08 Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
- 2014_CS13 The Council will seek to maintain and enhance the quality of the green network so that residents and visitors have easy access to good quality green space, sport and recreation provision that meets the needs of local people.
- 2014_CS14 The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.
- 2014_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.
- 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.
- 2014_CS19 New development must be supported by the required infrastructure at the appropriate stage. Developer contributions will be sought where needs arise as a result of the development either individually or collectively.