

Leicester
City Council

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

DATE: WEDNESDAY, 6 JANUARY 2021
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.

For Monitoring Officer

Officer contact:

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e-mail: aqil.sarang@leicester.gov.uk / Ayleena.thomas@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.

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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.

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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:

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

Ayleena Thomas, tel: 0116 454 6369 (email: ayleena.thomas@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 Planning and Development Control Committee can be viewed 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. 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 Wednesday 9 December 2020 are a correct record.

4. 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) 20202080 ST MARGARETS'S BUS STATION,
GRAVEL STREET

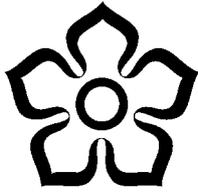
Appendix B

5. ANY URGENT BUSINESS

6. CLOSE OF MEETING

MEMBERS' TRAINING SESSION

After the meeting has closed, there will be an informal Planning and Development Control Committee training session for Members of the Committee.



Leicester
City Council

**Wards:
See individual reports.**

Planning & Development Control Committee

Date: 6th January 2021

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

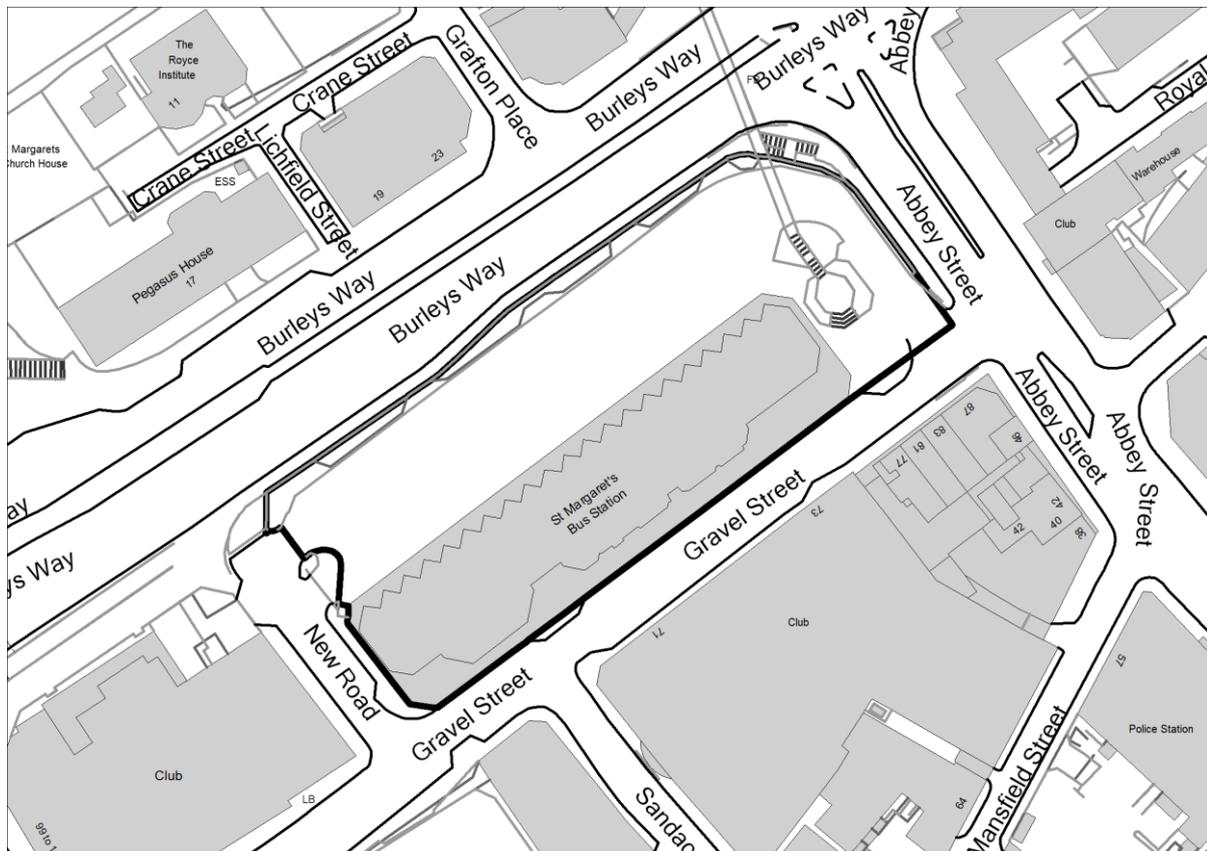
Consultations with other services and external organisations are referred to in individual reports.

11 Report Author

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

Appendix B

Recommendation: Conditional approval	
20202080	St Margaret's Bus Station, Gravel Street
Proposal:	Construction of replacement two storey bus station; Associated landscaping and public realm works (Sui Generis)
Applicant:	Leicester City Council
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20202080
Expiry Date:	20 January 2021
AP	WARD: Castle



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Summary

- The application is reported to committee at officer discretion.
- No objections have been received.
- The main issues relate to design, highways, energy efficiency, sustainable drainage and residential amenity.
- The application is recommended for approval.

The Site

The application site is located on the northwest side of Gravel Street. It also has boundaries to Abbey Street and Burleys Way, part of the inner ring road (A594).

The site is located within the Central Commercial Zone (CCZ). It is also within the Strategic Regeneration Area (SRA) and a Potential Development Area (PDA). It is within an Air Quality Management Area (AQMA), a Laapc buffer zone, the Archaeology Alert Area and a Critical Drainage Area (CDA).

On the opposite side of Burleys Way to the application site is the Corah factory complex and the former Pineapple Pub which are both local heritage assets. Set further back on the opposite side of Burleys Way and fronting St Margaret's Way is St Margaret's Church a Grade I Listed Building. To the east of the application site and behind the Platinum Lace nightclub on Abbey Street is the former St Patricks School, a Grade II Listed Building. To the west of the site is the Church Gate Conservation Area.

The site is predominantly surrounded by commercial properties including retail, a car park and nightclubs. There are some residential units above properties on the opposite side of Gravel Street and Abbey Street.

The site is predominantly hard surfaced with limited existing soft landscaping with trees to the Burleys Way boundary and a tree and shrubs around what was the landing point for the pedestrian bridge over Burleys Way.

Background

The current bus station was built in 1984/85 with extensions added in 2006 and 2013. There have been numerous applications over the years for new signs, shopfronts and changes of use of part of the bus station to taxi offices and a shop. The building is constructed of red brick, blue metal cladding and glazing.

20202114 – Prior approval was granted for the demolition of the existing bus station.

The pedestrian bridge across Burleys Way from the bus station site across to the junction of Burleys Way and St Johns Street has recently been demolished by the Local Highway Authority as it was unsafe.

A new vehicular egress has been installed from the site onto Burleys Way. This is now in use.

The Proposal

The proposed development provides the opportunity to improve the appearance of both the bus station itself and also the wider application site, whilst generally enhancing functionality and the pedestrian environment.

The proposed new bus station will be built on the footprint of the existing bus station and using the existing steel frame, which will be retained following the demolition of the existing structure. The layout of the site will largely remain as it is now with the bus station located to the Gravel Street side of the site, pedestrian access from Gravel Street, vehicular access from Gravel Street and the bus parking bays to the rear of the bus station and further spaces to the boundary with Burleys Way.

The regeneration works will comprise of a modern replacement building with new internal configuration and laying out of landscaping to increase capacity of the bus station and ensure efficient use of land.

Provision will be made for electric bus charging points and secure cycle parking will be provided for 106 cycles. An additional 14 'sheffield' stands to accommodate 28 cycles are proposed externally alongside 18 docking spaces for cycles. The scheme will be a net zero carbon development sustainable through its use of materials, renewable energy infrastructure in the form of PV panels on the roof and appropriate design.

The site currently has 30 bus parking spaces including 5 on Gravel Street itself. The bus parking arrangements on site will be improved to provide 35 overall spaces within the site. There will be no bus stands on Gravel Street.

A separate taxi rank is proposed on Gravel Street.

Within the building at ground floor level will be an improved and expanded open seating area improving comfort and reducing the distance passengers will have to walk to catch their bus. A waiting/lounge area with additional seating is also proposed. Improved toilet facilities are also proposed on the ground floor and a changing places facility.

Rooms operated by National Express and Arriva will also be on the ground floor. These will be public facing rooms and will allow the purchasing of Arriva bus tickets.

A newsagents is proposed on the ground floor to the southern elevation with access from Gravel Street and internally from the bus station. A coffee shop is propose in the south western corner of the building with associated storage and preparation areas.

To account for the additional ground floor space given over to passenger waiting areas a first floor level is proposed. This will function as offices with associated facilities for Arriva Bus and an office for Leicester City Council.

Highway improvements are proposed along Gravel Street, Abbey Street and Burleys Way to work alongside the new bus station. However, as these works are to be carried out by the Highway Authority under their statutory powers, they do not form part of this application.

The proposed materials for the building are indicated as a waterstruck facing brick in light grey/buff, aluminium curtain walling, louvres, façade aluminium cladding system and bespoke aluminium cladding for the main roof feature. All cladding will be in a light grey tone.

The public realm areas are proposed with natural stone aggregate setts in a light grey, mid grey and sand, permeable resin bond gravel in buff and mid grey granite aggregate kerbs. Benches, bollards, door guards, cycle stands are all proposed in stainless steel.

Supporting documents accompanying the application are as follows:

- Design and Access Statement
- Materials Schedule
- Desk Based Archaeological Assessment and Written Scheme of Investigation
- Arboricultural Report
- Air Quality Assessment
- Land Contamination Assessment
- Heritage Assessment
- Flood Risk Assessment
- Lighting Assessment
- Noise Impact Assessment
- Planning Statement
- Preliminary Ecological Appraisal Report
- Sustainability Appraisal
- Transport Assessment
- Travel Plan
- CGI's and visualisations

Policy Considerations

Development Plan policies

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

Supplementary Planning Documents (SPD)

Biodiversity in Leicester SPG
Climate Change SPD

National Planning Policy Framework (NPPF)(2019)

Paragraph 2. - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in

planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

Section 2: Achieving sustainable development

Paragraph 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives.

Paragraph 9 - These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework.

Paragraph 11 - Plans and decisions should apply a presumption in favour of sustainable development.

Paragraph 12 - The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

Section 4: Decision making

Paragraph 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way.

Paragraph 39 - Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties.

Paragraph 40 - Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage.

Paragraph 41 - The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits.

Paragraph 42 - The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle.

Paragraph 43 - The right information is crucial to good decision-making.

Paragraph 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 54 - Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Section 7: Ensuring vitality of town centres

Paragraph 85 – Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Section 8: Promoting healthy and safe communities

Paragraph 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Section 9: Promoting sustainable transport

Paragraph 102 - Transport issues should be considered from the earliest stages of plan-making and development proposals.

Paragraph 105 - Setting local parking standards

Paragraph 108 - In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 110 - Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Section 11: Making effective use of land

Paragraph 117 - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Section 12: Achieving well designed places

Paragraph 124 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.

Paragraph 127 - Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area.

Paragraph 128 - Design quality should be 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 and the way it functions.

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

Paragraph 148 - The planning system should support the transition to a low carbon future in a changing climate.

Paragraph 153 - In determining planning applications, local planning authorities should expect new development to comply with any development plan policies on local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 163 - When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

Paragraph 165 - Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Section 15: Conserving and enhancing natural environment

Paragraph 170 - Planning policies and decisions should contribute to and enhance the natural and local environment.

Paragraph 175 – Biodiversity considerations.

Section 16: Conserving and enhancing the historic environment

Paragraph 184 - Heritage assets should be conserved in a manner appropriate to their significance.

Paragraph 186 - When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status.

Paragraph 188 - Local planning authorities should make information about the historic environment publicly accessible.

Proposals affecting heritage assets

Paragraph 189 - In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including archaeological interest, including any contribution made by their setting.

Paragraph 190 - Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

Considering potential impacts

Paragraph 193 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 196 - Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Consultations

Pollution Control – Land

Pollution Control have no land contamination comments to make regarding this application.

Pollution Control – Noise

No objection to the noise impact assessment however the details of the plant and services have not been finalised. A condition is therefore requested requiring these details to be submitted and agreed before any installation. The plant/services should achieve a rating level not exceeding 5dB under prevailing background noise.

City Archaeologist

A Written Statement of Investigation was submitted and agreed. The standard watching brief condition is requested.

Estates and Building Services Sustainability Section (EBS)

Comments from EBS on Amended Sustainability Design and Construction Statement

Passive Solar Design

The amended statement confirms that the applicant will commit to ensuring the excessive use of artificial lighting is avoided.

Building Fabric and Airtightness

The proposed U-values for the building fabric, for the accommodation and café areas, significantly exceed both the limiting parameters in the building regulations, and the value for the notional building. These values therefore represent an exemplary approach to building fabric efficiency.

Heating, Cooling, Ventilation and Lighting Energy Efficiency

The proposed use of efficient LED lighting, coupled with automatic controls, represents a good approach to lighting efficiency.

The amended statement confirms that electric heating will be used in the accommodation and café areas, with time and area controls. This is an acceptable approach to heating, particularly considering the commitment to use solar PV panels to achieve net-zero emissions from the buildings regulated energy.

Renewable/Low carbon energy supply

It is proposed to fit and 85kWp solar array with an estimated area of 750sqm with the aim of reducing the regulated carbon emissions of the development to a net zero level. This represents an exemplary approach to the use of renewable energy within the development.

Construction materials and waste management

The sustainability statement proposes use of materials that are variously Green Guide A+ rated, recycled and reused and are otherwise responsibly sourced, including timber from FSC certified schemes, alongside the development of a sustainable procurement plan. The proposal also details various waste reduction measures, including a target of diverting 95% of waste from landfill. These represent an exemplary range of measures which will significantly reduce the environmental impact of the development.

Local Highway Authority (LHA)

The redevelopment of St Margaret's bus station is part of wider proposals across the City which cover a series of highway and public realm works to Gravel Street, Abbey Street and Burleys Way and supports highway and transportation objectives to promote travel by bus, cycle and walking and to improve air quality.

Furthermore, additional bus, pedestrian and cycle movements to the bus station generated as a result of the proposals will be supported by other highway schemes being delivered through the Transforming Cities Fund tranche 2 programme.

The Highway Authority is leading on the highway elements of the scheme. As such the LHA have no further comments.

Air Quality

A set of mitigating measures have been identified to be implemented for the construction phase and are included within the submitted report and the Air Quality Officer recommends that they are followed.

Following a discussion with the consultant who prepared the Air Quality Assessment the following measures for the operational phase of the development have been agreed with the Air Quality Officer:

- Mechanical ventilation for all occupied rooms within the station with the concourse naturally ventilated.
- No idling of vehicles including buses and coaches as best practice measures to reduce the potential operational air quality impacts.

Local Lead Flood Authority (LLFA)

Site Details

- The total site area has been defined as 0.8ha and it is stated within the FRA that the existing site is almost entirely impermeable. The permeable and impermeable surfaces as proposed and the net loss or gain of surfaces (presented in sqm or as a percentage) should be clarified.
- The development is considered Brownfield and to comply with Leicester City Council's Core Strategy 2014 – Policy CS02 a 50% reduction of current surface water run off/discharge rates is required. The development should aim to achieve Greenfield run off rate of 51/s/ha where practically possible.
- Should it be impractical to attain 50% betterment, 30% betterment becomes mandatory to fulfil Severn Trent Water sewer adoption criteria and it must be justified in writing why 50% betterment cannot be achieved.
- The building and/or operational life of the development has not been disclosed, this must be confirmed. This is required to ensure correct climate change allowance and peak rainfall intensity allowance for modelling, are chosen.

Flood Risk Assessment

- All development should be designed to manage exceedance and demonstrate that potential exceedance flows are managed without increasing risk to the development or adjacent site. In case of an exceedance event, the surface water will follow the existing topography and drain in the direction of the general fall across the development. The FRA states that, there are no proposed changes of levels in the development and all existing flow paths would remain the same. However, for Major development, exceedance flow routes must be presented on a site finished levels plan.

- A method statement should be submitted, that defines the measures to be implemented during the construction phase of development, which ensure:
 - a. The level of flood risk on site is not increased.
 - b. Limit excess surface water runoff from entering the public sewer systems, without prior consent.

Drainage Strategy

- The drainage strategy states that the existing connections into the public sewer systems are to be used, for both the surface water and foul systems. The surface water and foul connections to a public sewer need to be shown on the drainage plan. Any correspondence with Severn Trent Water (STW) regarding the foul and surface water connections should be provided.
- In accordance with Section 163 of the Highways Act (1980) “Prevention of water falling on or flowing onto the Highway”. All surface water runoff generated because of a development should be retained and managed onsite without discharging onto or across any part of the adjacent highway (footway and carriageway). Drainage measures such as channel drainage should be implemented to intercept and capture runoff from all areas of impermeable hardstanding (rooves, driveways, outdoor communal areas etc.) to prevent runoff water falling on or flowing onto the highway.
- Provide existing and proposed discharge rates for the entire site under the following return periods; QBAR, Q1:1, Q1:30, Q1:100 and Q1:100 plus a climate change allowance. The percentage of climate change allowance required is calculated using the proposed build/operational life of the development and the Environment Agency Vulnerability Classification.
- A drainage layout plan is provided that includes; the foul and surface water systems (purposed and existing), the location of permeable paving, resin bound surfaces tree pits and interceptor (BS 8582: 2013). The drainage layout plan should be updated to include the locations of the existing connections into the public sewer systems, and if any flow control devices are to be used, their location should be confirmed and updated on the drainage plan.
- The Drainage strategy states that the permeable paving has a storage capacity of 14m³. Calculations should be provided to confirm this.
- Detailed drainage calculations are required. These should demonstrate the drainage system is designed to manage all storm events up to and including 1 in 100-year rainfall event with the appropriate climate change allowance to satisfy Leicester City Council’s Core Strategy, 2014 - Policy 2. The rainfall intensity percentage of climate change allowance is calculated using the proposed build/operational life of the development and the Environment Agency Vulnerability Classification.
- All developments, where possible should integrate SuDS to reduce surface water runoff and comply with the National Planning Policy Guidance: Flood Risk and Coastal Change (2014). Having reviewed the site and the

development proposals, the LLFA recommends that the following SuDS are integrated:

- Bioretention: in the form of rain gardens and raised planters. These SuDS attenuate runoff, which is then utilised by the planted vegetation (integrating local plant species). These could be integrated into adjacent areas of soft landscaping or attached directly to the rainwater down right pipes of a building. See CIRIA C753 The SuDS Manual, Section 18, p333-358.
 - Filter Drains: reduce the speed at which runoff enters the drainage systems. The subbase act as temporary attenuation structures and improve water quality via filtration. These can be standalone structures or connected into the drainage network via perforated pipes. See CIRIA C753 The SuDS Manual, Section 16, p303-311.
 - Porous Asphalt / Permeable Resin Bound Surfacing: Are permeable bitmac and tarmac surfacing, which can be used on parking areas and low trafficked roads in a similar fashion to that of permeable paving. See CIRIA C753 The SuDS Manual, Section 20, p387-431.
 - Swales: could be integrated within the area of public open space or located adjacent to the highway, capturing runoff whilst acting as a natural amenity feature of the development. These depression channels will attenuate and convey the runoff away from the development while actively improving water quality through filtration. Check dams can be integrated to increase attenuation further. LCC, expects that the slope gradients of 1:4 or shallower are used for maintenance purposes. See CIRIA C753 The SuDS Manual, Section 17, p313-330.
 - Soft Landscaping Improvements: all landscaping could be colonised with greater and more expansive vegetation, such as shrubs and trees, rather than traditional turfed lawns. As a result, interception and water demand will increase, reducing runoff rates. See CIRIA C753 The SuDS Manual, Section 15, p291-300 & Section 19, p361-383.
 - Permeable Materials: Instead of conventional impermeable hard surfacing, permeable materials should be used wherever possible such as gravel walkways or non-continuous flagstone walkways.
- In the event the recommended SuDS options are not to be integrated, justification in writing is required.
 - The design details are provided for the tree pits. A product specification or design drawing should be provided for the permeable paving, the permeable resin bound surfaces and any further SuDS proposed.
 - A SuDS maintenance plan in accordance with CIRIA C753 The SuDS Manual is provided for the permeable paving and tree puts, however it should be updated to include the responsible organisation for maintenance. A maintenance plan is required for the permeable resin bound surfaces and any

further SuDS proposed. This should outline the weekly, monthly, annual and as required maintenance activities for each SuDS and the responsible person and/or organisation. Example maintenance plans can be found in the CIRIA C753 The SuDS Manual, Appendix B, pages 867-882.

Flood Mitigation

- The site is at medium risk to the impacts of pluvial flooding. It is recommended that the following Flood Resilience Measures (FRM) are considered to minimise the impact of flood risk:
 - a) Sockets positioned 1m above ground level and wired from above
 - b) Raised utility meters
 - c) Waterproof covers on Air bricks
 - d) Non-return valves placed on internal drainage for toilets, sinks, drains etc.
 - e) Construction in flood resilient materials, which have low porosity or waterproof

Water Quality Control Assessment

- To comply with BS 8582:2013, all development should be designed to intercept the first 5mm of rainfall, to minimise mobilisation of pollutants and maintain water quality of surface water discharge from the site. Please refer to the CIRIA C753 The SuDS Manual, Section 24, p527-530 for further guidance. A written statement should be provided, which explains how this will be achieved on site. Where this cannot be achieved, the statement should clearly justify why this cannot be achieved and demonstrate that as much of the first 5mm as practically possible will be retained.
- An Interceptor is shown on the Drainage Layout Plan, however no further details have been provided. A manufacture specification and maintenance plan for the Interceptor are required. The maintenance plan should outline the various maintenance activities, their associated frequencies and the responsible persons/organisations.
- During construction, measures should be implemented to prevent sediment entering the public sewer systems and/or the adjacent watercourse via surface water runoff.

Representations

None received.

Consideration

Principle of development

Core Strategy policy CS04 states that the Strategic Regeneration Area (SRA) 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.

Saved policy PS09 states that development, regeneration and refurbishment will be encouraged within the Potential Development Areas (PDA's) by allowing a range and mix of land uses within these areas.

Within all PDAs a high standard of urban design and commitment to sustainable development will be required and consideration of residential amenity should be addressed.

The Mansfield Street area (PS09(a)2) is identified for priority land uses of public transport interchange, retail and provision for bus operations along Mansfield Street.

The application site has been in use as a bus station since the 1980's therefore the principle of a proposal to develop an improved facility on the same site is in accordance with Core Strategy policy CS04 and Saved policy PS09(a)2 subject to detailed considerations such as design, highways, sustainability, effects on heritage assets and residential amenity.

Design

Core Strategy policy CS03 states that 'Good quality design is central to the creation of attractive, successful and sustainable places. We expect high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. Development must respond positively to the surroundings, be appropriate to the local setting and context and take into account Leicester's history and heritage'.

It goes on further to say that new development should achieve the following urban design objectives:

- Urban Form and Character:
- Contribute positively to an areas character and appearance in terms of scale, height, density, layout, urban form, high quality architecture, massing and materials;
- Protect and where appropriate enhance the historic environment, recognising its value as a place shaping tool.

The proposed bus station is well designed and will make a much needed positive contribution to the character and appearance of the St Margaret's/Mansfield Street area and addresses some of the objectives outlined in the draft Local Plan Townscape Guidance for this area. I consider the proposal to be appropriate to the local setting and context. The associated highway improvements to Gravel Street, Abbey Street and crossing points are also welcome.

A materials schedule has been provided with the application which gives the specifications for most of the materials and this is acceptable. A condition is proposed to require the submission of and agreement of the exact materials to be used to ensure that the design quality indicated is achieved.

The proposal is considered acceptable in terms of Core Strategy policy CS03.

Heritage Assets

Core Strategy policy CS18 states – ‘The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. We will support the sensitive reuse of high quality historic ‘buildings and spaces, promote the integration of heritage assets and new development to create attractive spaces and places, encourage contemporary design rather than pastiche replicas, and seek the retention and re-instatement of historic shop fronts and the protection and where appropriate, enhancement of historic public realm.

The application has been submitted with a thorough Heritage Statement which concluded that the impact of the new bus station on the setting of the nearby heritage assets would be neutral. Following assessment of the site and the application there is little reason to disagree with the findings of the heritage statement. The proposal is considered to have a neutral impact on the nearby heritage assets.

The proposal is considered acceptable in terms of Core Strategy policy CS18.

Residential amenity (*neighbouring properties*)

Saved policy PS10 states the factors that will be taken into account concerning the amenities of existing and proposed residents when considering planning applications. These factors include things such as noise, light, smell and air pollution, the visual quality of the area, additional parking and vehicle movements, privacy and overshadowing, safety and security, access to key facilities.

There are some existing residential flats nearby to the existing bus station. Their relationship to the new bus station will remain the same in terms of distances between buildings and windows and orientation of the buildings. An application for new residential development has recently been granted permission on the opposite side of Gravel Street and another application for a hotel and residential development is under consideration to the west of the site. I do not consider there will be any increased detrimental effects in terms of light, outlook or privacy for either existing or future residents.

Some noise will be experienced during demolition and the construction period but this cannot be avoided. A condition was placed on the demolition that restricted when works can be carried out to minimise the disturbance to residents and I have proposed the same hours of work for the construction phase.

The proposal is considered acceptable in terms of Saved City of Leicester policy PS10.

Waste storage and collection

A bin storage area is shown on the proposed ground floor plan with double doors accessed from the road to the south of the bus station building. This is considered acceptable.

Highways and Parking

Appendix 1 of the City of Leicester Local Plan locates the site within the Central Commercial Zone (CCZ) where the car parking standard is a maximum of 1 space per dwelling.

Core Strategy policy CS14 states that development should be easily accessible to all future users, including those with limited mobility, both from within the City and the wider sub region. It should be accessible by alternative means of travel to the car, promoting sustainable modes of transport such as public transport, cycling and walking and be located to minimise the need to travel.

The proposal will greatly improve public transport facilities, for future users including those with limited mobility, at St Margaret's bus station and the associated highway works around the site will improve the environment for pedestrians and cyclists travelling to and from the bus station.

The proposal includes improved secure cycle storage facilities within the bus station to encourage both staff and users of the bus station to use sustainable transport to get to and from the bus station.

No on site car parking is proposed therefore anyone travelling to the bus station by car will be required to use a public car park. An improved taxi rank is proposed on Gravel Street in front of the bus station.

The proposal will provide an improved experience for public transport users and hopefully encourage more people to use public transport. I therefore consider the proposal acceptable in terms of Core Strategy policy CS14.

Sustainable Energy

Core Strategy policy CS02 states that all development must mitigate and adapt to climate change and reduce greenhouse gas emissions. Best practice energy efficiency and sustainable construction methods should be incorporated in all aspects of the development.

Additional information was requested from the applicant to address the comments and questions of the Sustainability Officer. An amended Sustainability Design and Construction Statement was received on the 9th December and the Sustainability Officer has confirmed that proposed measures within the statement will meet the requirements of Core Strategy policy CS02.

I have proposed a condition to ensure the above provision is delivered.

The proposal is acceptable in terms of Core Strategy policy CS02 (part 2) relating to best practice energy efficiency and sustainable construction methods.

Drainage

Core Strategy policy CS02 states that development should be directed to locations with the least impact on flooding or water resources. Both greenfield and brownfield sites should be assessed for their contribution to overall flood risk, taking into account climate change. All development should aim to limit surface water run off by attenuation within the site as a means to reduce overall flood risk and protect the quality of the receiving watercourse by giving priority to the use of sustainable drainage techniques in developments.

The application site is within Flood Zone 1 so is not seen as being at risk from fluvial flooding. The site is however within a critical drainage area where there is a risk of pluvial flooding (surface water flooding).

The proposal retains the floor plate of the existing bus station and the hard surfaced areas around it to provide the access into the bus station for vehicles and the required parking bays. The site has limited existing soft landscaping therefore there are limited opportunities to provide improved surface water drainage by the use of sustainable drainage measures.

Additional information has been received from the applicant to address the comments and questions of the LLFA. At the time of writing this report this information was being considered by the LLFA and the comments on that information will be included within an addendum report.

Nature conservation/Trees/landscaping

Core Strategy policy CS17 states that the Council will expect development to maintain, enhance, and/or strengthen connections for wildlife, by creation of new habitats, both within and beyond the identified biodiversity network. In Leicester's urban environment private gardens, previously developed land, buildings and built structures can also provide important habitats for wildlife.

Saved City of Leicester policy UD06 states that new development must include planting proposals unless it can be demonstrated that the scale, nature and impact of the development or character of the area do not require them.

Planting proposals should form part of an integrated design approach which includes overall layout, access routes, fencing, hard landscaping, lighting, services and street furniture and should be submitted as part of the planning application.

The submitted Preliminary Ecological Appraisal report is accepted and I am satisfied that the site is of low ecological value and that no further surveys are required.

The existing trees and landscaped areas on the site are poorly connected to existing wider ecological networks however they do provide some on site habitat. They have been identified as being suitable to support small numbers of common breeding birds therefore mitigation is required to avoid any disturbance during development works. I have proposed a note to applicant advising that works to remove

trees/shrubs should not be carried out during bird nesting season but if cannot be avoided the measures that will need to be taken.

To mitigate against the loss of green infrastructure the applicant has agreed to install bird bricks as part of the building. A plan has been received showing the location, number and the specifications of the type of bird brick to be used. This is considered acceptable.

A green roof was considered to provide a biodiversity net gain however one is not proposed as the roof of the bus station is proposed to be used for PV panels to provide on-site renewable energy provision to assist in the site being a net zero carbon development.

A detailed landscaping plan has been submitted with the application which shows the proposed soft and hard landscaping works and details have been provided of proposed tree species, material types and street furniture including seats, bins and cycle stands. I consider these details to be acceptable and in accordance with the requirements of Saved policy UD06.

Conclusion

The proposal will provide a much improved public transport facility for the residents of Leicester and also for those visiting the city. The design of the new bus station will provide an improved view along Burleys Way and this section of the inner ring road.

I recommend that this application is APPROVED subject to conditions

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990)
2. Before the construction of any external walling details of the design and materials for all external surfaces shall be submitted to and approved in writing by the City Council as Local Planning Authority. The details shall include the construction of a sample panel on site for inspection and approval. The development shall only be carried out in accordance with the approved details. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03).
3. The approved landscaping scheme shown on BDP Plan Ref: SMGS-BDP-00-XX-DR-L-ZZ_70_60-0100 Rev P06 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)

4. The development shall be constructed in accordance with the details shown on Plan Ref: SMGS-BDP-SK060 Rev P2 received on the 10th December showing the details of the proposed bird bricks. These features shall be retained thereafter. (In the interests of biodiversity enhancement and in accordance with Core Strategy policy CS17)

5. 1. The development shall take place only in accordance with the approved Written Scheme of Investigation (WSI) for a supervised watching brief. The scheme must include an assessment of significance, research questions, and:

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

(b) the programme for post-investigation assessment;

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

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

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

2. No development shall take place other than in accordance with the Written Scheme of Investigation approved under (1) above.

3. 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 (1) above, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured, unless agreed in writing with the City Council as local planning authority. (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18)

6. No part of the development shall be occupied until the secure and covered cycle parking has been provided, and it shall be retained thereafter, in accordance with details shown on BDP Plan Ref: SMGS-BDP-00-00-DR-A-ZZ_70_60-0002 rev P4. (In the interests of the satisfactory development of the site and in accordance with Saved policy AM02 of the City of Leicester Local Plan).

7. The development shall be carried out in accordance with the WYG Transport Planning Travel Plan (Report No. RT118772-02 dated October 2020). The Plan shall monitor travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

8. Before the installation of any plant or services full details of the proposed plant/services shall be submitted to and approved in writing by the City Council as Local Planning Authority. The plant/services shall achieve a rating level not exceeding 5dB under prevailing background noise. The approved plant and services shall be installed as approved and maintained thereafter. (In the interests of

residential amenity and in accordance with Saved City of Leicester policies PS10 and PS11)

9. Before the construction of any external walling the full design details of on-site installations, including a solar PV array, in accordance with the information submitted within the Arcadis Sustainability Design and Construction Statement Version 6 received 9th December 2020 shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be constructed in accordance with the approved details. 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 as Local Planning Authority. The installations shall be retained and maintained thereafter. (In the interests of carbon reduction and energy efficiency and in accordance with Core Strategy policy CS02)

10. No construction including groundworks, enabling and site set-up works, other than unforeseen emergency work shall be undertaken outside of the hours of 0730 to 1800 Monday to Friday, 0730 to 1300 Saturday, or at any time on Sundays or Bank Holidays, unless the details and methodology have previously been submitted to and approved in writing by the City Council as Local Planning Authority. (In the interests of the amenities of nearby occupiers, and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan.)

11. This consent shall relate solely to the submitted plans ref. no. SMGS-BDP-00-ZZ-DR-A-ZZ_70_30-0010 Rev P4, 70_30-0012 Rev P2, 70_80-0020 Rev P3, 00-DR-A-ZZ_70_60-0002 Rev P4, XX-DR-A-ZZ_70_60-001 Rev P4, 01-DR-A-ZZ_70_60-0003 Rev P4, RF-DR-A-ZZ_70_60-0004 RevP3, XX-DR-L-ZZ_70_60-0100 Rev P06 and 70_60-0101 Rev P02 received by the City Council as Local Planning Authority on 21st October and 1st December 2020. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. Further to condition 10, it is unlikely that any construction or demolition work will be agreed outside of the hours detailed above unless the City Council Noise and Pollution Control Team is satisfied that the work will not be detrimental to occupiers of neighbouring properties or the developer is able to demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.

2. Removal of trees or shrubs 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 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 to the nest whilst it is in use.

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

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_AM05 Planning permission for large scale development will not be granted unless provision is made for access to and for bus routes.
- 2006_AM11 Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01.
- 2006_BE10 In developments involving a new shopfront, the design should be an integral part of the whole building and should be in proportion to the lines of the facade of which it forms a part.
- 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_PS08 Planning permission will be given for development that contributes towards the creation of a science and technology based business park in the vicinity of the Space Centre.
- 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_SPA05 Key City Centre uses and facilities will be required to locate on appropriate sites within the City Centre.
- 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_CS10 The Council will seek to ensure that Leicester has a thriving and diverse business community that attracts jobs and investment to the City. The policy sets out proposals to achieve this objective.
- 2014_CS12 In recognition of the City Centre's role in the City's economy and wider regeneration, the policy sets out strategies and measures to promote its growth as a sub-regional shopping, leisure, historic and cultural destination, and the most accessible and sustainable location for main town centre uses.
- 2014_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.