



Leicester
City Council

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

DATE: WEDNESDAY, 2 OCTOBER 2024

TIME: 5:30 pm

**PLACE: Meeting Rooms G.01 and G.02, Ground Floor, City Hall,
115 Charles Street, Leicester, LE1 1FZ**

Members of the Committee

Councillor Surti (Chair)

Councillors Bajaj, Cassidy, Gopal, Joel, Kennedy-Lount, Kitterick,
Modhwadia, Mohammed, Dr Moore and Singh Patel

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

For Monitoring Officer

Officer contact:

**Jessica Skidmore, Governance Services Officer /
Sharif Chowdhury, Senior Governance Services Officer**

e-mail: committees@leicester.gov.uk

Governance Services, Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ

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

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PUBLIC SESSION

AGENDA

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- 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**

Appendix A

Members are asked to confirm that the minutes of the meeting of the Planning and Development Control Committee held on 24 July 2024 and 21 August 2024 are a correct record.

4. PLANNING APPLICATIONS AND CONTRAVENTIONS [Appendix B](#)

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) **20230594 LEICESTER RAILWAY STATION,
LONDON ROAD** [Appendix C](#)

(ii) **20240595 LEICESTER RAILWAY STATION** [Appendix D](#)

(iii) **20240227 115 EVINGTON VALLEY ROAD** [Appendix E](#)

(iv) **20240548 42 BARNES CLOSE** [Appendix F](#)

5. ANY URGENT BUSINESS



Leicester
City Council

Appendix A

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 24 JULY 2024 at 5:30 pm

P R E S E N T :

Councillor Surti (Chair)

Councillor Cassidy
Councillor Joel
Councillor Kitterick

Councillor Osman
Councillor Porter

Councillor Modhwadia
Councillor Mohammed
Councillor Dr Moore

* * * * *

10. APOLOGIES FOR ABSENCE

The Chair welcomed those present and led on introductions.

Apologies were received from Councillor Aldred.

11. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

Councillor Osman declared an interest in the second application, 10 Rockery Close as the ward councillor for the Thurncourt ward. However, confirmed to hear the application with an open mind.

12. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held 12 June 2024 be confirmed as a correct record.

13. PLANNING APPLICATIONS AND CONTRAVENTIONS

14. 20240426 6 HYDE CLOSE

20240426 - 6 Hyde Close

Ward: Beaumont Leys

Proposal: Change of use from house (Class C3) to residential children's care home (Class C2) (max 3 children)

Applicant: Mrs Stacy Jemwa

The Planning officer presented the report.

Reece Curtis addressed the Committee and spoke in support of the application.

Harry Fowler addressed the Committee and spoke in opposition to the application.

Councillor Rae Bhatia addressed the Committee and spoke in objection of the application.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report. This was seconded by Councillor Cassidy and upon being put to the vote, the motion was NOT CARRIED.

AMENDMENT

Councillor Porter moved an alternative motion that the proposed scheme should be refused as the proposal by reason of negative impacts upon the amenity of occupiers of nearby residential properties from associated noise and activities would be unacceptable and contrary to paragraph 135f of the NPPF and Saved Policies PS10 and PS11 of the 2006 City of Leicester Local Plan.

This was seconded by Councillor Osman, the amendment was CARRIED.

RESOLVED: That the application be refused as the proposal by reason of negative impacts upon the amenity of occupiers of nearby residential properties from associated noise and activities would be unacceptable and contrary to paragraph 135f of the NPPF and Saved Policies PS10 and PS11 of the 2006 City of Leicester Local Plan.

That the detailed wording of the reasons for refusal to be delegated to officers to draft in consultation with the Chair of Planning Committee.

15. 20240982 10 ROCKERY CLOSE

20240982 - 10 Rockery Close

Ward: Thurncourt

Proposal: Change of use from dwellinghouse (Class C3) to residential children's home (Class C2) (4 children)

Applicant: Mr Ranjit Singh Baines

The Planning Officer presented the report.

Dean Bennett addressed the Committee and spoke in support of the application.

Miss A.F Patel addressed the Committee and spoke in opposition to the application.

RESOLVED: that the application be refused as the proposal by reason of negative impacts upon the amenity of occupiers of nearby residential properties from associated noise and activities would be unacceptable and contrary to paragraph 135f of the NPPF and Saved Policies PS10 and PS11 of the 2006 City of Leicester Local Plan.

That the detailed wording of the reasons for refusal to be delegated to officers to draft in consultation with the Chair of Planning Committee.

16. 20240806 2 BROADWAY ROAD

20240806 - 2 Broadway Road

Ward: Stoneygate

Proposal: Construction of a hip to gable roof alteration and dormer to the rear of house (Class C3)

Applicant: Mr O Ebrahim

The Planning Officer presented the report.

Alex Prowse addressed the Committee and spoke in support of the application.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report. This was seconded by Councillor Mohammed and upon being put to the vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to conditions relating to:

- secure the completion of the works within 6 months of the decision
- secure compliance with the approved plans
- ensure that the materials used will match the existing property to secure an appropriate standard of development

The detailed wording of the conditions to be drafted by officers in consultation with the Chair of Planning Committee.

17. 20240303 31 CLAREFIELD ROAD

20240303 - 31 Clarefield Road

Ward: Western

Proposal: Variation of condition 4 (approved plans condition) attached to planning permission 20220424 (single storey extension at front and first floor extension to side of house (Class C3)) to include construction of single storey extension to front of house

Applicant: Mr Gurjeet Rajania

The Planning Officer presented the report.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report. This was seconded by Councillor Cassidy and upon being put to the vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to conditions set out below:

CONDITIONS

1. The development shall be begun within three years from the date of the initial permission (4th August 2022). (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The external elevations shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. Before the occupation of the new utility space, the window facing 29 Clarefield Road shall be fitted with sealed obscure glazing to Pilkington level 4 or 5 (or equivalent) (with the exception of top opening light) and retained as such. (In the interests of the amenity of occupiers of 29 Clarefield Road and in accordance with policy PS10 of the City of Leicester Local Plan).

4. Development shall be carried out in accordance with the following approved plans:

Proposed variation of condition, 2021-29-PL-03 - rev 1, received 1 June 2024

(For the avoidance of doubt).

NOTES FOR APPLICANT

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

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

18. 20240067 25 GOTHAM STREET

20240067 - 25 Gotham Street

Ward: Stoneygate

Proposal: Construction of dormer extension at rear; installation of two skylights at front; conversion of basement to store room and Installation of window at front and rear of basement; alterations to house (Class C3) (Amended plans received 31/05/2024)

Applicant: Souad Haddouch

The Planning Officer presented the report.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report and additional conditions set out in the addendum report.. This was seconded by Councillor Mohammed and upon being put to the vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to the conditions set out below:

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 cheeks and roof of the dormer(s) shall be constructed in materials to match the existing roof. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)

3. The basement window to the front shall be made from timber. (In the interests of visual amenity and the character and appearance of the Soth Highfields Conservation Area, and in accordance with Core Strategy policy CS3 and CS18)

4. The external elevations shall be constructed in materials to match those existing. (In the interests of visual amenity and the character and appearance of the Soth Highfields Conservation Area, and in accordance with Core Strategy policy CS3 and CS18)

5. The basement shall not be used as a habitable room. (In the interests of residential amenity in accordance with Policy PS10 of the City of Leicester Local Plan.)

6. Development shall be carried out in accordance with the following approved plans:

Existing and Proposed Elevations, D201 - 31/12/2023, received 31/05/2024

Proposed Floor Plans, D102 - 31/12/2023, received 31/05/2024

Existing and Proposed Elevations, D202 - 31/12/2023, received 31/05/2024

Existing and Proposed Sections, D203 - 31/12/2023, received 31/05/2024

Existing and Proposed Sections, D203 - 31/12/2023, received 31/05/2024

(For the avoidance of doubt).

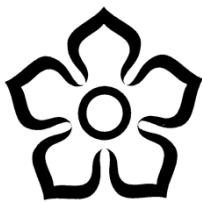
NOTES FOR APPLICANT

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

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

19. ANY URGENT BUSINESS

There was no other business.



Leicester
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Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: Wednesday, 21 August 2024 at 5:30 pm

P R E S E N T :

Councillor Aldred (Chair)

Councillor Bonham
Councillor Cassidy
Councillor Gopal

Councillor Halford
Councillor Modhwadia
Councillor Mohammed

Councillor Dr Moore
Councillor Singh Patel

* * * * *

1 APOLOGIES FOR ABSENCE

Councillor Aldred, as Chair, welcomed those present and led on introductions.

Apologies were received from Councillors Joel, Kennedy-Lount, Kitterick and Surti.

Councillor Bonham and Councillor Halford were noted to be in attendance as substitutes for Councillor Surti and Councillor Joel.

2 DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

Councillor Mohammed declared that the first application regarding 62 Evington Valley Road, resided in his ward but maintained an open mind.

Councillor Bonham declared that he had been involved in discussions regarding items on the agenda but maintained an open mind.

Councillor Aldred declared that she had received an email regarding 62 Evington Valley Road, but maintained an open mind.

3 PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair noted that the items would be taken according to the order listed on the agenda.

(i) 20240579 62 EVINGTON VALLEY ROAD

20240579 - 62 Evington Valley Road, Unit 14 Ground Floor

Ward: Stoneygate

Proposal: Retrospective application for change of use of the ground floor from religious, education and community use (Use Class F2) to wedding and events venue (Sui generis), external alterations to the front facade

Applicant: Mr Salman Patel

The Planning Officer presented the report.

Mr George Weightman, on behalf of the application, addressed the Committee and spoke in support of the application.

Mr Miah and Mr Azeem addressed the Committee and spoke in opposition to the application.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and points raised by Committee Members and moved that in accordance with the Officer recommendation and the addendum report, the application be approved, subject to conditions as suggested in the addendum report. This was seconded by Councillor Cassidy, and upon being put to the vote, there were 4 Members of the Committee who voted to support the application and 4 Members of the Committee that voted to reject the application. Following the Chairs casting vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to the conditions set out below:

CONDITIONS

1. Within 6 months of the date of this consent, all parking areas shall be surfaced and marked out in accordance with details shown on plan 1195-MPD-XX-ZZ-DR-A-1101 revision P02 received by the City Council as Local Planning Authority on 16 May 2024, 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 saved policy AM11 of the City of Leicester Local Plan and Core Strategy policies CS03, CS14 and CS15.)
2. The use shall not be carried on (except preparation of events and cleaning/taking down after the events) outside the hours of 0800-2300 Monday to Saturday and 0900-2100 on Sundays. (In the interests of the

amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)

3. The use shall only operate in accordance with the details shown in the Noise Management Plan received by the City Council as local planning authority on 24 July 2024. (In the interests of the residential amenity of the occupiers of nearby properties and in accordance with saved policy PS10 of the City of Leicester Local Plan.)
4. Development shall be carried out in full accordance with the following approved plans:
Proposed Elevations, 1195-MPD-XX-ZZ-DR-A-1400, rev P02 received 16 May 2024
Proposed Ground Floor Plan, 1195-MPD-XX-ZZ-DR-A-1200, rev P02 received 16 May 2024
Location Plan and Proposed Site Plan, 1195-MPD-XX-ZZ-DR-A-1101 rev P02, received 16 May 2024
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process and pre-application.
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.

(ii) 20240386 42 SOUTHERNHAY ROAD

20240386 - 42 Southernhay Road

Ward: Knighton

Proposal: Demolition of existing dwelling; construction of detached two storey dwelling (6 beds) (Class C3)

Applicant: Mr Dhillon

The Planning Officer presented the report.

Ms Domin addressed the Committee and spoke in objection to the application.

Councillor Whittle addressed the Committee and spoke in opposition to the application.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report. This was

seconded by Councillor Mohammed and upon being put to the vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to the conditions set out below:

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. Prior to works above ground level, the proposed bricks to be used on all external elevations shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03).
3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to any dwelling house of types specified in (amend as necessary e.g. Part 1, Classes A, B, and E of) Schedule 2 to that Order shall be carried out without express planning permission having previously been obtained. (Given the nature of the site, the form of development is such that work of these types may be visually unacceptable or lead to an unacceptable loss of amenity to occupiers of neighbouring properties; and in accordance with policy PS10 of the City of Leicester Local Plan).
4. Before the occupation of the proposed extension new windows facing 40 and 44 Southernhay Road shall be fitted with sealed obscure glazing to Pilkington level 4 or 5 (or equivalent) (with the exception of top opening light) and retained as such. (In the interests of the amenity of occupiers of 40 and 44 Southernhay Road and in accordance with policy PS10 of the City of Leicester Local Plan).
5. Prior to the commencement of 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/property shall be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. 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).

6. Prior to the commencement of development details of drainage, shall be submitted to and approved by the local planning authority. No flat/property shall be occupied until the drainage has been installed in accordance with the approved details. 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).
7. Prior to any works above ground level, a detailed landscape and ecological management plan (LEMP) showing the treatment and maintenance of all parts of the site which will remain unbuilt upon shall be submitted to and agreed in writing with the City Council as local planning authority. This scheme shall include details of: (i) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means of planting, staking, and tying of trees, including tree guards; (iv) other surface treatments; (v) fencing and boundary treatments (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots), (viii) a detailed plan of the biodiversity enhancements on the site including a management scheme to protect habitat during site preparation and post-construction, and (ix) specifications of 1 x Sparrow terrace nest boxes, 1 x bird nest box 1 x bat box, and their locations in the application site. The approved LEMP shall contain details on the after-care and maintenance of all soft landscaped areas and be carried out within one year of completion of the development. For a period of not less than 30 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, and CS17 Biodiversity).
8. The development shall be carried out in accordance with the recommendation outlined in the tree protection plan received by the city council as local planning authority on the 26th February. (In the interest of biodiversity and in accordance with Core Strategy policy CS17, saved policy UD06 of the 2006 Local Plan and paragraph 136 of the National Planning Policy Framework 2023).
9. Notwithstanding condition 7, development shall be carried out in accordance with the following approved plans:
2024/02/33, pages 1 to 12 received 26 February 2024
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any

representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).

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

2. Any development where surface water runoff will be managed through discharge into a public sewer will require approval from Severn Trent Water (STW). It is recommended that STW are consulted regarding the proposed connection. An application for connection will need to be completed and submitted to STW once planning approval is granted. Where indirect drainage connections are proposed (within private land) as part of a development, the two following steps must be completed:
 - Approval from Severn Trent Water (STW) must be obtained for an indirect connection.
 - Permission must be obtained from the affected Landowner(s) for any works to take place in their land and for the connection to be made into their private sewer network. It is recommended that legal advice is sought to secure an appropriate agreement. Any disputes regarding this are considered neighbour disputes.
3. All foundations, gutters and downpipes should be wholly within the application site. No permission is granted for development on, above or under any adjacent property outside the ownership of the applicant. The applicant may need to enter into a Party Wall Agreement.
4. Condition 3 refers to alterations/extensions that you are normally allowed to carry out to houses without planning permission. In this case the City Council wants to be able to control any alterations and extensions to preserve the appearance of the property or protect the amenities of neighbouring properties. You should submit a pre-application enquiry on our website if you are considering such works.

(iii) 20240612 23 MERTON AVENUE

20240612 - 23 Merton Avenue

Ward: Fosse

Proposal: Replacement of timber windows and doors to UPVC windows and doors at rear of dwellinghouse (Class C3)

Applicant: Mrs Rakhi Ward

The Planning Officer presented the report.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and moved that in accordance with the Officer recommendation, that the application be approved. This was seconded by Councillor Halford, and upon being put to the vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to the conditions set out below:

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 development shall be carried out in accordance with the approved external materials and details and retained as such. This should include:
 - Vertical sliding sash windows, 'bottom smaller window', and 'Patio door' (as described in the proposed elevation plans) shall be upvc with a cream woodgrain effect shall be upvc with a cream woodgrain effect: and
 - 'Kitchen door (as labelled in the proposed elevation plans) to be upvc with a Chartwell Green (or similar) woodgrain effectas shown in the proposed elevations 'proposed windows and doors' received on the 2nd April 2024. (In the interests of visual amenity, and to preserve the character of St Paul's Conservation Area in accordance with Core Strategy policy CS03.)

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.

(iv) 20240332 288 EVINGTON ROAD

20240332 - 288 Evington Road

Ward: Stoneygate

Proposal: Demolition of conservatory; construction of two storey extension at side; dormer at rear of house (Class C3); alterations (Amendments received)

Applicant: Mr Peter Soulsby

The Planning Officer presented the report.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report. This was seconded by Councillor Halford and upon being put to the vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to the conditions set out below:

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 external elevations shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. The development shall be carried out in accordance with the recommendation outlined in Section 7 of the supplied tree survey and report and the tree protection plan received by the city council as local planning authority on the 19th February. (In the interest of biodiversity and in accordance with Core Strategy policy CS17, saved policy UD06 of the 2006 Local Plan and paragraph 136 of the National Planning Policy Framework 2023).
4. The development shall be carried out in accordance with the recommendation outlined in appendix 01 of the approved Preliminary Bat Roost Assessment received by the Local Planning Authority on 29 July 2023. Should the development not be carried out within 24 months of the original report then a repeat survey shall be carried out and submitted to and agreed in writing with the City Council as local planning authority. (In the interest of biodiversity and in accordance with Core Strategy policy CS17 and section 15 of the National Planning Policy Framework 2023).
5. Prior to the commencement of 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. The extension shall not be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. 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).

6. Prior to the commencement of development detailed measures of flood proofing/resilience techniques shall be submitted to and approved by the local planning authority. The details shall be incorporated in accordance with the National Planning Policy Guidance (NPPG) "Preparing a flood risk assessment: Standing Advice" to conduct a suitable self-assessment of flood risk. The proposed extension shall not be occupied until the measures have been implemented in accordance with the approved details. It shall be retained and maintained thereafter. (To minimise the risk of damage in times of flooding, and 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).
7. No part of the development shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy).
8. The development shall be carried out in accordance with the approved plans:
Proposed Extension and Sections A-A & B-B, received 11th June 2024
Tree Protection Plan 01, received 19th February 2024
Tree Survey and Constraints Plan 01, received 19th February 2024
Proposed Plans, received 19th February 2024
(For the avoidance of doubt).

NOTES FOR APPLICANT

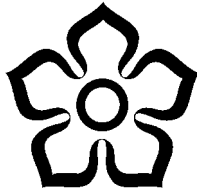
1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.
2. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permissionFor further guidance please visit <https://www.gov.uk/guidance/flood-risk->

activities-environmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

4 ANY URGENT BUSINESS

There being no further urgent business, the meeting closed at 19:47pm.



Leicester
City Council

Wards:
See individual reports.

Planning & Development Control Committee

Date: 2 October 2024

REPORTS ON APPLICATIONS, CONTRAVENTIONS AND APPEALS

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 2017 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.
- 3.5 Chapter 14 of the National Planning Policy Framework – Meeting the challenge of climate change, flooding and coastal change – sets out how the planning system should support the transition to a low carbon future, taking full account of flood risk and coastal change. Paragraph 149 states “Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.”
- 3.6 Paragraphs 155 - 165 of the National Planning Policy sets out the national policy approach to planning and flood risk.

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 mitigating those impacts, such as increased demand for school places and demands on public open space, 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 (Amendment)(England) Regulations 2019.
- 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. Other reasonable arrangements for inspecting application documents can be made on request by e-mailing planning@leicester.gov.uk . 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 grant.butterworth@leicester.gov.uk (0116) 454 5044 (internal 37 5044).

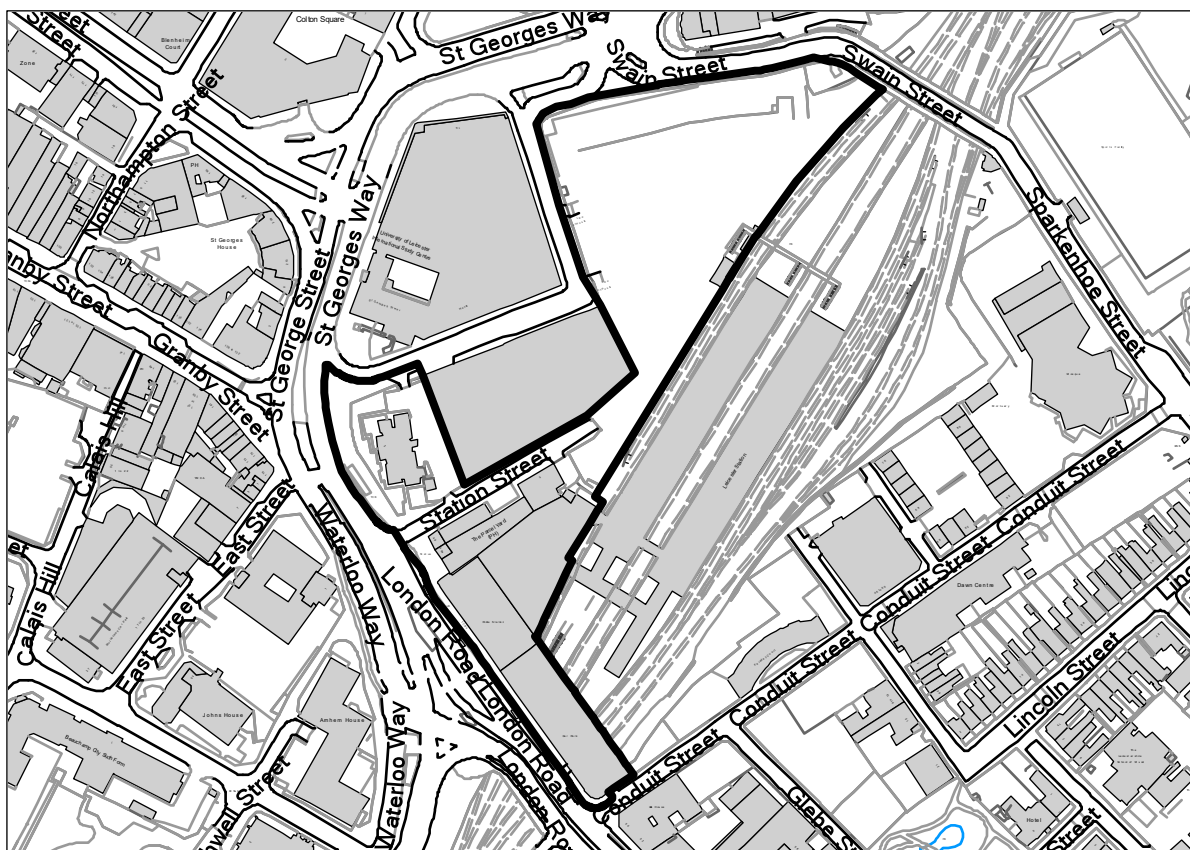
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APPLICATION ORDER**

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Appendix C

COMMITTEE REPORT

20240594	Leicester Railway Station (Midland Main Line), London Road, Leicester LE2 0QB	
Proposal:	Redevelopment of Leicester Railway Station to include new entrance to ticket hall; pedestrian ramp; erection of a canopy, pedestrianisation and regrading of Station Street to create public realm; relocation of Grade II listed gate piers; relocation of Thomas Cook statue; replacement cycle storage; soft and hard landscaping, lighting and CCTV; relocation of taxi rank, Pick-up / Drop-off point, reduced mobility parking bays; refurbishment works to Porte Cochere; provision of heating and cooling units; services and boundary treatment and other associated works.	
Applicant:	Leicester City Council	
App type:	Operational Development - Full application	
Status:	Small-scale Major Development	
Expiry Date:	30 July 2024	
KI	TEAM: PM	WARD: Castle



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Summary

- The planning application is brought to committee at the discretion of the Head of Planning and in the context of Planning and Development Control Committee's determination of application 20231214 for the Demolition of 48 London Road (Date: 06/12/2023).
- This is a major redevelopment project for Leicester Railway Station, and the main issues to consider are the principle of development, and impacts on heritage assets, highways, public realm, and residential amenity.
- Five objections and one letter of support have been received for this planning application.
- The application is recommended for approval subject to conditions.

The Site

The planning application (and associated Listed Building Consent application reference 20240595 elsewhere on this agenda) relates to the redevelopment and improvement of Leicester Railway Station which is situated on London Road.

The application site comprises 2.15 hectares of urban land on the southern edge of Leicester City Centre, contained within Conduit Street, London Road, Fox Street, and Campbell Street. The specific development parcels comprise the operational Leicester Railway Station, its associated parking area, the environs of Elizabeth House (2 Waterloo Way), and adjoining highways land.

The southern part of the application site hosts the operational Leicester Railway Station which is managed by East Midlands Railways with Network Rail. The railway station is a two-storey Grade II listed building. The majority of publicly accessible spaces are located at ground floor level and include the ticket hall, the passenger circulation concourse and platform access areas, retail units, and the Porte Cochère (covered forecourt) structure which currently serves as a taxi rank and vehicular Pick-up / Drop-off (PUDO) point. The Porte Cochère currently provides sixteen taxi rank bays, four Person's of Reduced Mobility (PRM) bays and ten Pick-up / Drop-off bays. The lower ground floor (platform and car park level) is used predominantly for cycle storage, railway offices, and other ancillary uses as well as providing a rear pedestrian entrance from the car park to the ticket hall which is accessed via lifts.

Demolition of buildings is currently underway at 48 London Road which adjoins the railway station immediately to the north-west. This previously housed the Parcel Yard public house, a taxi company office, and other office facilities. This is in accordance with planning permission (ref: 20231214) and Listed Building Consent (ref: 20231215) which were approved by the Planning & Development Control Committee at its meeting on 06/12/2023.

At the north-west of the site is Elizabeth House, a 16-storey residential building which fronts onto London Road, and which has associated paving and planting areas and car parking to the rear. There are access points to the Elizabeth House car park from Campbell Street and Station Street.

The northernmost part of the application site serves as the railway station car park, accessed via Fox Street, Campbell Street or Station Street.

In front of the main London Road railway station frontage there is a footpath and cycle lane, which provides connections to the city centre, three bus stops, and a controlled pedestrian crossing over London Road.

The bronze Thomas Cook statue is positioned on the main pedestrian route from the city centre to the railway station at the front of the main building. Also, close to the Thomas Cook statue, there is a semi-mature tree situated within the footpath.

The application site and the adjacent public realm areas contain a number of heritage assets, both designated and non-designated. These include the Grade II Listed gate piers which currently mark the end of Station Street and cast iron gates located within the bays of the Porte Cochere, as well as two Grade II Listed telephone kiosks and a Locally Listed post box on London Road. The South Highfields Conservation Area lies immediately to the south of the application site and the Granby Street Conservation Area lies to the north.

The railway station building sits on the eastern side of London Road, a major arterial route into the city centre, and is located immediately to the south-east of Leicester city centre's designated retail core area. The University of Leicester, De Montfort University, the Leicester Tiger's Rugby Stadium, and the Leicester City Football Stadium are all located to the south of Leicester Railway Station to the south of the city centre and are all well connected to the railway station.

Significant planning and environmental designations affecting the application site include:

- Air Quality Management Area (AQMA)
- Leicester City Centre
- Archaeological Alert Area
- Critical Drainage Area
- Flood Zone 1
- Strategic Regeneration Area.

Background

A number of planning and Listed Building Consent applications have been made at the application site, the most notable being:

- 20231215 – Listed Building Consent for proposed demolition of 48 London Road (Approved).
- 20231214 – Demolition of 48 London Road (Approved).
- 20171639 – Change of use from telecommunications kiosk to retail kiosk class A1 (Refused).
- 20171640 – Internal alterations to Grade II listed telephone kiosk (Approved).
- 20152423 – Retrospective application for ATM at front of taxi office sui generis (Approved).
- 2015242 – Retrospective application for internally illuminated sign to ATM at taxi office sui generis (Approved).
- 20151582 – Internal alterations to Grade II listed building to provide temporary retail kiosk (Approved).
- 20141164 – Continuation of use of taxi booking office sui generis (Refused).
- 20130227 – Change of use from retail class A1 to taxi booking office sui generis; alterations to shop front (Approved).
- 20111191 – Internal alterations to the Porte Cochère (covered forecourt) (Grade II listed building) including insertion of glazed screen to create separate pedestrian and vehicular routes: new disabled access routes; alterations to entrance and interior. (Approved).
- 20100791 – External and internal alterations to Grade II listed building (Approved).
- 025586A – Cleaning of masonry of Leicester Station Grade II Listed building (Approved).

The Proposal

Purpose of the proposal

The proposal is for redevelopment and improvement of Leicester Railway Station and comprises a number of changes within and surrounding the main railway station building. These are designed to enable an increase in station capacity to handle a significant additional station users in future years. The redevelopment proposals seek to provide improved railway station facilities within and surrounding the site, improving accessibility for station users, providing new facilities to maximise the potential of the railway station's edge of city centre location, and safeguarding and enhancing its important heritage buildings and public realm setting.

Accessibility to and from the city centre

Improvement of the pedestrian and cycling link to and from the railway station and Granby Street is proposed through the creation of a new station entrance

set within new public realm including the creation of a new public open space plaza between the station and Elizabeth House.

New main railway station entrance

The proposed new pedestrian ramp leads to a new main railway station entrance, with a canopy structure above the main entry area, via the northern elevation of the railway station building and into a larger ticket hall and station concourse area. The new railway station entrance would be created by a curved external pedestrian ramp connecting from the public plaza to the ticket hall. A new and expanded secure cycle storage area is proposed underneath the ramp structure, accessed from the ground level public plaza. Part of the proposed new public plaza area would be created on the footprint of 48 London Road and Station Street, and would include hard and soft landscaping with a range of planting and the inclusion of SUDS drainage within the planted areas.

Improved rear railway station entrance

The proposed changes to the design of the existing rear railway station entrance include the erection of a new entrance canopy, the removal of physical barriers, and regrading of the land levels to allow for improved access into the station from the proposed new parking and vehicular circulation area. The Grade II Listed gate piers and associated cast-iron gate at the end of Station Street that relate to the original railway station design would be relocated to the northern edge of the new plaza.

New car parking and vehicular circulation area (including Taxi Rank, Pick-up / Drop off point, Persons of Reduced Mobility parking)

The existing Taxi Rank, Pick-up / Drop-off point, and Persons of Reduced Mobility parking bays within the Porte Cochère are proposed to be relocated to the rear of the railway station as part of the remodelling of the main railway station car park and public realm areas. The proposed development will involve the removal of 98 parking spaces in the car park to accommodate the proposal that includes the modification of the on-site car park by changing the entrance and exit points to the car park. This will be achieved by changing access points so that taxis, pick-ups and drop-offs will access the site via Campbell St., circulate the car park clockwise and leave the site at the same access via Fox St. This will enable a left-hand turn onto St. Georges Way to the south or right into the existing signalised junction with St George Way towards the north.

Re-use of the Porte Cochere

It is proposed to re-use the Porte Cochère as (a) a new food hall (in use class E(b)) providing for a mix of street food vendors, cafés and bars, with a gross floor area of approximately 1,500 sqm; and (b) a new convenience store at the northern station concourse end of the Porte Cochère, with a gross floor area of approximately 398 sqm. To facilitate the proposed new uses in the Porte Cochère there would be various physical alterations including the removal of the current glazed partition screen; re-levelling and re-flooring including

removal of the ramps and steps and remediation of tarmacked areas; cleaning of masonry; glazing of external apertures; additional glazing to the roof; erection of a new glazed screen at the northern end to create a retail space; provision for food and beverage facilities within the southern end; and provision of new ramp and steps within the central pedestrian entrance from London Road.

Supporting documents

Documents submitted in support of the planning application are listed below.

- Planning Statement
- Design and Access Statement, including later Addendum
- Method Statement
- Diversity Impact Assessment
- Condition Report
- Visualisations
- Accurate Visual Representations (AVRs)
- Transport Assessment
- Environmental Management Plan
- Environmental Noise Assessment Report
- Heritage Impact Assessment
- Economic and Trading Impact Assessment
- Statement of Community Engagement
- Air Quality Assessment
- Arboricultural Report and Impact Assessment
- Preliminary Ecological Appraisal
- Flood Risk Assessment and Drainage Strategy

Amended plans

Amended plans have been received during the consideration of the planning application following consultation responses from access groups on the original submission. The representations included an objection to the absence of accessible WC facilities in the main railway station concourse. In response, workshops have been held with access groups including, Network Rail's Built Environment Accessibility Panel and the City Council's own accessibility group and the applicant has amended the design to include accessible WC facilities within the main railway station concourse before having to pass through the ticket barriers. The amendments are detailed in an altered proposed ground floor plan and a Design & Access Statement Addendum detailing the change.

Environmental Impact Assessment Screening

The planning application has previously been screened for an Environmental Impact Assessment (EIA) and it was determined that no EIA was required.

Listed Building Consent

An associated Listed Building Consent application has also been submitted for this development (reference 20240595) will be considered separately on this agenda.

Policy Considerations

National Planning Policy Framework (NPPF) 2023

Section 2 – achieving sustainable development

Paragraph 11 – the presumption in favour of sustainable development

Paragraphs 39 to 42 – the importance of pre-application engagement

Section 9 – Promoting sustainable transport

Section 7 – Ensuring the vitality of town centres.

Paragraph 85.

Section 12 – Achieving well designed places.

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

Paragraph 180 to 185 – Biodiversity

Paragraphs 189 to 194 – Pollution

Section 16 – Conserving and enhancing the historic environment

Paragraphs 195 to 214 – Heritage assets

Development Plan Policies

Core Strategy (2014):

CS01 - Location of Development

CS02 - Addressing Climate Change and Flood Risk

CS03 - Designing Quality Places

CS04 - Strategic Regeneration Area

CS10 - Employment Opportunities

CS11 - Retail Hierarchy

CS12 - City Centre

CS13 - Green Network

CS14 - The Transport Network

CS15 - Managing Demand for Car Use

CS17 - Biodiversity

CS18 - Historic Environment

Leicester Local Plan 1996-2016 Saved Policies (2006):

PS10 - Residential Amenity and New Development

PS11 - Protection from Pollution

UD06 - Landscape Design

SPA04 - Food and Drink Uses (Class A3, A4 and A5) in the Central Shopping Core

AM01 - The Impact of Development on Pedestrians and People with Limited Mobility

AM02 - Cycling and Development

AM05 - Buses and Development

AM11 - Parking Provision with Non-Residential Development
BE22 - Outside Lighting

Supplementary Planning Documents (SPD)

Residential Amenity SPD (2008)
Green Space SPD (revised 2013)
Climate Change SPD (2011)

Other Guidance

City of Leicester Local Plan Appendix One – Vehicle Parking Standards
National Design Guide (MHCLG)
Railway Station Character Area (2022)
Leicester Transport Plan 2021-2036 (Draft)
Emerging Leicester City Council Local Plan (Regulation 19 submission, January 2022)
Climate Emergency Strategy and Action Plan (2021)
Economic Development Needs Assessment (2020) (emerging)

Other legal or policy context

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

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

Local Highways Authority (LHA)

The Transport Assessment (TA) submitted is satisfactory and acceptable.

Vehicle Access: The proposals would prevent future vehicular access into the Porte Cochere which would be converted into a new food court (and retail) area. Instead, taxis, the Pick-up / Drop-off point and ‘Blue Badge’ [PRM] parking

would be relocated into a new taxi rank and Pick-up and Drop off point combined with the main railway station car park. Whilst it is noted that the overall car park capacity will be reduced, it has been reasonably demonstrated that there will still be sufficient capacity to meet demand. The proposed new location and layout for vehicular circulation and parking is likely to be more convenient and preferable for all of those user categories. A consequence of this is a significant increase in the use of the U-turn on Charles Street at its junction with Northampton Square (by vehicles arriving from south of the station) and Fox Street (for all relocated vehicles as they leave the site). The potential impact on both the Charles Street and Fox Street junctions with St Georges Way resulting from these increases in use have, however, been modelled and assessed in the TA and in terms of capacity their impacts have been demonstrated to be relatively modest, being unlikely to result in severe operational challenges. As such these are considered to be acceptable by the Local Highway Authority. Nevertheless, the applicant recognises that the layout of the Charles Street U-turn will need to be reviewed by the Local Highway Authority after a period of operation and, dependent on that review, it may require minor alterations. That said, this is not expected to present a major risk and is therefore acceptable, and could be covered by a suitable condition or obligation.

Access to Elizabeth House: Due to the pedestrianisation of Station Street, the car park serving Elizabeth House would be redesigned to provide both access and egress via Campbell Street. Consequently, the on-street parking provision on Campbell Street is to be shortened by 12m to accommodate refuse vehicle movement serving Elizabeth House. This is considered acceptable.

Bus service integration: Bus stops for regular services will remain largely unchanged as a result of the proposals and, as such, no new issues will arise as a result. Rail replacement coaches may, on the other hand, be affected by the layout changes. In particular, coaches carrying passengers from northbound routes will need to undertake a U-turn at some point to access Campbell Street and then to the coach Pick-up / Drop-off point. This will not be feasible via the Charles Street U-turn and therefore they will need to be instructed on arrival to U-turn via the St Matthews Circle roundabout. This management arrangement will need to be incorporated into a wider management plan for the station produced by the applicant through a planning condition.

Construction Traffic Management: The construction phase of the redevelopment will be potentially heavily disruptive both within and surrounding the site. A Construction Method Statement and / or Management Plan will be required, the scope of which will need to include (but not be limited to) temporary access arrangements (pedestrian and vehicular), temporary parking displacement (car and cycle, and including Pick-up / Drop-off activity). A suitable condition to cover this is recommended.

Related Offsite work: The TA refers to several schemes being promoted and prepared by the Council as Local Highway Authority which, while not part of the railway station proposals, will support future operations of the railway station.

So, although they support the development, it is important to state that the development is not conditional on them. The proposals do rely in part on the stopping up of Station Street which would need to be implemented by the Local Highway Authority on the applicant's behalf.

Planning conditions: Planning conditions are recommended to ensure street works and car parking is delivered in accordance with the Leicester Street Design Guide and to ensure the development is not occupied until the secure and covered cycle parking and pool of loan bikes has been provided. In light of the comments above, the Local Highway Authority does not raise any objections to the proposal, subject to the recommended conditions outlined below:

- Reinststate / alter / provide footway crossings
- Cycle parking provision
- Parking area surfaced and marked out
- Loading and unloading within site
- Turning space within site
- Facilities for disabled people
- Construction Method Statement

Historic England

Consider the works would result in a medium level of less than substantial harm, as referenced in the NPPF. The local authority should therefore consider; 1) Whether this harm is clearly and convincingly justified (paragraph 206 of the NPPF), and 2. Whether the harm is outweighed by the public benefits associated with the scheme (paragraph 208, NPPF).

Pollution (noise)

The application mentions "provision of heating and cooling units" but these details have not been shown, therefore a condition is recommended.

Pollution (land contamination)

No objections, however a condition is recommended which relates to unexpected contamination should any be encountered during development.

Trees

This proposal requires the removal of five trees, one category A1, one B2 and two C2. There is concern with the loss of a category A1 London plane (*Platanus x hispanica*). However, it is noted that to meet the necessary accessibility requirements for the construction of a new access ramp, all five trees will need to be removed due to proximity, to mitigate the loss of these five trees it is proposed that there will be eighteen new trees planted of these eighteen, twelve will be of a larger size (18-20) this will add some good visual amenity instantly. Six trees of a smaller size (12-14) are also proposed. The proposal is an improvement to the location that will benefit Leicester and its people, It is

unfortunate that the category A tree will be lost, but with the introduction of twelve larger trees to the and the overall benefits to users of the area for the long term, it is acceptable in this case and mitigation is suitable.

Archaeology

This site is located in an area with nationally designated and locally listed non-designated heritage assets, including known archaeology within the wider historic landscape dating from the prehistoric to modern period. Following a review of the Heritage Assessment, there are no objections raised subject to safeguarding conditions.

Local Lead Flood Authority (LLFA)

The site is within Flood Zone 1 and is also shown to be at low risk of surface water flooding. The application proposes to manage surface water discharge via an attenuation tank, four raingardens, and flow control devise to provide 50% betterment to surface water discharge to the existing surface water sewer. Further SuDS measures should be considered, and additional information on exceedance flows, discharge rates, and SuDS design detail is required. Conditions are recommended to cover this.

Nature Conservation

At this stage, the landscaping proposals exhibit intent to deliver compliant Biodiversity Net Gain on-site. A Biodiversity Gain Condition which must be addressed post permission through an acceptable Biodiversity Gain Plan (BGP) and accompanying Habitat Management and Monitoring Plan (HMMP). Although a draft BGP and HMMP may be provided earlier in the planning process for comment, these can only be 'accepted' post permission but must deliver a BNG of +10% (or greater). A condition is recommended to cover this.

Air Quality

The site is located within the Air Quality Management Area (AQMA), where concentrations of Nitrogen Dioxide (NO₂) may be elevated. An Air Quality Assessment (AQA) has been carried out by Arcadis, and covers both the construction and operational phases of the development. This has been carried out and written in accordance with the most recent guidance from the Institute of Air Quality Management (IAQM). During the construction phase of a development, dust and particulate matter (PM₁₀), which have been linked with adverse health effects, may be emitted from site activities. The AQA has assessed the work proposed during the construction phase, and has concluded that there is a 'Low' risk of dust soiling and 'Negligible' risk to human health. The assessment has listed appropriate mitigation measures in Table A13, which should be followed throughout the construction phase so as to reduce

the risk to 'Negligible'. These measures have been split into 'Highly recommended' and 'Desirable'.

During the operational phase, it is not expected that there will be an increase in traffic volumes as a result of the development, and it is not expected that the surrounding sensitive receptors will experience any increase in NO₂ levels due to a change in traffic levels. As long as the mitigation measures provided in the AQA are carried out as appropriate, Air Quality has no issues with the proposed development.

Representations

Six representations were received on this application with five objecting to the proposal and one supporting the application. The reasons for objections are summarised as follows:

- The submitted documents are not in an accessible format for those with visual impairments.
- Consultation and engagement with disability access groups has been insufficient with the needs of disabled people not being addressed in the proposals.
- Shared space between cyclists, e-scooters, e-bikes / e-micro-mobility / cargo bikes in the new area to the ramp up to the new entrance was universally rejected but has been retained.
- Proposal negatively impacts on heritage assets with new structures detrimentally affecting listed building and wider setting.
- Placement and position of food facilities in the train station is not satisfactory.
- Access and circulation of vehicles as a result of the development is not satisfactory and would negatively impact on journey times, particularly for mobility impaired persons.
- Inadequate and unsafe pedestrian crossing on London Road.
- Lack of toilet facilities open to all for people in the ticket hall area.
- Poor signage to bus routes to the city centre.
- Not enough known on vehicle Pick-up / Drop off points and Blue Badge parking.
- Concerns with the taxi rank being located at the back of the station cutting disabled people off from the front of the train station.
- No Access Consultant employed on the project.
- Ticket office and assistance point is not adequate.
- Unclear how the gradient of the ramp will be accessible for all users with a number of hazards presents in the designs.
- The Porte Cochère would not be inclusively designed. Upper storey with inaccessible and hazardous stairs, no lift, inaccessible seating, visually and audibly distracting, cluttered.
- With all drop-off and parking now being concentrated in one area at the rear, there seems risk of serious congestion around Fox Street and its junction with the inner ring road. Alternative locations for drop-off or parking in nearby streets to avoid queuing are not suitable for many

disabled people and therefore there is risk of discrimination. Congestion delays also risk increase in unsafe drop-off such as on London Road.

- For pedestrians crossing Fox Street at junction with Inner Ring Road, this is already a difficult route, without a proper crossing point or tactiles. With increased and queuing traffic, a light-controlled crossing will be needed here. There may also be increased pedestrian use of Fox St as a route to station, as currently its isolation deters.
- No 'spend' area for guide dogs.
- The proposed toilets will not be freely available to all station users– only on request or maybe with radar key. This does not address the matter adequately.
- The proposed quiet room would also be used as a waiting room for assistance which is not appropriate for neurodiverse or anxious passengers.
- Not enough known about how the construction phase will impact disabled people and what mitigation is being put in place.
- Changes will result additional cost for retraining of guide dogs. Question whether money can put aside for this.
- No evidence that proposed routes into the station provide better experience for many disabled people and some are worse.

The reasons for supporting the proposal are as follows:

- This project will give a boost to Leicester and give the people of Leicester as well as visitors to and from Leicester a new feel.

Conservation Advisory Panel

No objection, however some panel members expressed concern about the works to the Porte Cochere. Some welcomed its re-purposing while others expressed concern about the change of character and experience for station users. There was general concern about the potential visual impact of the rear elevations of new structures in the Porte Cochere on the external appearance of the structure, especially when viewed through the openings onto London Road. The need for rigorous control on the appearance of the 'back' of units was requested and the avoidance of any clutter in the void space between them and the historic outer wall.

The Panel debated the appropriateness and design of the canopy, with a range of views expressed. Some Panel members felt a more distinctive design would be appropriate while others felt it was superfluous and should be removed. The visitor experience was then discussed with concerns raised as many station users would no longer experience the Porte Cochere - the historic station entrance, as their entry point which was regrettable. However, some others argued there still were entrances through the structure and ancillary uses in it would support the viability of the complex as a whole. Some members expressed concern about the experience when being dropped-off or getting a cab, noting the lack of cover relative to being in the Porte Cochere. Some sort of bus shelter type facility at the taxi rank was suggested, while others argued

the removal of taxis / cars and the associated pollution was beneficial to the heritage asset.

The Panel were broadly comfortable with the principle of moving the historic gate piers but felt they should be relocated in a more prominent location to restore their historic function as gateway markers – closer to the new ramp. They re-iterated their previous point about marking the historic location of the piers in the new paving. Members also sought assurances that the existing heritage interpretation panels located within the Porte Cochere would be re-located as part of the scheme.

Consideration

Principle of development

Policy CS12 of the Core Strategy emphasises the importance of the Railway Station to the regeneration of the city centre and, by extension, the success of the City in attracting jobs, visitors and development. The site lies within the Strategic Regeneration Area defined by Policy CS4.

I consider that this planning application responds positively to these policies by proposing a comprehensive scheme for redevelopment and improvement of the station which improves links and accessibility of it with the City Centre.

The proposal would result in significant investment and improvement to Leicester Railway Station and its environs with the creation of a new public realm, internal and external alterations to the railway station building and relocation of parking and Drop-off / Pick-up facilities from the Porte Cochere to the rear of the site. This would help meet existing demand and a forecast significant growth in future demand for rail services, and would improve overall user experience and provide for a new 'Gateway' destination in the city centre.

The railway station is a major transport hub in the city, currently with over five million visitors each year. It is forecast that this will increase to some seven million visitors in future years. The Grade II listed railway station and its surroundings are currently constrained by existing site features, in particular the adjacent highway infrastructure which results in conflicts between highway users. In addition, there is currently no significant area of public realm serving the railway station, and despite its proximity to the Central Shopping Core, it feels physically and psychologically detached from other parts of the city centre.

The new food hall would create a new facility well-connected for locals and accessible for new visitors, supporting a sustainable pattern of leisure visits and increased footfall in this area. The new use would repurpose the historic (and underused) Porte Cochere, with potential to act as an incubator for food and drink businesses from within the local community and independent traders.

The application is accompanied by an Economic and Trading Impact Assessment which concludes that the economic benefits of the proposed development could include:

- 18 new FTE jobs during construction stage
- 156 new FTE jobs during operational stage
- Total Gross Value Added (GVA) of £1.09m during construction stage and £48.8m at the regional level during operational stage
- Generation of £3.8m per year in staff wages, most of which will be spent and retained within Leicester City
- Contribution of £167,000 per annum in business rates
- Potential to catalyse regeneration in the surrounding area as evidenced by research into food halls elsewhere within the country (eg Altrincham, York and Macclesfield)

The application does not constitute a material change of use which would trigger a requirement for sequential assessment for town centre uses. In any event, the application site is 'in centre' for the purposes of the development plan and thus accords with the 'town centre first' principle. Nevertheless, the applicants have demonstrated that there will be a negligible food and drink diversion from the city centre and the London Road area, and may result in linked trips given the existing offer at London Road, thus supporting the viability of the local centre.

The City Council seeks to preserve heritage assets, however as set out in both NPPF and local planning policy this does not preclude positive changes being made which would benefit the heritage asset and its wider setting in the long term. Ultimately, any potential harm must be balanced against the potential benefits of development.

In principle, it is considered that the proposal would be of significant public benefit in terms of its enhancement of the railway station and wider setting which would provide an area of improved public realm and seeks to enhance the use of Leicester Railway Station. The application proposal is compliant with Policies CS4 and CS12, and whilst given limited weight, it also complies with emerging Local Plan (Reg 19) Policies CDA01, TCR03 and CHA01.

Design

Paragraph 135 of the NPPF states that:

“Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

The NPPF further states (at paragraph 139) that “designs should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.” Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

Policy CS03 of the Core Strategy seeks to ensure high quality design and development proposals respect and enhance their surroundings and positively contribute towards the local identity and character of an area. Good quality design is central to the creation of attractive, successful and sustainable places. Development must respond positively to the surroundings, be appropriate to the local setting and context and take into account Leicester’s history and heritage. To achieve this, new development should promote the image of Leicester as an exciting modern city, acknowledging its archaeological, landscape, historic and cultural heritage and the need to improve the quality of life of the City’s residents.

The Railway Station Character Area Appraisal (2022) has been produced to guide future development. The appraisal forms the basis for managing change effectively by guiding development strategies so that new development contributes positively to the townscape’s character, supports local identity, and generates built-up areas that are appealing to live, work and visit. One of the key objectives of the appraisal is to deliver a new railway station entrance, create a new well designed public space and public realm and to reconfigure the transport hub to strengthen its visual and physical presence. This aligns with the objectives of the planning application.

The proposed new main entrance to railway station on the northern elevation would be orientated to provide a strong sight line from the Granby Street, addressing the current visual separation of the city centre’s retail core from the railway station. This would be emphasised by the new canopy overhead providing a strong physical landmark. A new curved access ramp, articulated by landscaping features either side, would connect the plaza with the new front entrance to the railway station. The new public space in front of the main entrance is positioned to take advantage of the significant area of space that would be vacated by the demolition of 48 London Road and the proposed pedestrianisation of Station Road. This plaza provides a more open public realm setting for the new railway station entrance, and also addresses the existing poor relationship with Elizabeth House providing a well-designed public

realm interspersed by landscaping features that would bring a feeling of nature back into this urban space.

This combination of a new hard and soft landscaped public space area, access ramp and glazed entrance marked by a sympathetic canopy would present an attractive space for railway station users as well as those within the wider area.

The proposed canopy structure marks a departure from the existing design of the listed building, adding a new modern quality. It is considered that the canopy has been designed to ensure a striking, highly visible feature, but would crucially, not detract from the attractiveness of the host building. Given its importance to the overall design, I recommend a condition to ensure that the canopy would result in a high-quality finish. Conditions to this effect are recommended below.

Objections have been made on how disabled people would navigate the proposed site and potential clashes with the other users, including cyclists. Providing inclusive spaces is a key objective of Local Plan Policy AM01 which seeks to ensure the needs of disabled people are factored early into design. Regarding the ease of access into the station and the wider public realm improvements, it is considered that the opening up of this space around the train station, principally through level grading, removal of physical barriers, the stopping up of Station Road and a step free access into the station would have a net beneficial impact on the usability of this space for disabled people than currently exists.

With the focus of highway movements, the rear entrance is likely to be more frequently used. The rear entrance would present a similarly designed canopy as that proposed on the main entrance highlighting the entrance for visitors whilst not detracting from the heritage asset. In addition, to aid movement and legibility at this point much of the existing hard features and physical barriers would be removed, the levels graded to provide a smooth visitor experience, and importantly providing a step free access from this entrance point. There would be an accessible lift provided which would connect the lower ground with the Ticket Hall area allowing those mobility impairments to access the concourse area. The improvements at this entrance are welcomed and in my view, the decluttering and opening of this space is positive for all users.

The proposed highway elements mainly relate to the use of the rear of the site for Pick-up and Drop-off points. This change would provide a level of separation between pedestrians and vehicle movements in the busiest part of the train station environs. This would be much improved on the existing situation where there is significant conflict and exposure to vehicle movements for pedestrians and cyclists, principally at London Road, Station Street and Conduit Street. The relocation of the highway access and exit to the station at the rear alongside the public realm improvements would provide a much-improved setting for the heritage assets allowing users to appreciate the historic significance of an important City landmark.

Internal changes to the railway station would create a larger ticket hall area, enlarge gate lines, and introduce natural light which result in a more open space. Alongside this, there would be new retail areas surrounding the concourse area.

There have been objections raised by access groups to the internal layout and provision of facilities within the proposed station. A Diversity Impact Assessment has been submitted which outlines how the project has been informed by the needs of disabled and other groups with protected characteristics under the Equalities Act 2010. The Leicester Station Gateway project has been designed with regards to inclusive design and access policies including Leicester City Council's Equality Impact Assessment (EIA), East Midlands Railways DIA and relevant rail sector legislations and standards as well as other relevant policy documents including PRM NTSN, BS 8300 Parts 1 and 2; DfT's Design Standards for Accessible Railway Stations (April 2015) and Network Rail's design guidelines for station development.

The main ramp leading from London Road up to the entrance to the ticket hall on the northern elevation has been designed to be obstacle free, accessible step-free route. The design of this space includes a new through lift located near to the bike store providing an alternative step-free access route to the ramp for certain groups, wheelchair users, person of reduced mobility and parents with pushchairs and with young children and older people.

Objections have been made in relation to the provision of accessible toilets. As part of the initial submission separate Changing Place (CP) toilet and a unisex Accessible Toilet were shown to be accessed via the obstacle free-route on the paid side of the gate-line. Following the period of consultation on this application, the applicant has submitted amended plans. The amendments relate to the ground floor layout to provide for toilets in the main concourse area before reaching the gate lines, responding to a specific objection relating to insufficient WC facilities. A further objection has been received following this change to design stating that these accessible toilets would only be available on request. The provision of WC facilities before reaching the gate line would provide an improved and much-needed amenity for users of this space. Regarding the operational management of this space, it is considered that any condition to manage the use of this would not meet the six necessary tests for planning conditions, specifically reasonableness and enforceability. Whilst it is recommended that further details are provided to support accessible groups on the best method to access this amenity during operational phase, this would need to be dealt with by the applicant and other relevant stakeholders.

The relocation of highway uses to the rear of the railway station opens up the Porte Cochere to new uses comprising an improved retail and food offering at the train station. To facilitate the internal changes, new glazed curtain walling is proposed at all of the Porte Cochere openings. This is considered to be sympathetic to the main station building and would allow thermal insulation whilst also not appearing as an incongruent feature when viewed from London Road. The submitted bay studies provide indication of fittings, but to ensure minimal impact, conditions are proposed below.

Thought has been given to safety and security throughout the design of the building, with the concourse levels being as open as possible to provide good natural surveillance. Outside bollards would be strategically placed to protect the building from vehicular attack whilst not appearing as overly dominant features.

Overall, it is considered that the proposed design would be of high quality which would significantly enhance the character of the area. It would provide a fitting entrance to the City Centre and would comply with national policy, Policy CS03 of the Core Strategy and the Railway Station Character Area. With respect to the objections raised, the proposed design has sought to meet the needs of users of the space through design, principally through pedestrianisation of Station Street, removal of significant physical barriers and providing step free access across all key entrances and exists of the station. As such the proposal would accord with Policy AM01 of the Local Plan (Saved Policies).

Building Conservation and Heritage

Policy CS18 of the Core Strategy states the Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. There is support for 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 of existing heritage features.

Paragraph 196 of the NPPF identifies that Local Planning Authorities, when determining planning applications involving designated or non-designated heritage assets should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraphs 206 and 207 of the NPPF address harm and state that “where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 208 of the NPPF addresses harm that would be 'less than substantial' in nature. It states that where development proposals will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Council has a statutory duty under s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have a special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It also has a duty under s72 of the same Act to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising planning functions.

The proposed works relate to the Grade II Listed Leicester Railway Station. The site and the adjacent public realm contain a number of other heritage assets, both designated and non-designated. The most significant are the Grade II Listed gate piers and cast-iron gates to the original Midland Railway Station on Station Street, as well as two Grade II Listed telephone kiosks and a Locally Listed post box on London Road. In addition, to the south of the site is the South Highfields Conservation Area, with the Locally Listed railway bridge parapet to the west, and Granby Street Conservation Area to the north. This application and associated Listed Building Consent application are supported by a detailed Heritage Statement that addresses the impact of proposed work on the significance of the various heritage assets. The document thoroughly meets the requirements detailed in paragraph 200 of the NPPF.

The railway station is a complex building group and much of the internal and external detail is more modern and of lower heritage significance. The Porte Cochère is the largest structure of heritage significance that will be directly affected by works and the already approved works to better reveal the original architectural form of the structure will have a beneficial impact on the setting of the structure. More detailed plans for works to enhance the pedestrian experience within the newly opened up peripheral spaces will enhance its use and have a beneficial impact on the setting of the Listed Building. The direct changes proposed to the structure are in one sense more limited, with the majority of change internal and not affixed to the historic walls and roof.

The most notable proposed change in those terms would be the addition of new curtain glazing sections and glazed doors across the existing openings. These have been carefully designed and will appear as legibly modern and less visually intrusive in form, with appropriate design for the junctions. The valuable existing ornate metal gates are generally to be either fixed shut or open in their historic positions. However, a minority will either be slightly re-positioned to

accommodate the new glazing or relocated to as yet undetailed position in the building.

The loss of some permeability from the new glazing will cause some harm in terms of the historic function of the transitional space, as will the imposition of additional freestanding units within the Porte Cochère. However, the harm will be mitigated somewhat by the restoration and repair works to the structure as a whole and the wider public benefits from improving general accessibility and use within the building. The removal of the later floorscape treatment and the introduction of a simpler design, as well as the removal of some visual clutter relating to the different existing uses, will be clearly beneficial. The revised design works harder in terms of limiting visual clutter from new freestanding units in the internal space, when viewed through the existing openings, and this is positive. Taken as a whole and subject to an appropriate design for the re-sited gates, I consider these works are acceptable.

Beyond the Porte Cochère, the primary area of historic structures that will be subject to more extensive alterations is the northern range facing onto Station Street. The roughly triangular shaped structure between the retained Porte Cochère and octagonal tower dates to the late 19th century and although much of its form at lower level has either been altered or is visually concealed, it has an attractive roofscape that enhances the setting of the Porte Cochère and the other more historic buildings and structures on Station Street. There is a pleasing visual relationship between the chimney on the outbuilding occupied by the Cross-Country office and the chimneys on the Victorian structure, as well as the two octagonal turrets either side of it.

It is therefore very positive that this element is proposed for retention, with the new canopy coming off its edge. Other later buildings at the periphery will be removed and allow a better appreciation of this attractive section of the station and this benefit will help counterbalance the harm from the visual clutter relating to the new entrance. The canopy is now of a simpler design and it is clearly read as being modern and subservient in scale to the host building. The new facing materials and fenestration will need to be appropriately specified and I recommend a condition on materials. Additional works to tidy up the rear entrance and add a new light weight canopy will similarly have an impact on historic fabric but have a sound justification and detailing. On balance and taken as a whole with the linked landscaping works, the works would be acceptable in terms of their impact on the significance of the heritage asset.

The internal aspects in the two floors of the northern range are much altered and there is less evidence of notable internal architectural detailing here. Much of the existing presentation is modern and the revised design would generally limit loss of historic material and help rationalise the internal layout. There is clear public benefit from enhancing the passenger and staff facilities here and improved accessibility will make the spaces more usable. Internally, within the vestibule that forms the space between the Porte Cochère and the main part of the station, the new retail space and associated seating will create more visual clutter and cause harm as detailed above. Ideally this would be rationalised or detailed better to limit the potential harm. However, aspects of the works are

reversible and the use of glazing will reduce the visual impact. More generally, the layout and detail of new materials appear to be coherent and well considered.

Within the wider landscaping scheme, it is proposed that the existing Grade II Listed gate piers and gate that relate to the original station are relocated to the edge of the new pedestrian plaza, to the south-west of their current position. This would be on the same alignment as the current location and still sit adjacent to the later adjacent building, ensuring that they retain integrity in terms of their historic status as a gateway feature on Station Street. Although the structure is proposed to be carefully dismantled and reconstructed, this will represent substantial harm as per paragraph 207 of the NPPF as it will represent total demolition. This descriptor would conventionally be very challenging in policy terms but there are significant mitigating factors evident in this specific case.

The structure will be rebuilt entirely several metres away and enhanced with localised repairs and the reinstatement of the missing gate features. Moreover, the setting of the listed structure will be enhanced by the higher quality hard landscaping proposed for its base and wider environs. This will improve its legibility and ensure the special significance of the heritage asset is easier to appreciate. Taken as a whole, the substantial public benefits from the wider scheme and the public realm works relating more directly to this space, and which necessitate the relocation, can be seen to balance out the identified harm and give an acceptable heritage position in policy terms.

The revised proposal for relocating the Thomas Cook Statue on a lower plinth is acceptable and the new location nearby will enhance its setting. The works would be acceptable in terms of the specific section in the NPPF relating to moving statues (para. 204).

The existing locally listed post box has recently been redecorated and is proposed to remain in situ. The two existing Grade II Listed former telephone boxes are now proposed to be retained in situ and refurbished. Part of their special significance relates to their current location close to the entrances of the railway station and retaining them in situ is positive in those terms, while wider works to refurbish the adjacent building and the freestanding structures will be positive.

The works are sufficiently modest in scale and positioned such that they will have a limited impact on the setting of the two nearby conservation areas (Granby Street and South Highfields) or the locally listed railway bridge and more distant nationally listed buildings. The benefits from refurbishment works and the modest harm from some additional visual clutter around entrances will be broadly neutral in terms of setting impact.

As presented, the application will present less than substantial harm in terms of the Grade II Listed Station, although the wider harm to the setting of other nearby heritage assets will be very modest or entirely limited. I consider that the harm will be less than substantial for the reasons detailed above, and

subject to the securing of matters of design through planning conditions, the harm would be towards the lower end of the spectrum of harm within that assessment. There will be some benefits to the setting of the heritage asset from opening up views of the side of the Porte Cochère and this partially mitigates against the harm ascribed above. Moreover, public realm works to the site will provide further public benefit that can provide a balance against the ascribed harm. The relocation of the separately listed gate piers and gate on Station Street will cause substantial harm; however, the heritage benefits from the linked works and substantial public benefits from the wider works will balance against the ascribed harm and the in view of the overall benefits to users of the area for the long term, I find the scheme is acceptable in this case and mitigation is suitable.

On balance, I support the scheme in heritage assessment terms subject to conditions being included with an approval for details of the relocation of the existing Porte Cochère gates, and a materials condition on the new features that are integral to the Listed Building, such as the new brickwork and fenestration on the northern side of the station.

In terms of Archaeological assessment and the potential for surviving remains within the site boundary, whilst there is no evidence to suggest that remains of national archaeological interest would be negatively impacted upon at this stage, I consider that given the potential for impact that archaeology safeguarding conditions are required. A relevant condition to this effect are recommended below.

Historic England have been consulted on the application and consider that the proposal would result in medium level of less than substantial harm, as referenced in the NPPF. As such they have recommended the Local Planning Authority satisfies itself that the proposed development potential harm is outweighed by the public benefits associated with the scheme (paragraph 208, NPPF).

In accordance with Paragraphs 205 and 206, 207 and 208 of the NPPF and local policy CS18, the degree of harm to the designated heritage assets should be both justified and weighed against the public benefits of the scheme. Overall, the impact of the proposed development would represent less than substantial harm to the listed railway station building while the relocation of the gate piers would represent substantial harm to those structures by virtue of their demolition and rebuilding. The proposals have demonstrated, however, that it would result in substantial public benefits (as described elsewhere in this report) relating to the improvement in public transport for rail users and enhancements to the public realm at a key location within the city centre and point of arrival to the city itself. It is considered that these public benefits would outweigh both the identified substantial and less than substantial harm caused by the development.

This analysis is considered to be in accordance with paragraphs 205 and 206 of the NPPF and Policy CS18. The public benefits of the scheme as identified, outweigh the harm identified subject to the securing of matters of design

through planning conditions. As such, the identified harm would be towards the lower end of the spectrum of harm within that assessment. Moreover, the proposed public realm works, suitably conditioned, would provide further public benefit that can provide a balance against the described harm. On balance, this is considered acceptable.

Highways and Parking

The proposal relocates the taxi rank, Pick-up / Drop-off points, Peoples with Reduced Mobility parking and all other parking to the rear of the railway station site. The submitted Transport Assessment concludes that the results of the junction assessment show that whilst the St George's Way / Fox Street / Swain Street junction is anticipated to be over capacity in the opening year as a result of this development, it is anticipated to already be over capacity in 2029 without development proposals. Considering that whilst there would be immediate impacts on these junctions as a result of the highway changes, overall, given the City Centre location, I consider the traffic growth assumptions included for assessment purposes are very robust. Taking into account the proposals as a whole and wider improvement for pedestrians and cyclists, the proposed development would not result in a severe cumulative impact on the local transport network.

Concerns have been raised on the suitability of this new highway arrangement for disabled people. Whilst this new layout would change the way disabled people currently access the railway station, it is considered that proposals would still provide good means of accessibility. There would be 19 Blue Badge spaces situated in the railway station car park, with 3 of these positioned immediately at the rear entrance of the railway station, and the remaining 16 positioned beyond the Pick-up / Drop-off area. A 3 metre wide pedestrian route would be provided along with regular rest stops, at no greater than 50 metres, to ensure that the station is accessible for all users and there are sufficient resting spaces.

At present there are sixteen taxi rank bays in the Porte Cochere. There are also two designated taxi bays on Station Street, but as has been demonstrated in the submitted Transport Assessment, these spaces are typically in high demand leading to spillover with cars parked on restricted area resulting in idling cars and increased conflict with pedestrians using the space outside of the station. The proposed taxi set-down and pick-up ranks would be sited to the rear of the station and provide 8 designated spaces in total. This would be sited in the reconfigured area in the main car park with step-free access and dedicated pedestrian walkways provided to access these facilities safely.

The taxis would access the site via Campbell Street, circulate within the car park (clockwise), and leave the site at the same access towards Fox Street, where they will be able to turn left onto St George's Way towards the south or right into the existing signalised junction with St George Way towards the north. As stated previously, there would be an immediate impact on St George's Way / Fox Street / Swain Street junctions as a result of the additional car movements but as shown in the Transport Assessment this will be likely without the

proposals outlined in this submission. As such, and the benefits of the proposal in reducing car and pedestrian conflict, reuse and repair of the Porte Cochere, on balance, the relocation of the taxi rank would be a positive step. This conclusion is shared by the Highways officer.

There are currently 469 allocated car parking spaces in the station car park. The proposed development would involve the removal of 98 parking spaces to accommodate the relocated taxi rank, Pick-up / Drop-off bays and People with Reduced Mobility parking and vehicular circulation areas. This leaves a total of 367 car parking spaces. Whilst this represents a significant loss of parking spaces, a 10-year forecast assessment demonstrates that by 2033, the car park will operate at 80% of the proposed capacity. As such, the loss of the car parking spaces is considered acceptable and would not significantly diminish required assessed parking demand. Furthermore, the proposal is seeking to encourage sustainable modes of transport through the improvement of the public realm. In addition, there would be 255 secure cycle parking spaces provided in a more accessible location underneath the station, with direct access from the public realm space. This would make cycling parking a central feature of this location, encouraging cycle use and providing a feeling of safety - making this means of transport more attractive. A condition is recommended to ensure provision of the proposed cycle parking.

Given the proximity of the station to adjoining residential uses and the number of users of this space, the construction phase of the redevelopment would be potentially heavily disruptive both within and surrounding the site. As such, details of arrangements during the construction period should be submitted for approval which include arrangements for loading, unloading and storage of materials; and requirements for any temporary traffic management including suspension of highway parking bays. A Construction Method Statement and / or Management Plan will be required, the scope of which will need to include (but not be limited to) temporary access arrangements (pedestrian and vehicular), temporary parking displacement (car and cycle, and including PUDO activity). A suitable condition to cover this is recommended.

The Local Highway Authority considers, in reviewing the Transport Assessment, that the impacts of the proposal have been undertaken robustly and satisfactorily demonstrate that the proposal does not have a severe detrimental impact on the highway network, therefore according with the aims of the NPPF and complying with the with saved Local Plan policies AM01, AM02 and AM11 and Core Strategy policies CS14 and CS15.

Residential amenity

Policy PS10 of the Local Plan states that in terms of residential amenity any new development proposals should have regard to existing neighbouring and proposed residents in terms of noise, light, vibrations, smell and air pollution, visual quality of the area, additional parking and vehicle manoeuvring, privacy and overshadowing, safety and security and the ability of the area to assimilate development.

Whilst no changes are proposed to the Elizabeth House building itself, the proposal, given its proximity, would directly impact on residents. Overall, following the construction phase of the development the development would provide considerable benefits to residents. The existing poor and unsafe spaces surrounding Elizabeth House would be replaced by a verdant and attractive public space. This would activate the front of Elizabeth House providing better surveillance and feeling of safety for residents.

Due to the separation distances between the station and Elizabeth House, it is considered that the impact on outlook from these windows would be acceptable. There is a significant set back from the public realm area proposed and the flats and also landscaping features and boundary treatment to ensure no significant impact on the amenity of occupiers of the flats at ground floor level. To ensure no negative impact on the residential amenity of the occupiers of Elizabeth House, a condition is recommended to control the boundary landscaping details. There would be no appreciable loss of light to Elizabeth House flats.

A noise assessment has been submitted as part of the application. The results of the assessment indicate that noise levels across the proposed public realm space would remain above the guideline levels of 55 dBLAeq(T) recommended within BS8233 with the implementation of the scheme. However, it is specifically noted that the guideline limit is specified for sensitive amenity spaces associated with dwellings. Relating to an area such as this the guidance specifically states *“it is also recognised that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces but should not be prohibited”*.

The assessment concludes that as this is a transient public realm space used for access to the station, within a busy urban area surrounding an active railway station, the anticipated noise level is considered acceptable. It is therefore considered that the noise impact from the proposal would not adversely impact users of this space. Furthermore, an assessment of the noise level change was undertaken across the proposed public realm space which indicated that the majority of the area would experience a Negligible / No change in noise level. Nevertheless, due to the proximity of these flats, a condition requiring a noise mitigation is recommended to take account of noise from heating and cooling units.

Given the above, it is considered that the proposal complies with Policy PS10 of the Local Plan.

Air Quality

The application site is located within an Air Quality Management Area (AQMA), which has been declared for exceedances of the annual average NO₂ AQS objective. An Air Quality Assessment has been submitted. In regard to the risk of dust impacts it was concluded that there would be a low risk of dust impacts from the construction phase of the proposed development if left unmitigated. With the application of the relevant mitigation measures proposed, it is concluded that the residual effect would not be significant. The Air Quality Assessment concludes that road traffic emissions from the proposed are expected to be negligible, and it is therefore unlikely to contribute significant additional NO₂ pollution that may impact levels within the AQMA. Notably, the operational phase assessment was screened out as it is considered that air quality impacts associated with the proposed development in terms of traffic emissions are negligible in accordance with IAQM/EPUK guidance. The City's Air Quality Officer has no objections to the development provided the mitigation measure outlined in the Air Quality Assessment are followed. As such, to ensure an acceptable impact on air quality during the development a condition is recommended. Overall, the proposed development is considered to have a negligible impact on air quality and therefore effects are considered to be not significant.

It is considered that the proposal is acceptable in relation to air pollution impacts and the proposal would not be contrary to NPPF paragraph 192, saved Local Plan policy PS11 and Core Strategy policy CS02.

Flooding and Drainage

The application site is within Flood Zone 1 and is over 1 hectare in size, so a Flood Risk Assessment (FRA) is required. An FRA is submitted in support of the application and considers the risk of various flood sources to the site. The FRA has identified that the overall flood risk of flooding from all sources – tidal, fluvial, pluvial, groundwater, infrastructure, and artificial drainage is low. The proposed surface water drainage strategy is designed in accordance with The SuDS Manual (Ciria C753) (2015) and Local and National policy guidance.

Surface water from the proposed pedestrianised public areas, will drain via overland run-off to rain gardens, designed to store and discharge run-off to the Severn Trent surface water sewer located within the site boundary. The main canopy roof drainage will be attenuated in an attenuation tank, to be constructed below the proposed cycle store, and discharged through a vortex flow control chamber to the public Severn Trent sewer, at a limiting discharge rate of 2 l/s. The system has been designed so there is no flooding to the proposed development in a 1 in 30 year event and no property and offsite flooding in a 1 in 100 year event, with a rainfall allowance of 40% for climate change.

The Lead Local Flood Authority has no objection to the proposed drainage strategy subject to SuDS and drainage safeguarding conditions. Relevant FRA and drainage conditions are recommended below.

It is considered that the information provided is acceptable, subject to further details to be submitted by condition. It is considered that the development is acceptable taking into account Core Strategy policy CS02 and the NPPF when considering flood risk and climate change.

Land Contamination

The Land Contamination Officer has assessed planning records, referring to historic maps. It is considered that a land contamination assessment is not required given the proposed end uses. However, a condition which relates to unexpected contamination should any be encountered during development is added as a condition below.

Trees / landscaping

The City Council will seek to protect trees which enhance the amenity of Leicester by ensuring that development schemes take account of existing trees and by making Tree Preservation Orders where necessary. Where development is permitted that results in the loss of a landscape feature with amenity value, compensatory landscape works will be required to an agreed standard. 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.

This proposal requires the removal of 5 trees, one category A1, one B2 and two C2. The category A1 London plane (*Platanus x hispanica*) is the most significant loss. However this is required to meet necessary accessibility requirements for the construction of a new access ramp. To mitigate the loss of these 5 trees, it is proposed that 18 new trees will be planted. Of these 18 trees, 12 will be of a larger size (18-20) and this will improve visual amenity instantly. The 6 trees of a smaller size (12-14) are also proposed, and maintenance and protection of these needs to be factored in to mitigate against future loss and vandalism. There would need to be conditions to understand the maintenance plan.

Whilst there would be loss of existing trees, these would be limited and overall, the proposal would improve the location benefiting Leicester and its people. The introduction of 12 larger trees to the area and the overall benefits to users of the area for the long term and is considered to be acceptable in this case. The mitigation is considered to be suitable and the proposed development would accord with policy CS3. It is therefore considered that the loss of existing trees and the proposed replacement with a greater number of new trees is acceptable.

Nature Conservation

There are no statutory designated nature conservation sites within the study area. The application is supported by a Preliminary Ecological Appraisal, a Bat Roost Assessment and Biodiversity Net Gain Assessment. All of the trees on site were surveyed / assessed for suitability for bat roosts. The site generally

comprises hardstanding with some poor semi-improved grassland. The Nature Conservation Officer considers that the findings contained in the Preliminary Ecological Appraisal (PEA) are acceptable.

A Biodiversity Net Gain (BNG) baseline assessment was completed, to evaluate the existing habitats within the application site and inform how the site can deliver Net Gain for Biodiversity. It is noted that the PEA states that proposed landscaping will result in a BNG of +8.44% which is not compliant with the Environment Act (2021) and further recommends an extra tree is planted which would increase BNG uplift to +10.16%. The landscaping proposals exhibit intent to deliver compliant BNG in accordance with the Biodiversity Gain Condition which must be addressed post permission through an acceptable Biodiversity Gain Plan (BGP) and accompanying Habitat Management and Monitoring Plan (HMMP). A condition to this effect has been recommended below.

No information has been provided in relation to the maintenance and management of the hard and soft landscaping proposed. As such, it is considered that, further to the details provided, a detailed Landscape and Ecological Management Plan (LEMP) should be submitted, taking into account the approved hard and soft landscaping site plan, small sites DEFRA metric and Biodiversity Net Gain Report.

Subject to conditions the proposed development is considered not to have an adverse impact on biodiversity in accordance with Core Strategy policy CS17 and paragraph 180 of the NPPF.

Sustainable Energy

This Sustainability Statement has set out the development's response to Leicester City Council's sustainability planning policies. Specific consideration is given to Core Strategy Policy 2. Energy demand has been reduced by achieving a well-insulated envelope which is both airtight and thermal bridge free. High performance glazing provides a positive energy balance whilst mechanical ventilation with heat recovery will maintain good air quality with minimal heat loss.

Energy efficient building systems such as LED lighting and low-power fans and pumps will further drive down regulated energy use. Unregulated energy consumption will also be a focus for the project. Robust quality control, commissioning and handover procedures on site will further drive down energy use.

The remaining energy demand will be met through low and zero carbon energy sources. Space heating will be met by air source heat pumps located within the space. No fossil fuels will be used in the provision of space heating or hot water. The Energy Statement also shows that the values for retained thermal elements will meet or improve upon the values set out in the Building Regulations. As such, it is considered that this represents an acceptable approach to building fabric efficiency.

It is considered that the proposed measures are acceptable in accordance with Core Strategy policy CS02 and the Energy Statement including approved measures can be secured by way of condition.

Phasing and Delivery

Due to the application site's scale, its urban context and related physical constraints, and the requirement to ensure that the railway station remains open and operational during the redevelopment programme, the implementation and delivery of the proposals is likely to be carefully phased with integrated construction work packages being managed and delivered as discreet projects. Some of these work packages will be subject to specific planning conditions, whilst others will not. For example, archaeological conditions will be applicable to works in the car parking area, but not within the existing station building. A Phasing Strategy condition is proposed to account for this and to ensure that effective project implementation and delivery can take place in compliance with planning requirements secured through a linked set of planning conditions.

Other matters

Representations have been made concerning the accessibility of application documents for those with visual impairments. The applicant has consequently provided suitably accessible documents.

Representations have also been made stating that the consultation carried out has been inadequate, particularly in relation to engagement with disability and accessibility groups. Whilst it is not a statutory requirement for an applicant to carry out public consultation prior to the application submission, Leicester's Statement of Community Involvement (SCI) advises this to be good practice to carry out early engagement with affected groups and this has been undertaken in the application with local accessibility groups, as detailed earlier in this report.

Furthermore, the SCI outlines the following methods of consulting on planning documents prior to adoption, which have been used in the development of this scheme:

- Direct contact: information letters or emails sent to relevant people and organisations to discuss issues that affect or concern them.
- Local media: publicity through media releases including details of any events arranged – including in the local newspaper, the Leicester Mercury, and local radio.
- Exhibitions and presentations: exhibitions at key stages, held in a variety of venues to reach the greatest cross-section of Leicester's population, including seldom-heard groups.
- Workshops: may be held for invited stakeholders, organisations and community groups. The objectives of each workshop will be clearly set out beforehand.

The robust Statement of Community Engagement submitted alongside the Diversity Impact Assessment explicitly outlines the extensive engagement that has been carried out on this proposal, including with disability and accessibility groups and shows how those comments have informed designs of the proposal. The methodology used for engagement aligns with the adopted Statement of Community Involvement (2019).

Conclusion

The approval of this application will enable the implementation of the £22 million 'Leicester Station Gateway' project by unlocking £17.6 million of project delivery investment secured by the City Council from the Government's Levelling Up Fund. The City Council has worked in partnership with Network Rail and East Midlands Railway to design the redevelopment plans, with support from rail industry stakeholders including Cross Country Trains, Midlands Connect and the Department of Transport.

The proposals meet the requirement of the City Council's Core Strategy Policy CS12 'City Centre' which specifically seeks to reduce the separation of the railway station from the City Centre as part of a wider set of commitments to make the City Centre the focus of public transport initiatives. The proposals secure the positive improvement of the railway station and its environs as an asset for the city. They provide much improved and more accessible pedestrian and cycling routes, as well as a rationalisation and relocation of car parking, the taxi rank, Pick-up / Drop-off facilities, and parking for People with Reduced Mobility. In addition, in line with the same policy, the proposals contribute to the creation of a safe and inclusive City Centre by making it more attractive to pedestrians, cyclists and public transport passengers; help to achieve high standards of access to and within the City Centre for disabled and older people; and reduce the severance effect of the inner Ring Road through the creation of improved pedestrian routes and, with the proposed public plaza, provides a new good quality civic space.

In terms of urban design and townscape, the proposals positively address the principles set out in the Railway Station Character Area Appraisal (2022).

The proposed designs will significantly improve and simplify the accessibility and usability of the railway station as a gateway into Leicester which will benefit all station users. The active engagement of local access groups to inform the designs has been instrumental in securing the range of accessibility improvements that are proposed.

The reconfigured main railway station entrance will be more visible as a destination reached via a clear and legible walking and cycling route from Granby Street and the City Centre. There will be a more open feel to the environs of the railway station, with visitors arriving at an attractive new public plaza.

The creation of the new public plaza at the reconfigured main entrance will provide an attractive pedestrian circulation area and civic space which will

replace the cramped existing environment outside and leading to the railway station. The new access ramp into a reconfigure main entrance will enable easy access into the railway station buildings, and beneath it there will be a more visible and useable secure cycle parking area.

The new public plaza will also provide an improved landscape and public realm setting for the Elizabeth House residential tower, including improvements to the unattractive existing landscaped areas around the tower and providing better security for residents.

The proposals positively address the inadequacy of the current railway station facilities and the way that the station functions, and will introduce a range of improved facilities that the travelling public now expect at a major rail hub to improve the visitor / commuter experience when arriving at or departing from Leicester by rail.

A significantly improved range of facilities to serve rail-users will be created, including the large new 'street-food' hall offering located in the sensitively regenerated Grade II listed Porte Cochere, and other new retail and catering facilities within the upgraded main railway station buildings.

The ticket hall, station concourse, and ticket barrier space within the main railway station building will be enlarged and made more attractive through its design, which incorporates accessibility features including additional and wider ticket barriers, colour-sensitive interior design to assist people with various neuro-diversity conditions, and additional public toilet facilities.

The rear entrance to the station, accessible by a lift, will be made more attractive and prominent to cater for rail-users arriving by car or taxi into the main car parking and vehicular circulation area.

The Local Highway Authority is content that the proposed vehicle circulation routes from the main arterial road network to and from the parking area and relocated taxi rank will operate satisfactorily.

Built heritage and conservation matters regarding potential impacts on the Listed and Locally Listed heritage assets have been fully evaluated. The overall level of enhancements proposed to the built fabric the railway station, its setting, and the treatment of related heritage assets is considered to outweigh any identified harm.

Overall, the proposal is considered to constitute a high-quality redevelopment of Leicester Railway Station. It provides for the forecast additional railway station capacity required whilst enhancing the setting of the existing Grade II listed building and other heritage assets and providing new facilities that will enhance the railway station's accessibility for all, positively supporting the railway station's important role within the City Centre. The proposed development is considered to be acceptable in principle and in detail. It will not result in any significant impact or harm on neighbour amenity, the character of the area, heritage assets or highway safety subject to relevant conditions. It is

considered to be in accordance with Core Strategy planning policies CS01, CS02, CS03, CS04, CS10, CS11, CS12, CS13, CS14, CS15, CS17, CS18, PS10, PS11, UD06, SPA04, AM01, AM02 AM05, AM11 and BE22, and it meets the aims of the NPPF.

It is recommended that this application is APPROVED subject to conditions:

- 1. Time Limits:** The development shall be begun within three years from the date of this permission.

Reason: To comply with Section 91 of the Town & Country Planning Act 1990.

- 2. Approved Drawings:** The development hereby permitted shall be carried out in full accordance with the following drawings and documents.

Location Plan, 177016-ARC-ZZ-ZZZ-DRG-EAR-081000 P04;05/04/24

Site Plan, 177016-ARC-ZZ-ZZZ-DRG-EAR-081001 P04; 05/04/24

Telecoms CCTV GA Layout 177016-ARC-ZZ-00-DRG-ETL-011000;05/04/24

Ticket Hall Bay Studies, 177016-ARC-ZZ-ZZZ-DRG-EAR-209006 P02; 05/04/24

External Lighting Layout, 1034002-CDL-ZZ-ZZ-DR-Z-9011 05/04/24

Porte Cochere – Bay Studies – Sheet 1, 177016-ARC-ZZ-ZZZ-DRG-EAR-209001 P04 05/04/24

Porte Cochere – Bay Studies – Sheet 2, 177016-ARC-ZZ-ZZZ-DRG-EAR-209002 P04 05/04/24

Porte Cochere – Bay Studies – Sheet 3, 177016-ARC-ZZ-ZZZ-DRG-EAR-209003 P04 05/04/24

Porte Cochere – Bay Studies – Sheet 4, 177016-ARC-ZZ-ZZZ-DRG-EAR-209004 P04 05/04/24

Porte Cochere – Bay Studies – Sheet 5, 177016-ARC-ZZ-ZZZ-DRG-EAR-209005 P04 05/04/24

Porte Cochere – Curtain Walling sheet 1 177016-ARC-ZZ-ZZZ-DRG-EAR-273011 P01 05/08/24

Illustrative Landscape and Public Realm Plan, 177016-ARC-ZZ-ZZZ-DRG-EEN-000102 P02 30/04/24

Landscape Site Layout, 177016-ARC-ZZ-ZZZ-DRG-EEN-000100 P02 30/04/24

Proposed Elevation SW & NW, 177016-ARC-ZZ-ZZZ-DRG-EAR-201001 P07 23/04/24

Proposed Elevations NE & SE, 177016-ARC-ZZ-ZZZ-DRG-EAR-201002 P05 23/04/24

Proposed Plan – Roof Plan, 177016-ARC-ZZ-RF1-DRG-EAR-2000R0 P07, 23/04/24

Proposed Lower Ground Floor Plan, 177016-ARC-ZZ-000-DRG-EAR-200000 P12 23/04/24

Proposed Plans – Ground Floor, 177016-ARC-ZZ-001-DRG-EAR-200010 A03; 29/07/24

Porte Cochere – Curtain Walling sheet 1 177016-ARC-ZZ-ZZZ-DRG-EAR-273011 P01 05/08/24

Porte Cochere – Curtain Walling sheet 2 177016-ARC-ZZ-ZZZ-DRG-EAR-273012 P01 05/08/24

Tree Plan 177016-ARC-ZZ-ZZZ-DRG-EEN-000110 P01 05/08/24

Design & Access Statement

Reason: For the avoidance of doubt.

- 3. Phasing Strategy:** No development shall commence until a Phasing Strategy has been submitted to and approved in writing by the Local Planning Authority. The Phasing Strategy shall comprise a) a written scheme setting out the phases of construction, b) a plan identifying the phasing areas, and c) a timetable for construction and timescales for the implementation of the planning conditions set out in this Decision Notice. The development shall be implemented in accordance with the approved Phasing Strategy (unless superseded by a subsequent strategy approved in writing by the Local Planning Authority).

The specific matters controlled by planning conditions that require inclusion within the Phasing Strategy are: hard and soft landscaping, boundary treatments, lighting scheme, cycle parking, car parking, surfacing and marking out of car parking areas, archaeology, sustainable drainage system, flood risk, biodiversity gain plan, Landscape and Ecological Management Plan (LEMP), entrance canopies, materials, gate piers, Porte Cochere details, and curtain wall details.

Reason: In order to secure the satisfactory development of the application site in accordance with Policies CS01 and 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.

- 4. Hard and Soft Landscaping:** Details of hard and soft landscape works for each phase of development shall be submitted to and approved in writing by the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy. These details shall include proposed finished levels or contours, means of enclosure, hard surfacing materials, minor artefacts and structures, proposed and existing functional services above and below ground, fully annotated planting plans to a scale of 1:100, showing, where used, locations of individually planted trees, shrubs, hedges, bulbs, and areas of grass. Within ornamental planting areas, plans should be sufficiently detailed to show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs. Other information shall include planting schedules, noting species, plant sizes and proposed numbers / densities and details of the proposed planting implementation programme. All hard and / or soft landscape works shall be implemented in accordance with the approved details. The works shall be implemented in accordance with a programme agreed with the Local Planning Authority and thereafter maintained. Any trees or shrubs which, within a period of two years from the completion of the development, die, are removed or become seriously diseased or damaged, shall be replaced in the next planting season with others of similar size and species.

Reason: In order to secure the satisfactory development of the application site, ensure a high quality of external environment and reinforce local landscape character in accordance with Policies CS01 and CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development,

this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 5. Boundary Treatments:** Details of the proposed boundary treatment for each phase of development shall be submitted to and approved in writing by the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy and these works shall be carried out as approved. These details shall include plans showing the locations of existing, retained and proposed new boundary treatments and scaled drawings indicating the positions, height, design, materials, type and colour of proposed new boundary treatments. The approved scheme shall be implemented before occupation of the development hereby permitted and shall be maintained and retained thereafter.

Reason: In order to secure the satisfactory development of the application site in accordance with Policies CS01 and CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 6. Lighting Scheme:** Details of the lighting scheme for each phase of development shall be submitted to and approved in accordance with the timescales set out in the approved Phasing Strategy and these works shall be carried out as approved. The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, building elevations and structures they illuminate, site plans showing horizontal and vertical overspill to include light trespass and source intensity, affecting surrounding residential premises and details of the lighting fittings including: colour, watts and periods of illumination. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. All lighting works shall be implemented in accordance with the approved details and shall be completed prior to the occupation of any part of the development hereby permitted and shall be retained and maintained thereafter.

Reason: To ensure a high quality of external environment, to complement the development proposals, and to protect and reinforce local character and biodiversity in accordance with Policy In order to secure the satisfactory development of the application site in accordance with Policies CS01 and CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 7. Cycle Parking:** Secure and covered cycle parking shall be provided in accordance with the timescales set out in the approved Phasing Strategy and retained thereafter in accordance with written details previously approved by City Council as local planning authority.

Reason: In the interests of the satisfactory development of the site and in accordance with policies AM02 and H07 of the City of Leicester Local Plan). To ensure that the details are agreed in time to be incorporated into the development,

this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 8. Car Parking:** The car parking area shall be provided in accordance with guidance in the Leicester Street Design Guide and Network Rail's car parking standards and implemented in accordance with the timescales set out in the approved Phasing Strategy. The car parking area shall be retained and kept available for that use.

Reason: To ensure that parking/servicing can take place in a satisfactory manner; and in accordance with policies AM01 and AM12 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 condition will need to be discharged in accordance with the approved Phasing Strategy.

- 9. Surfacing and Marking Out of Car Parking Areas:** All parking areas shall be surfaced and marked out in accordance with details submitted to and approved by the City Council as local planning authority, and implemented in accordance with the timescales set out in the approved Phasing Strategy. The car parking areas shall be retained for parking and not used for any other purpose.

Reason: To ensure that parking can take place in a satisfactory manner, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 10. Archaeology – Written Scheme of Investigation:** No groundworks, slab removal or new development shall take place or commence until a programme of archaeological monitoring and recording has been agreed in accordance with the timescales set out in the approved Phasing Strategy and a prepared Written Scheme of Investigation submitted to and approved in writing by the City Council as the local planning authority. The scheme shall include:

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

Reason: To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development,

this condition will need to be discharged in accordance with the approved Phasing Strategy.

11. Sustainable Drainage System: Full details of the Sustainable Drainage System (SuDS) for each phase of development, together with implementation, long term maintenance and management of the system, shall be submitted to and approved in writing to the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy. The use shall not commence until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. 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.

Reason: 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 condition will need to be discharged in accordance with the approved Phasing Strategy.

12. Flood Risk: The development shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Assessment (177016-ARC-ZZ-ZZZ-REP-EDR-00500, Rev P03, dated March 2024) and the following mitigation measures detailed within. The mitigation measures for each phase of development shall be fully implemented in accordance with the timescales set out in the approved Phasing Strategy.

Reason: To ensure appropriate flood resilience measures are incorporated 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 condition will need to be discharged in accordance with the approved Phasing Strategy.

13. Biodiversity Gain Plan: A Biodiversity Gain Plan (BGP) shall be submitted to and approved in writing by the local planning authority in accordance with the timescales set out in the approved phasing strategy. The approved BGP shall be implemented within a timescale included with the BGP and shall be maintained for a period of not less than 30 years after the development is occupied in accordance with a maintenance scheme included within the BGP. Any replacement planting shall be completed within the next planting season in accordance with the approved BGP. The BGP shall include:

- (a) the steps already taken or to be taken to minimise any adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
- (b) the pre-development biodiversity value of the onsite habitat (with the baseline biodiversity value of the site measured at the biodiversity value of the site as it was at 30.01.2020)
- (c) the post-development biodiversity value of the onsite habitat,

Reason: To comply with Paragraph 13 of Schedule 7a of the Town & Country Planning Act 1990). To ensure that the details are agreed in time to be

incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 14. Landscape and Ecological Management Plan (LEMP):** A detailed Landscape and Ecological Management Plan (LEMP) showing the treatment and maintenance of all parts of the site which will remain unbuilt upon shall be submitted to and approved in writing by the local planning authority in accordance with the timescales set out in the approved Phasing Strategy. The LEMP shall be implemented within a timescale to be agreed with the Local Planning Authority.

Reason: To ensure habitats are reinstated, enhanced, and managed, to maximise potential for biodiversity. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 15. Entrance Canopies:** Architectural drawings detailing the entrance canopy structures illustrating their design, component size, technical specification, material, RAL colour and finish and how they will be assimilated with the existing building shall be submitted to and approved in writing to the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy. The development shall be carried out in complete accordance with the approved details and be retained for the lifetime of the development.

Reason: In the interests of visual amenity and the character and appearance of the Listed Building, and in accordance with Core Strategy policies CS01 and CS02. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 16. Materials:** A full materials schedule shall be submitted to and approved in writing by the local planning authority in accordance with the timescales set out in the approved Phasing Strategy. The sample panels shall illustrate how the materials are composed together and provide the depth and sculptural quality of the elevations for inspection by Officers and approval in writing by the local planning authority. The development shall be carried out in accordance with the approved details and be thereafter maintained.

Reason: In the interests of visual amenity, the character and appearance of the area and in accordance with Core Strategy policies CS01 and CS02. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 17. Gate Piers:** Details of the reconstruction of the Gate Piers shall be submitted to and approved in writing by the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy. The details shall outline the proposed method / technique of dismantling and reconstruction of the gate piers as well details on how the current location of the gate piers will be marked for the purpose of heritage interpretation and also the provision of a heritage interpretation

panel at a position to be identified to describe the historic importance of the gate piers and other heritage features associated with the railway station. The reconstruction shall take place in accordance with the approved details and be thereafter maintained.

Reason: In the interests of visual amenity, the character and appearance of the area and in accordance with Core Strategy policies CS01 and CS02. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

18. Porte Cochere Details: Details of the treatment and positioning of the ornate metal gates and panels on the Porte Cochere shall be submitted to and approved in writing to the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy. The details shall set out, where appropriate, the proposed locations for the removal and retention of the gates. The positioning of the ornate metal gates and panels shall take place in accordance with the approved details and be thereafter maintained.

Reason: In the interests of visual amenity, the character and appearance of the area and in accordance with Core Strategy policies CS01 and CS02. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

19. Curtain Wall Details: Details of curtail wall glazing fixings shall be submitted to and approved in writing to the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy. This will include how these features will relate to floor and walls, and how far they project from the structure as well as the RAL colour specification. With regard to glazed elements detailed information is required on fixings, corners, soffits and junctions between materials, overall design, headers, sills, glazing bar and frame dimensions and arrangement, materials, reveal depth. The development shall be implemented in accordance with the approved details and thereafter maintained.

Reason: In the interests of visual amenity, the character and appearance of the area and in accordance with Core Strategy policies CS01 and CS02. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

20. Construction Method Statement: No development shall take place, 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; (viii) temporary arrangements for public access, parking and servicing.

Reason: 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.

21. Loading and Unloading: Space shall be kept available within the curtilage of the site to allow for loading and unloading (including taxis and general purpose Pick-up / Drop-off areas) to take place within the site in accordance with the approved plans.

Reason: In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.

22. Turning Space: Turning space, to enable vehicles always to enter and leave the site in a forward direction, shall be kept available within the site in accordance with the approved plans.

Reason: In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.

23. Street Works Design: All public realm and street works including works to create the car parking area, pick-up / Drop-off area, Taxi Rank shall be constructed in accordance with the Leicester Street Design Guide and Network Rail Design Guidance, and in accordance with approved plans.

Reason: 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).

24. Plant Noise: Noise from any heating and cooling units as proposed in the approved plans shall not exceed 5dB(A) below the existing background noise level. A correction factor should be added to the measured sound pressure level if noise contains any distinguishable characteristics (whine, hiss, screech, hum, etc.) or is irregular enough to attract attention in line with BS4142, when measured at 1 metre from the facade of any nearby residential properties.

Reason: In the interest of the amenities of nearby occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.

25. Air Quality: The development shall be carried out in full accordance with the air quality mitigation measures as set out in Appendix A of the air quality assessment (Arcadis, March 2024).

Reason: To manage and mitigate the impact of the construction works on air quality and amenity, in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.

26. Energy Efficiency: The development shall be carried out in accordance with the energy efficiency measures as outlined in the Sustainability Statement (document ref: 1034002-CDL-XX-XX-RP-SY-70201).

Reason: In the interests of development to mitigate and adapt to climate change and in accordance with Core Strategy Policy CS02.

27. Unidentified Contamination: If, during the course of development, previously unidentified contamination is discovered, development must cease on that part of the site. Prior to the recommencement of development on that part of the site, a risk assessment and remediation scheme for the discovered contamination must be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or brought into use until the approved remediation has been carried out and a verification report has been submitted to and approved in writing by the local planning authority.

Reason: To accord with saved policies PS10 and PS11 of the City of Leicester Local Plan.

28. Tree Planting: Prior to implementation of the landscaping scheme, full details of all tree canopy lost; proposed tree planting and projected tree canopy extent at 25 Year post development shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings of tree pit dimensions and available roosting volume, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: In order to secure the satisfactory development of the application site and safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies CS01 AND CS02.

29. Accessibility: Adequate facilities as shown in the approved plans are to be maintained to ensure inclusive access for people with mobility and sensory disabilities in accordance with details on the approved plans.

Reason: In order to secure the satisfactory development of the application site in accordance with policies AM01 and AM12 of the City of Leicester Local Plan.

30. Footway Crossings: The following works shall be carried out in accordance with details shown on the approved plans: (a) footway crossing(s) at each vehicular access; (b) alterations to footway crossing(s); (c) reinstatement of any redundant footway crossings and/or damaged or altered areas of footway or other highway.

Reason: To ensure a satisfactory means of access to the highway, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

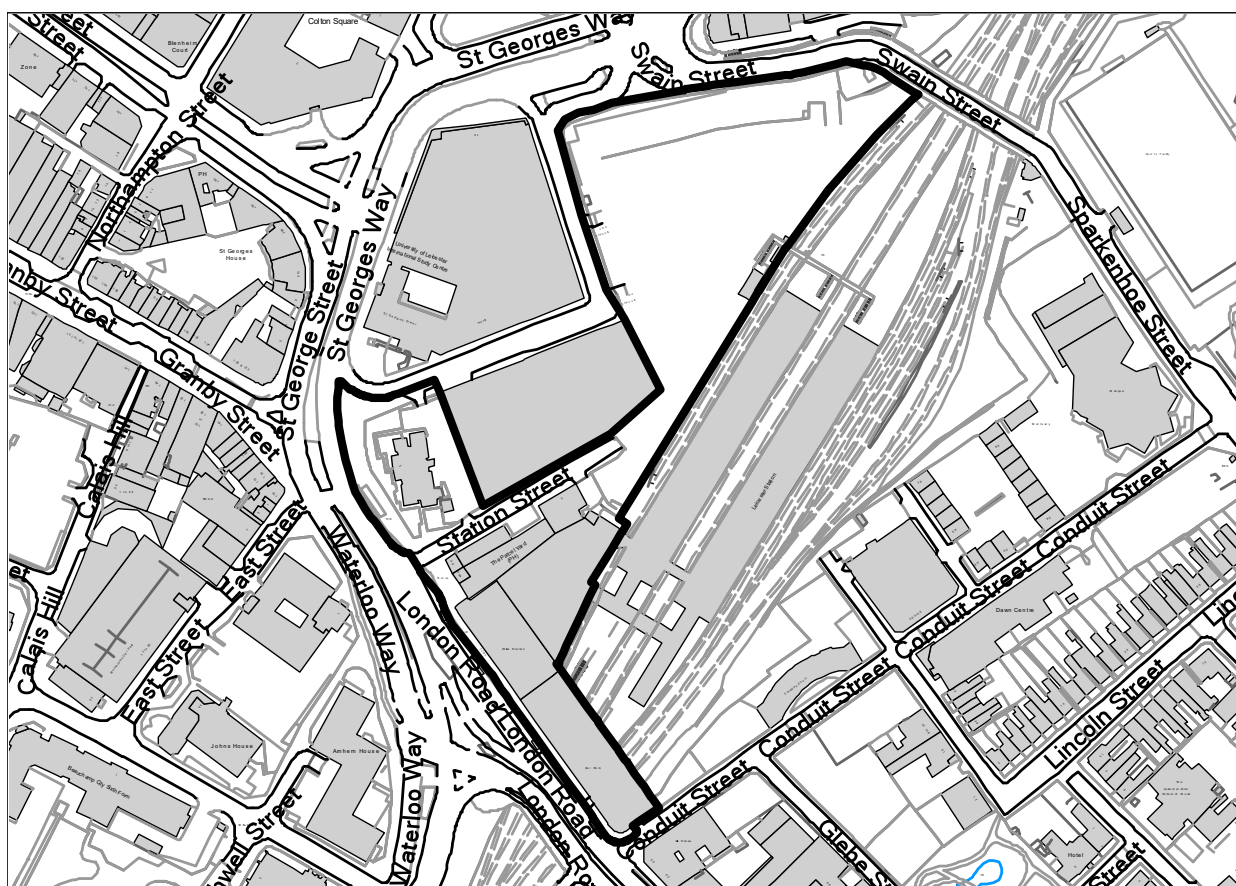
NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application). The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.
2. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway.
3. For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.
4. Temporary direction signing for developments can be provided within the highway. The Highway Authority requires all temporary signing schemes are designed, implemented and maintained to an appropriate and acceptable standard. The temporary signing scheme including details of the sign faces, locations and means of fixing must be submitted for approval. These signs must comply with the Traffic Signs Regulations and General Directions (TSRGD). Applications must be submitted to the Council at least four weeks before the signs are to be erected. Applicants will agree to reimburse the City Council for the full costs involved in the processing of the application and any subsequent planning, design, implementation and maintenance of the signs. The Local Authorities (Transport Charges) Regulations 1998 refers, and charges are set in LCC minor charges report updated annually; available via this link <https://www.leicester.gov.uk/media/181997/minor-fees-and-charges-for-transportation-services-2020-2021.pdf>.

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

COMMITTEE REPORT

20240595	Leicester Railway Station, Midland Main Line, London Road	
Proposal:	Internal and external alterations to Grade II listed building and relocation of Grade II listed gate piers.	
Applicant:	Leicester City Council	
App type:	Listed Building Consent	
Status:	Other development	
Expiry Date:	30 July 2024	
KI	TEAM: PM	WARD: Castle



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Summary

- The application is brought to committee at the discretion of the Head of Planning and in the context of Planning & Development Control Committee's determination of application 20231214 for the Demolition of 48 London Road and the associated Listed Building consent application 20231215 (Date: 06/12/2023).
- One objection has been received for this application.

- The main issues are to consider are the principle of development, design and the impact on the heritage assets.
- The application is recommended for conditional approval.

The Site

The application relates to 2.15ha of urban land on the southern edge of Leicester City Centre, contained within Conduit Street, London Road, Fox Street and Campbell Street. The specific development parcels comprise the operational Leicester Railway Station, including the associated parking area, Elizabeth House (2 Waterloo Way) and adjoining highways land.

The southern part of the application site hosts the operational Leicester Railway Station. The railway station is a two-storey Grade II listed building. The majority of publicly accessible spaces are located at ground floor level and include the ticket hall, passenger circulation concourse and platform access areas, retail units, and the Porte Cochère (covered forecourt) structure which currently serves as a taxi rank and vehicular pick-up / drop-off (PUDO) point. The port cochere provides 16 taxi rank bays, four Person's of Reduced Mobility (PRM) bays and 10 PUDO bays. The lower ground floor is used predominantly for cycle storage, railway offices, and other ancillary uses as well as providing a rear pedestrian entrance to the ticket hall which is accessed via lifts.

Demolition of buildings is currently underway at 48 London Road which adjoins the railway station immediately to the north-west. This previously housed the Parcel Yard public house, a taxi company, and office facilities. Planning permission (ref: 20231214) and listed building consent (ref: 20231215) was approved by the Planning & Development Control Committee at its meeting on 06/12/2023.

At the north-west of the site is Elizabeth House, a 16-storey residential building which fronts onto London Road, and which has associated paving and planting areas, and car parking to the rear. There are access points to the Elizabeth House car park from Campbell Street and Station Street.

The northernmost part of the application site serves as the railway station car park, accessed via Fox Street, Campbell Street or Station Street.

In front of the main London Road railway station frontage there is a footpath and cycle lane, which provides connections to the city centre, and bus stops and pedestrian road crossing areas.

The bronze Thomas Cook statue is positioned on the main pedestrian route to the railway station at the front of the main building. Also, close to the Thomas Cook statue, there is a semi-mature tree situated within the footpath.

The application site and the adjacent public realm areas contain a number of heritage assets, both designated and non-designated. This includes the Grade II Listed gate piers which currently marks the end of Station Street and cast iron gates located at the bays of the porte cochere, as well as two Grade II Listed telephone kiosks and a

Locally Listed post box on London Road. The South Highfields Conservation Area lies immediately south of the application site and the Granby Street Conservation Area lies to the north.

The railway station building sits on the western side of London Road, a major arterial route into the city, and is located 0.5 miles southeast of Leicester city centre designated retail core area. The University of Leicester, Leicester Tiger's stadium and Leicester City's Stadium are all located to the south of Leicester Railway Station, some 1.3 miles, 0.8 miles and 1.3 miles away respectively.

Other significant designations are:

- Air Quality Management Area (AQMA);
- Leicester City Centre;
- Archaeological Alert Area;
- Critical Drainage Area;
- Flood Zone 1;
- Strategic Regeneration Area.

Background

A number of applications have been made at the application site, the most notable applications include:

20231215 – Listed Building Consent for proposed demolition of 48 London Road (Approved)

20231214 – Demolition of 48 London Road (Approved).20171639 – Change of use from telecommunications kiosk to retail kiosk class A1 (Refused)

20171640 – Internal alterations to Grade II listed telephone kiosk (Approved).

20152423 – Retrospective application for ATM at front of taxi office sui generis (Approved).

2015242 – Retrospective application for internally illuminated sign to ATM at taxi office sui generis (Approved).

20151582 – Internal alterations to Grade II listed building to provide temporary retail kiosk.(Approved)

20141164 – Continuation of use of taxi booking office sui generis (Refused).

20130227 – Change of use from retail class A1 to taxi booking office sui generis; alterations to shop front (Approved).

20111191 - Internal alterations to the Porte Cochère (covered forecourt) (Grade II listed building) including insertion of glazed screen to create separate pedestrian and vehicular routes: new disabled access routes; alterations to entrance and interior. (Approved)

20100791 – External and internal alterations to Grade II listed building (Approved).

025586A – Cleaning of masonry of Leicester Station Grade II Listed building (Approved).

The Proposal

This Listed Building Consent application is for internal and external alterations to the Grade II listed Leicester Railway Station building and the relocation of Grade II listed gate piers on Station St. These alterations are to facilitate the redevelopment of the railway station and the surrounding highways for which planning permission is also sought, as detailed in the associated planning application elsewhere on this agenda (ref: 20240524).

The redevelopment proposals seek to provide modern railway station facilities and improve the user experience within and surrounding the site, whilst improving overall accessibility, and respecting the railway station's edge of city centre location and enhancing its heritage buildings and public realm setting.

This application is only concerned with the alterations which require Listed Building Consent. They relate to two listed structures specifically:

1) Grade II Listed Leicester Railway Station alterations

The proposed new pedestrian ramp is designed to lead to a new main railway station entrance, with a canopy structure above the main entry area, via the northern elevation of the railway station building and into a larger and improved ticket hall and station concourse area. The new railway station entrance would be created by a curved pedestrian ramp connecting the public realm to the ticket hall. There would be a new and expanded secure cycle storage area underneath the ramp structure, accessed from the ground level public realm area. Part of the proposed new public realm plaza area would be sited on the footprint of 48 London Road and Station Street, and would include hard and soft landscaping with a range of planting and the inclusion of SUDS drainage within the planted areas.

Proposed changes to the design of the existing rear entrance include the erection of a new entrance canopy, the removal of physical barriers, and regrading of the land levels to allow for ease of access into the station from this access point.

It is proposed to re-use the Porte Cochère as (a) a new food hall (in use class E(b)) providing for a mix of street food vendors, cafés and bars, with a gross floor area of approximately 1,500 sqm gross; and (b) a new convenience store at the northern station concourse end of the Porte Cochère, with a gross floor area of approximately 398 sqm gross. To facilitate the uses in the Porte Cochère there would be various physical alterations including removal of the current glazed partition screen; re-levelling and re-flooring including removal of the ramps and steps and remediation of tarmacked areas; cleaning of masonry; glazing of external apertures; additional glazing to the roof; erection of a new glazed screen at the northern end to create a retail space; provision for food and beverage facilities within the southern end; and provision of new ramp and steps within the central pedestrian entrance from London Road.

On the ground floor the vestibule and booking hall will be reconfigured to provide additional retail space and a larger ticket gate. Back of house areas on the ground and lower ground floors will also be reconfigured to provide a more accessible bicycle store, office space and staff facilities.

2) Relocation of Grade II Listed Gate Piers

To facilitate the highway changes at the rear of the station, it is proposed to relocate the Grade II listed Gate Piers from their existing location to the edge of the new pedestrian public realm area, to the south-west of their current position. The piers will be repaired and refurbished and the missing iron gate to the southern pier will be recreated to match the surviving gate on the north side.

Amended plans have been received during the consideration of the planning application following consultation responses on the original submission. The representations included objections to the absence of WC facility in the ticket hall area on the ground floor of the train station. The applicant, in response to this specific objection, has amended the design to allow for WC facilities at the ground floor of the train station. The amendments comprise an altered proposed ground floor plan and a Design & Access Statement Addendum detailing the change.

Policy Considerations

National Planning Policy Framework (NPPF) 2023

Section 16 – Conserving and enhancing the historic environment

The following paragraphs are particularly relevant to heritage matters.

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

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

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

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

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

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

Paragraph 203 states that ‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.’

In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’

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

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

Development Plan Policies

Core Strategy (2014)

CS01 - Location of Development

CS02 - Addressing Climate Change and Flood Risk

CS03 - Designing Quality Places

CS04 - Strategic Regeneration Area

CS18 - Historic Environment

Leicester Local Plan 1996-2016 Saved Policies (2006)

UD06 - Landscape Design

AM01 - The Impact of Development on Pedestrians and People With Limited Mobility)

Other Guidance

National Design Guide (MHCLG)

Railway station Character Area (2022)

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

Historic England

Consider the works would result in a medium level of less than substantial harm, as referenced in the NPPF. The local authority should therefore consider;

- 1) Whether this harm is clearly and convincingly justified (paragraph 206 of the NPPF), and
2. Whether the harm is outweighed by the public benefits associated with the scheme (paragraph 208, NPPF).

Archaeology

This site is located in an area with nationally designated and locally listed non-designated heritage assets, including known archaeology within the wider historic landscape dating from the prehistoric to modern period. Following a review of the Heritage Assessment, there are no objections raised subject to safeguarding conditions.

Representations

One objection has been received to the proposal. The reasons for objections are summarised as follows:

- Negative impact on disabled parking, disabled access and other facilities for people with physical impairments.
- The development results in demonstrable harm to the heritage assets and the mitigation is not satisfactory.
- The removal and relocation of the Grade II listed gate piers does not preserve the heritage asset which is denoted by its position as a marker of the station boundary which is an integral part of the listed and its importance.
- Ticket office and assistance point is not adequate.

Conservation Advisory Panel

No objection however some panel members expressed concern about the works to the Porte Cochere. Some welcomed its re-purposing while others expressed concern about the change of character and experience for station users. There was general concern about the potential visual impact of the rear elevations of new structures in the Porte Cochere on the external appearance of the structure, especially when viewed through the openings onto London Road.

The Panel debated the appropriateness and design of the canopy, with a range of views expressed. Some Panel members felt a more distinctive design would be appropriate while others felt it was superfluous and should be removed. The visitor experience was then discussed with concerns raised as many station users would no longer experience the Porte Cochere - the historic station entrance, as their entry point which was regrettable. However, some others argued there still were entrances through the structure and ancillary uses in it would support the viability of the complex as a whole. Some members expressed concern about the experience when being dropped-off or getting a cab, noting the lack of cover relative to being in the Porte Cochere. Some sort of bus shelter type facility at the taxi rank was suggested, while others argued the removal of taxis / cars and the associated pollution was beneficial to the heritage asset.

The Panel were broadly comfortable with the principle of moving the historic gate piers but felt they should be relocated in a more prominent location to restore their historic function as gateway markers – closer to the new ramp. They re-iterated their previous point about marking the historic location of the piers in the new paving. Members also sought assurances that the existing heritage interpretation panels located within the Porte Cochere would be re-located as part of the scheme.

Consideration

Principle of development

By way of context for consideration of the Listed Building Consent application, this proposal is designed to address existing demand and a forecasted growth in future demand for rail services, improve overall user experience and provide for a new 'Gateway' destination in the city centre.

The railway station is a major transport hub in the city, currently with over five million visitors each year. It is forecast that this will increase to some seven million visitors in future years. The Grade II listed railway station and its surroundings are currently constrained by existing site features, in particular the adjacent highways which results in conflicts between highway users. In addition, there is currently no significant area of public realm serving the railway station, and despite its proximity to the Central Shopping Core, it feels physically and psychologically detached from other parts of the city centre.

The Council will seek to preserve heritage assets, however as set out in both NPPF and local planning policy this does not preclude positive changes being made which would benefit the heritage asset and its wider setting in the long term. Ultimately, any potential harm must be balanced against the potential benefits of development.

In principle, it is considered that the proposal would be of significant public benefit in terms of its enhancement of the railway station and wider setting which would provide an area of improved public realm and seeks to enhance the use of Leicester Railway Station. The application proposal is compliant with the NPPF and CS18.

Design

The Railway Station Character Area Appraisal (2022) has been produced to guide future development. The appraisal forms the basis for managing change effectively by guiding development strategies so that new development contributes positively to the townscape's character, supports local identity, and generates built-up areas that are appealing to live, work and visit. One of the key objectives of the appraisal is to deliver a new railway station entrance, create a new well designed public space and public realm and to reconfigure the transport hub to strengthen its visual and physical presence. This aligns with the objectives of the planning application.

The proposed new main entrance to railway station on the northern elevation would be orientated to provide a strong sight line from the Granby Street, addressing the current visual separation of the city centre's retail core from the railway station. This would be emphasised by the new canopy overhead providing a strong physical landmark. A new curved access ramp, articulated by landscaping features either side, would connect the plaza with the new front entrance to the railway station. The new public space in front of the main entrance is positioned to take advantage of the significant area of space that would be vacated by the demolition of 48 London Road and the proposed pedestrianisation of Station Road.

This combination of a new hard and soft landscaped public space area, access ramp and glazed entrance marked by a sympathetic canopy would present an attractive space for railway station users as well as improve the setting of the Grade II listed station and Grade II listed gate piers.

The proposed canopy structure marks a departure from the existing design of the listed building, adding a new modern quality. It is considered that the canopy has been designed to ensure a striking, highly visible feature, but would crucially, not detract from the attractiveness of the host building. Given its importance to the overall design, it will be necessary to recommend a condition to ensure that the canopy would result in a high-quality finish and not impact on the heritage asset. Conditions to this effect are recommended below.

The rear entrance would present a similarly designed canopy as that proposed on the main entrance highlighting the entrance for visitors whilst not detracting from the heritage asset. In addition, to aid movement and legibility at this point much of the existing hard features and physical barriers would be removed, the levels graded to provide a smooth visitor experience. There would be an accessible lift provided which would connect the lower ground with the Ticket Hall area allowing those mobility impairments to access the concourse area. The improvements at this entrance are welcomed and, the decluttering and opening of this space is positive for all users.

Internal changes to the railway station would create a larger ticket hall area, enlarge gate lines, and introduce natural light which result in a more open space. Alongside this, there would new retail areas surrounding the ticket hall area.

Following the period of consultation, the applicant has submitted amended plans. The amendments relate to the ground floor layout to provide for toilets in the main concourse area before reaching the gate lines, responding to a specific objection relating to insufficient WC facilities.

The relocation of highway uses to the rear of the railway station opens up the Porte Cochere to new uses comprising an improved retail and food offering which are more amenable to a modern train station. To facilitate the internal changes, new glazed curtain walling is proposed at all of the Porte Cochere openings. This is considered to be sympathetic to the main station building and would allow thermal insulation whilst also not appearing as an incongruent feature when viewed from London Road. The submitted bay studies provide indication of fittings, but to ensure minimal impact, conditions are proposed below.

Thought has been given to safety and security throughout the design of the building, with the concourse levels being as open as possible to provide good natural surveillance. Outside bollards would be strategically placed to protect the building from vehicular attack whilst not appearing as overly dominant features.

Overall, it is considered that the proposed design would be of high quality which would significantly enhance the character of the area. It would provide a fitting entrance to the City Centre and would comply with national policy, Policy CS03 of the Core Strategy and the Railway Station Character Area. With respect to the objections raised, the proposed design has sought to meet the needs of users of the space through design, principally through pedestrianisation of Station Street, removal of significant physical barriers and providing step free access across all key entrances and exists of the station. As such the proposal would accord with Policy AM01 of the Local Plan (Saved Policies).

Building Conservation & Heritage Assets

Policy CS18 of the Core Strategy states the Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. There is support for 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 of existing heritage features.

Paragraph 196 of the NPPF identifies that Local Planning Authorities, when determining planning applications involving designated or non-designated heritage assets should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraphs 206 and 207 of the NPPF address harm and state that “where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless

it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 208 of the NPPF addresses harm that would be 'less than substantial' in nature. It states that where development proposals will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Council has a statutory duty under s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have a special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The proposed works relate to the Grade II Listed Leicester Railway Station. The site and the adjacent public realm contain a number of other heritage assets, both designated and non-designated. The most significant are the Grade II Listed gate piers and cast-iron gates to the original Midland Railway Station on Station Street, as well as two Grade II Listed telephone kiosks and a Locally Listed post box on London Road. In addition, to the south of the site is the South Highfields Conservation Area, with the Locally Listed railway bridge parapet to the west, and Granby Street Conservation Area to the north. This application and associated listed building application are supported by a detailed Heritage Statement that addresses the impact of proposed work on the significance of the various heritage assets. The document thoroughly meets the requirements detailed in paragraph 200 of the NPPF.

The railway station is a complex building group and much of the internal and external detail is more modern and of lower heritage significance. The Porte Cochère is the largest structure of heritage significance that will be directly affected by works and the already approved works to better reveal the original architectural form of the structure will have a beneficial impact on the setting of the structure. More detailed plans for works to enhance the pedestrian experience within the newly opened up peripheral spaces will enhance its use and have a beneficial impact on the setting of the Listed Building. The direct changes proposed to the structure are in one sense more limited, with the majority of change internal and not affixed to the historic walls and roof. The most notable proposed change in those terms would be the addition of new curtain glazing sections and glazed doors across the existing openings. These have been carefully designed and will appear as legibly modern and less visually intrusive in form, with appropriate design for the junctions. The valuable existing ornate metal gates are generally to be either fixed shut or open in their historic positions. However, a minority will either be moved slightly to accommodate the new glazing or relocated to as yet undetailed position in the building. The latter detail in

particular will need to be covered by an appropriately worded condition if the scheme is approved, as if these are not appropriately located this will cause harm to the significance of the heritage asset.

The loss of some permeability from the new glazing will cause some harm in terms of the historic function of the transitional space, as will the imposition of additional freestanding units within the Porte Cochère. However, the harm will be mitigated somewhat by the restoration and repair works to the structure as a whole and the wider public benefits from improving general accessibility and use within the building. The removal of the later floorscape treatment and the introduction of a simpler design, as well as the removal of some visual clutter relating to the different existing uses, will be clearly beneficial. The design now works harder in terms of limiting visual clutter from new freestanding units in the internal space, when viewed through the existing openings, and this is positive. Taken as a whole and subject to an appropriate design for the re-sited gates, these works are acceptable.

Beyond the Porte Cochère, the primary area of historic structures that will be subject to more extensive alterations is the northern range facing onto Station Street. The roughly triangular shaped structure between the retained Porte Cochère and octagonal tower dates to the late 19th century and although much of its form at lower level has either been altered or is visually concealed, it has an attractive roofscape that enhances the setting of the Porte Cochère and the other more historic buildings and structures on Station Street. There is a pleasing visual relationship between the chimney on the outbuilding occupied by the Cross-Country office and the chimneys on the Victorian structure, as well as the two octagonal turrets either side of it.

It is therefore very positive that this element is proposed for retention, with the new canopy coming off its edge. Other later buildings at the periphery will be removed and allow a better appreciation of this attractive section of the station and this benefit will help counterbalance the harm from the visual clutter relating to the new entrance. The canopy is now of a simpler design and it is clearly read as being modern and subservient in scale to the host building. The new facing materials and fenestration will need to be appropriately specified and I recommend a condition on materials. Additional works to tidy up the rear entrance and add a new light weight canopy will similarly have an impact on historic fabric but have a sound justification and detailing. On balance and taken as a whole with the linked landscaping works, the works would be acceptable in terms of their impact on the significance of the heritage asset.

The internal aspects in the two floors of the northern range are much altered and there is less evidence of notable internal architectural detailing here. Much of the existing presentation is modern and the revised design would generally limit loss of historic material and help rationalise the internal layout. There is clear public benefit from enhancing the passenger and staff facilities here and improved accessibility will make the spaces more usable. Internally, within the vestibule that forms the space between the Porte Cochère and the main part of the station, the new retail space and associated seating will create more visual clutter and cause harm as detailed above. Ideally this would be rationalised or detailed better to limit the potential harm. However, aspects of the works are reversible and the use of glazing will reduce the visual impact. More generally, the layout and detail of new materials appear to be coherent and well considered.

Within the wider landscaping scheme, it is proposed that the existing Grade II Listed gate piers and gate that relate to the original station are relocated to the edge of the new pedestrian plaza, to the south-west of their current position. This would be on the same alignment as the current location and still sit adjacent to the later adjacent building, ensuring that they retain integrity in terms of their historic status as a gateway feature on Station Street. Although the structure is proposed to be carefully dismantled and reconstructed, this will represent substantial harm as per paragraph 207 of the NPPF as it will represent total demolition. This descriptor would conventionally be very challenging in policy terms but there are significant mitigating factors evident in this specific case.

The structure will be rebuilt entirely several metres away and enhanced with localised repairs and the reinstatement of the missing gate features. Moreover, the setting of the listed structure will be enhanced by the higher quality hard landscaping proposed for its base and wider environs. This will improve its legibility and ensure the special significance of the heritage asset is easier to appreciate. Taken as a whole, the substantial public benefits from the wider scheme and the public realm works relating more directly to this space, and which necessitate the relocation, can be seen to balance out the identified harm and give an acceptable heritage position in policy terms. However, I would recommend that there is additional work on heritage interpretation near to the structure to aid their appreciation, while the former base of the piers should be marked with some sort of contrasting floorscape material that makes a nod to their current position.

The revised proposal for relocating the Thomas Cook Statue on a lower plinth is acceptable and the new location nearby will enhance its setting. The works would be acceptable in terms of the specific section in the NPPF relating to moving statues (para. 204).

The existing locally listed post box has recently been redecorated and is proposed to remain in situ. The two existing Grade II Listed former telephone boxes are now proposed to be retained in situ and refurbished. Part of their special significance relates to their current location close to the entrances of the railway station and retaining them in situ is positive in those terms, while wider works to refurbish the adjacent building and the freestanding structures will be positive.

The works are sufficiently modest in scale and positioned such that they will have a limited impact on the setting of the two nearby conservation areas (Granby Street and South Highfields) or the locally listed railway bridge and more distant nationally listed buildings. The benefits from refurbishment works and the modest harm from some additional visual clutter around entrances will be broadly neutral in terms of setting impact.

As presented, the application will present less than substantial harm in terms of the Grade II Listed Station, although the wider harm to the setting of other nearby heritage assets will be very modest or entirely limited. It is considered that the harm will be less than substantial for the reasons detailed above, and subject to the securing of matters of design through planning conditions, the harm would be towards the lower end of the spectrum of harm within that assessment. There will be

some benefits to the setting of the heritage asset from opening up views of the side of the Porte Cochère and this partially mitigates against the harm ascribed above. Moreover, public realm works to the site will provide further public benefit that can provide a balance against the ascribed harm. The relocation of the separately listed gate piers and gate on Station Street will cause substantial harm; however, the heritage benefits from the linked works and substantial public benefits from the wider works will balance against the ascribed harm and in view of the overall benefits to users of the area for the long term, it is acceptable in this case and mitigation is suitable

A planning condition should be included with an approval for details of the relocation of the existing Porte Cochère gates, as this is not currently fully detailed, together with a materials condition on the new features that are integral to the Listed Building, such as the new brickwork and fenestration on the northern side of the station.

The Archaeological Officer has reviewed the heritage assessment and the potential for surviving remains within the site boundary. Whilst there is no evidence to suggest that remains of national archaeological interest would be negatively impacted upon at this stage, I concur with the Archaeological Officer that given the potential for impact that archaeology safeguarding conditions are required. A relevant condition to this effect is recommended below.

Historic England have been consulted on the application and consider that the proposal would result in medium level of less than substantial harm, as referenced in the NPPF. As such they have recommended the Local Planning Authority satisfies itself that the proposed development potential harm is outweighed by the public benefits associated with the scheme (paragraph 208, NPPF).

The Council's officers have scrutinised the proposals carefully in light of the statutory duty under s66 of the Listed Buildings Act and are satisfied, through its assessment and the negotiation of amendments and mitigation proposals, that the preservation of the Listed Buildings, their setting and features of architectural importance have been preserved.

In accordance with Paragraphs 205 and 206, 207 and 208 of the NPPF and local policy CS18, the degree of harm to the designated heritage assets should be both justified and weighed against the public benefits of the scheme. Overall, the impact of the proposed development would represent less than substantial harm to the listed railway station building while the relocation of the gate piers would represent substantial harm to those structures by virtue of their demolition and rebuilding. The proposals have demonstrated, however, that it would result in substantial public benefits (as described elsewhere in this report) relating to the improvement in public transport for rail users and enhancements to the public realm at a key location within the city centre and point of arrival to the city itself. It is considered that these public benefits would outweigh both the identified substantial and less than substantial harm caused by the development.

Conclusion

Whilst it is recognised that the proposals would result in significant alterations to the heritage assets, the redevelopment of the train station would deliver significant benefits to improve the appearance of the station, improve accessibility and help to encourage regeneration in this area of the City centre. It is considered that the alterations outlined in this application have been satisfactorily justified as defined in the NPPF at paragraph 205-208.

The redevelopment of the railway station will help to enhance the appearance of the heritage assets, improve accessibility and the appearance of the public realm of the entrance and setting of the railway station and act as a catalyst for regeneration in this area of the city in the future and the wider area. This future regeneration is seen to be a significant benefit arising from the scheme.

It is recommended that this application is **APPROVED** subject to conditions:

- 1) **Time Limits:** The development shall be begun within three years from the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2) **Approved Drawings:** The development hereby permitted shall be carried out in full accordance with the following drawings.

Location Plan, 177016-ARC-ZZ-ZZZ-DRG-EAR-081000 P04;05/04/24
Site Plan, 177016-ARC-ZZ-ZZZ-DRG-EAR-081001 P04; 05/04/24
Telecoms CCTV GA Layout 177016-ARC-ZZ-00-DRG-ETL-011000;05/04/24
Ticket Hall Bay Studies, 177016-ARC-ZZ-ZZZ-DRG-EAR-209006 P02;
05/04/24
External Lighting Layout, 1034002-CDL-ZZ-ZZ-DR-Z-9011 05/04/24
Porte Cochere – Bay Studies – Sheet 1, 177016-ARC-ZZ-ZZZ-DRG-EAR-
209001 P04 05/04/24
Porte Cochere – Bay Studies – Sheet 2, 177016-ARC-ZZ-ZZZ-DRG-EAR-
209002 P04
05/04/24
Porte Cochere – Bay Studies – Sheet 3, 177016-ARC-ZZ-ZZZ-DRG-EAR-
209003 P04
05/04/24
Porte Cochere – Bay Studies – Sheet 4, 177016-ARC-ZZ-ZZZ-DRG-EAR-
209004 P04
05/04/24
Porte Cochere – Bay Studies – Sheet 5, 177016-ARC-ZZ-ZZZ-DRG-EAR-
209005 P04
05/04/24
Porte Cochere – Curtain Walling sheet 1 177016-ARC-ZZ-ZZZ-DRG-EAR-
273011 P01 05/08/24
Illustrative Landscape and Public Realm Plan, 177016-ARC-ZZ-ZZZ-DRG-
EEN-000102 P02 30/04/24
Landscape Site Layout, 177016-ARC-ZZ-ZZZ-DRG-EEN-000100 P02
30/04/24

Proposed Elevation SW & NW, 177016-ARC-ZZ-ZZZ-DRG-EAR-201001 P07
23/04/24

Proposed Elevations NE & SE, 177016-ARC-ZZ-ZZZ-DRG-EAR-201002 P05
23/04/24

Proposed Plan – Roof Plan, 177016-ARC-ZZ-RF1-DRG-EAR-2000R0 P07,
23/04/24

Proposed Lower Ground Floor Plan, 177016-ARC-ZZ-000-DRG-EAR-200000
P12 23/04/24

Proposed Plans – Ground Floor, 177016-ARC-ZZ-001-DRG-EAR-200010
A03; 29/07/24

Porte Cochere – Curtain Walling sheet 1 177016-ARC-ZZ-ZZZ-DRG-EAR-
273011 P01 05/08/24

Porte Cochere – Curtain Walling sheet 2 177016-ARC-ZZ-ZZZ-DRG-EAR-
273012 P01 05/08/24

Tree Plan 177016-ARC-ZZ-ZZZ-DRG-EEN-000110 P01 05/08/24

Reason: For the avoidance of doubt

- 3) Phasing Strategy:** No development shall commence until a Phasing Strategy has been submitted to and approved in writing by the Local Planning Authority. The Phasing Strategy shall comprise a) a written scheme setting out the phases of construction, b) a plan identifying the phasing areas, and c) a timetable for construction and timescales for the implementation of the planning conditions set out in this Decision Notice. The development shall be implemented in accordance with the approved Phasing Strategy (unless superseded by a subsequent strategy approved in writing by the Local Planning Authority).

The specific matters controlled by planning conditions that require inclusion within the Phasing Strategy are: archaeology, entrance canopies, materials, gate piers, Porte Cochere details, and curtain wall details.

Reason: In order to secure the satisfactory development of the application site in accordance with Policies CS01 and 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.

- 4) Archaeology – Written Scheme of Investigation:** No groundworks, slab removal or new development shall take place or commence until a programme of archaeological monitoring and recording has been agreed in accordance with the timescales set out in the approved Phasing Strategy and a prepared Written Scheme of Investigation submitted to and approved in writing by the City Council as the local planning authority. The scheme shall include:

- (1) an assessment of significance and how this applies to the regional research framework;
- (2) the programme and methodology of site investigation and recording;
- (3) the programme for post-investigation assessment;
- (4) provision to be made for analysis of the site investigation and recording;

- (5) provision to be made for publication and dissemination of the analysis and records of the site investigation;
- (6) provision to be made for archive deposition of the analysis and records of the site investigation;
- (7) nomination of a competent person or persons or organization to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 5) Entrance Canopies:** Architectural drawings detailing the entrance canopy structures illustrating their design, component size, technical specification, material, RAL colour and finish and how they will be assimilated with the existing building shall be submitted to and approved in writing to the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy. The development shall be carried out in complete accordance with the approved details and be retained for the lifetime of the development.

Reason: In the interests of visual amenity and the character and appearance of the Listed Building, and in accordance with Core Strategy policies CS01 and CS02. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 6) Materials:** A full materials schedule shall be submitted to and approved in writing by the local planning authority in accordance with the timescales set out in the approved Phasing Strategy. The sample panels shall illustrate how the materials are composed together and provide the depth and sculptural quality of the elevations for inspection by Officers and approval in writing by the local planning authority. The development shall be carried out in accordance with the approved details and be thereafter maintained.

Reason: In the interests of visual amenity, the character and appearance of the area and in accordance with Core Strategy policies CS01 and CS02. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 7) Gate Piers:** Details of the reconstruction of the Gate Piers shall be submitted to and approved in writing by the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy. The details shall outline the proposed method / technique of dismantling and reconstruction of the gate piers as well details on how the current location of the gate piers will

be marked for the purpose of heritage interpretation and also the provision of a heritage interpretation panel at a position to be identified to describe the historic importance of the gate piers and other heritage features associated with the railway station. The reconstruction shall take place in accordance with the approved details and be thereafter maintained.

Reason: In the interests of visual amenity, the character and appearance of the area and in accordance with Core Strategy policies CS01 and CS02. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 8) Porte Cochere Details:** Details of the treatment and positioning of the ornate metal gates and panels on the Porte Cochere shall be submitted to and approved in writing to the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy. The details shall set out, where appropriate, the proposed locations for the removal and retention of the gates. The positioning of the ornate metal gates and panels shall take place in accordance with the approved details and be thereafter maintained.

Reason: In the interests of visual amenity, the character and appearance of the area and in accordance with Core Strategy policies CS01 and CS02. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

- 9) Curtain Wall Details:** Details of curtain wall glazing fixings shall be submitted to and approved in writing to the Local Planning Authority in accordance with the timescales set out in the approved Phasing Strategy. This will include how these features will relate to floor and walls, and how far they project from the structure as well as the RAL colour specification. With regard to glazed elements detailed information is required on fixings, corners, soffits and junctions between materials, overall design, headers, sills, glazing bar and frame dimensions and arrangement, materials, reveal depth. The development shall be implemented in accordance with the approved details and thereafter maintained.

Reason: In the interests of visual amenity, the character and appearance of the area and in accordance with Core Strategy policies CS01 and CS02. To ensure that the details are agreed in time to be incorporated into the development, this condition will need to be discharged in accordance with the approved Phasing Strategy.

NOTES FOR APPLICANT

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

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

Policies relating to this recommendation

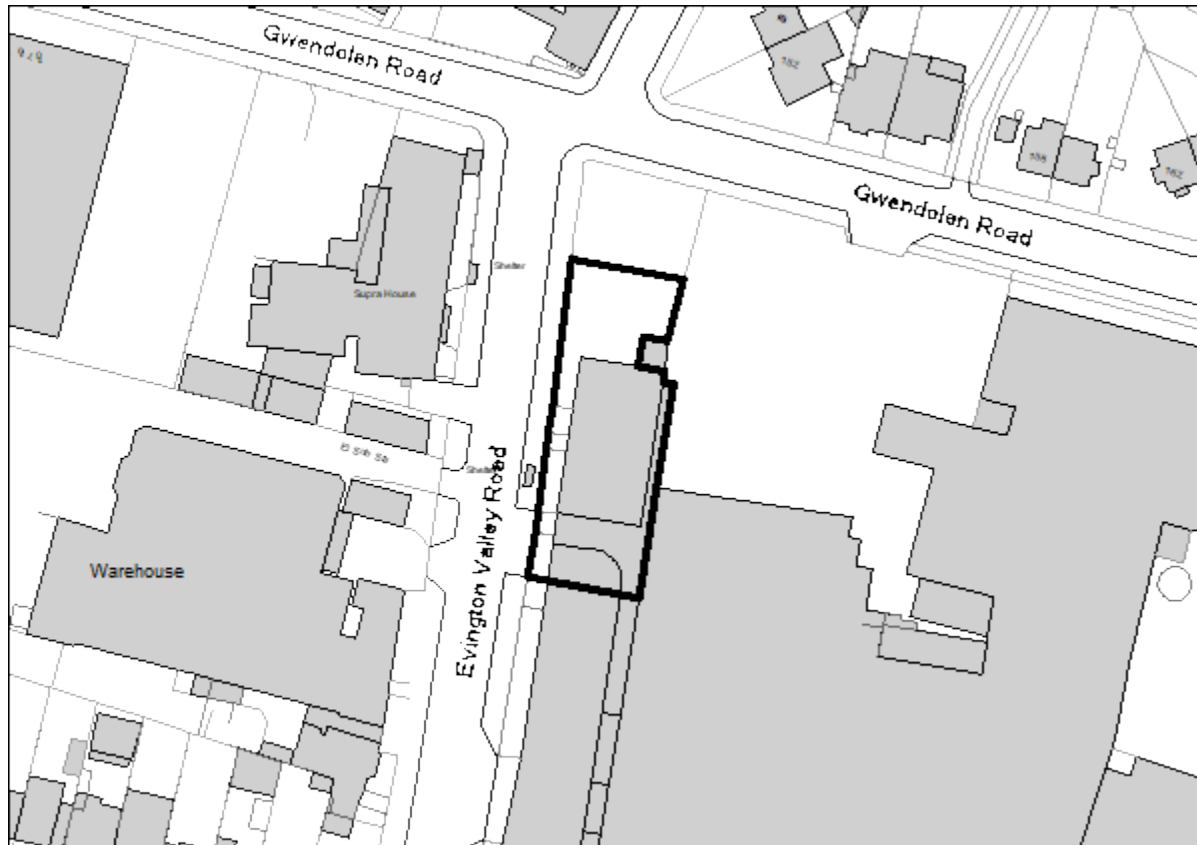
- 2006_UD06 New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.

- 2014_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_CS18 The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets

COMMITTEE REPORT

Recommendation: Conditional approval	
20240227	115 Evington Valley Road, Dunlop Business Centre
Proposal:	Change of use of part of industrial building (Class B2) to clothing retail shop (Class E) (Amended 03/05/2024)
Applicant:	Mr Patel
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20240227
Expiry Date:	3 October 2024
SS1	WARD: Spinney Hills



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Summary

- The application is brought to committee due to 7 objections being received;
- The main issues are: the acceptability in principle of the change of use and highways/parking impacts;
- The application is recommended for conditional approval.

The Site

The application site forms part of the ground floor of a larger building known as Dunlop Works at 115 Evington Valley Road. The site/area is generally in commercial/industrial

use. In policy terms the site is within a Potential Development Area (PDA) (PS09b (18) – Evington Valley Road).

The site is allocated for proposed mixed residential and employment uses in the Submission Draft Local Plan (Policy Ho01- site number 222).

The application site also includes an area of hardstanding at the side of the building.

The building is on Leicester City Council's Local Heritage Asset Register due to its historic and architectural interest. It appears on Leicester City Council's Heritage at Risk Register as a "Category C Risk" to signify slow decay with no solution agreed. There is an Article 4 Direction in place which removes permitted development rights for demolition and painting.

The site is in Flood Zone 2 and 3a.

The Proposal

The proposal is to change of the use of the site to a retail store (Class E). The application explains that the store would sell Asian clothing. The internal floorspace totals 370sqm.

The site plan indicates the hardstanding would be used as 7 parking spaces, including 1 disabled space which has extra width. The proposed layout was altered during consideration of the application in response to a request from the Highways Authority.

Proposed hours of use are 1000-2000 daily.

The use would accommodate 3 full-time and 2 part-time employees.

A retail sequential test accompanied the application.

Policy Considerations

National Planning Policy Framework 2023

- Paragraph 85 (Economic growth)
- Paragraph 90 (Support town centres)
- Paragraph 91 (Sequential test)
- Paragraph 92 (Accessible sites)
- Paragraph 95 (Sequential test failure)
- Paragraph 108 (Transport impacts and patterns)
- Paragraph 114 (Assessing transport issues)
- Paragraph 115 (Unacceptable highways impact)
- Paragraph 116 (Highways requirements for development)
- Paragraph 135 (Good design and amenity)
- Paragraph 173 (Flood risk considerations and SuDS)
- Paragraph 195 (Heritage as an irreplaceable resource)
- Paragraph 200 (Heritage statement)
- Paragraph 201 (Considering impact on heritage assets)
- Paragraph 203 (Sustaining significance of heritage assets)
- Paragraph 209 (Non-designated heritage assets)

Core Strategy 2014 and Local Plan 2006

- Core Strategy policy CS02 (Environment & drainage)
- Core Strategy policy CS03 (Good design)
- Core Strategy policy CS10 (Employment Opportunities)

Core Strategy policy CS11 (Retail hierarchy)
Core Strategy policy CS18 (Historic environment)
Local Plan saved policy AM01 (Impact on pedestrians)
Local Plan saved policy AM11 (Parking provision)
Local Plan saved policy PS09b (Potential development areas)
Local Plan saved policy PS10 (Residential Amenity)
Local Plan saved policy PS11 (Protection from pollution)

Further Relevant Documents

Leicester City Council – Leicester Street Design Guide 2020
Local Plan Appendix 001 – Vehicle Parking Standards
Leicester City Council - Local Heritage Asset Register 2023
GOV.UK Planning Practice Guidance – Noise <https://www.gov.uk/guidance/noise--2>
GOV.UK Planning Practice Guidance – Flood Risk and Coastal Change
<https://www.gov.uk/guidance/flood-risk-and-coastal-change>

Consultations

Highways

No objections. One suggestion was made, to amend the layout of the parking.

Noise Pollution

No objections.

Representations

Objections have been received from 7 separate addresses, raising the following issues:

Principle of Development

- Retail not required locally;
- Use/viability of site over long term needs to be looked into;
- Should be a city centre shop;
- Not convinced by sequential test; East Park Road and Green Lane Road have clothing shops but they are struggling;
- Considered that there are 23 other similar stores nearby already;

Highways

- Not enough storage, parking or loading space and the site is near to schools – there will be parking chaos, loading on the highway and parking on the main road and highway safety impacts;
- Parking is already dangerous and there is already heavy traffic in the area due to other commercial uses in the area. Buses can't get through already;

Amenity

- Opening hours of 10:00-20:00 should be significantly reduced to limit impacts on local area and on amenity of nearby residents. Other stores in the area have shorter opening hours;

Other

- Whole site needs heritage protection – shopfronts, signs or shutters would affect heritage of the site;
- No canteen/staff area, office or toilets on the plan;
- Work was being carried out prior to the application;
- Property may be a supermarket grocery shop or other retail rather than a clothing shop;
- Query on site ownership/address;
- Precedent would be set for other shops if approved; and
- Concern on lack of letters sent about the development.

Consideration

Principle of Development

NPPF paragraph 91 and Core Strategy policy CS11 seek to locate main town centre uses such as the proposed retail unit in a town centre in the first instance. This site is an out of town centre site. As such, a retail sequential test is required. This involves undertaking an assessment of whether there are no other available units in nearby town centre areas that could accommodate the proposed use, as they would be a more appropriate for a retail shop.

The applicants have submitted a retail sequential test with the application. The test has assessed whether there are any available alternative units available in 4 nearby town centres – East Park Road (south), St Saviours Road (west), St Saviours Road (east), and Evington Road District Centre. The document has provided a list of the 146 units in each of those 4 town centres. There are very few vacant units that were found in those centres, and those that were, are shown to be much smaller than the current proposal and therefore would not represent a suitable alternative. I consider that there are no alternative suitable and available sites in town centres that could accommodate the proposed development.

At 370 sqm the proposed shop is below the threshold set out in the NPPF at which a retail impact assessment would be required.

The building is currently vacant and in a poor state of repair. Whilst the PS09b policy covering this site does not specifically designate this area for retail in its list of priority land uses for the area, the proposed use would secure a use for the vacant building of heritage value and increase the potential for jobs to be provided at the building. The applicants have demonstrated that the proposal has met the requirements of the sequential assessment test.

The policy allocation in the emerging Local Plan confirms the suitability of the locally listed building for mixed use conversion (noting that the Plan is not yet adopted so limited weight should be afforded to this).

In summary there would not be a policy objection to the principle of the proposed retail use in this location.

I acknowledge objectors raised concerns about the principle of the proposed use. I understand that objectors have indicated that the use should be accommodated in the

city centre. However the city centre is some distance from the application site and as such it would not be reasonable to require that as an alternative location for a proposal of this modest scale.

Comments were also raised in terms of there being a high number of other similar units in the area, the opinion that there is no need for this type of shop, and the view that other units in the area are not always successful. However, this planning application has to be assessed on its own planning merits having regard to the policies in the development plan and the business case for any application is not a planning matter in this case, nor is competition with other shops.

A representation also desired for the long term use/viability of the area to be assessed. The assessment of the wider site area is considered through the local plan process and the proposed use (Class E) is considered to be compatible with the emerging local plan allocation.

As such the principle of the proposal would be acceptable and policy compliant.

Highways/Parking

Context

NPPF paragraphs 108, 114, and 116, Core Strategy policies CS14 and CS15, Local Plan saved policies AM01, AM02, AM11, and PS10 and Local Plan Appendix 001 – Vehicle Parking Standards require developments to provide a sustainable and effective transport network, appropriate levels of parking for non-residential development, ensure suitable access, and preserve safety for highway users including motorists, cyclists and pedestrians.

As noted in representations, the wider area has a mix of uses including industrial, a school and residential. Generally the building footprint in the area is dense and the wider area may be vulnerable to high demand for on-street parking with potential for high traffic flows on and around Evington Valley Road.

Assessment

The Highways Authority consider that the development is not likely to result in any significant highways issues and I do not consider that a retail clothing store of this size would be likely to attract such high numbers of visitors travelling by private car that would result in significant or unacceptable on-street parking demand. I consider that a significant proportion of customers would be reasonably local so may walk, cycle or take the bus to visit the shop. The store would not be likely to have a significantly greater impact over and above what may already be caused by this part of the building being used within the existing use class B2. There would be parking for staff which would ensure that any staff can park off-street and with some additional parking for customers or space for occasional deliveries. Whilst there may be existing highway safety issues occurring in the area including parking on the pavement, the proposal would not be adding any additional floorspace to the existing layout of the commercial building. Overall I consider this development would not be of a scale that would be likely to cause unacceptable further impacts and therefore consider the development is acceptable in terms of highways/parking impacts.

There would be 7 parking spaces and I recommend that a condition can secure the parking layout to be implemented prior to the new use commencing and for this area to be retained for parking. The spaces are to be laid out in accordance with the recommendation from the Highways Authority officer. The spaces are of acceptable

width and I am satisfied that there is sufficient depth within the site for cars to be parked in the spaces whilst having sufficient room to manoeuvre in and out of the site.

I acknowledge the concerns raised in representations regarding parking congestion, traffic density, and resulting impacts in terms of safety including parking on pavements and impacts on the bus route and given the school nearby to the south. However, bearing in mind the authorised use and for the reasons given above, I would not conclude that this development would make any significant additional impacts on highway congestion or safety and there would not be a reason to withhold permission on highways grounds.

Amenity of the Area

Local Plan policy PS11 requires developments to avoid impacts to residential amenity in terms of noise/disturbance. Generally, use as a retail clothing store would not cause a significant amount of noise/disturbance impacts and there are no residential properties adjoining the site.

The noise pollution team have advised that they have no issues in relation to noise impacts.

As there are residential properties opposite on Gwendolen Road, I consider that it would be appropriate to condition the hours of use that the applicant proposes to avoid activity at the site during the night-time that may be perceptible to nearby residents. The proposed hours of use, 10:00am – 8:00pm daily, would be reasonable and appropriate. I acknowledge a concern raised in an objection regarding hours of use however I would not consider there would be any unacceptable impacts from the proposed hours.

Building Conservation

The building is of architectural and historic interest and is on the local heritage list (ref: LL/278). The heritage interest of the building was also noted by an objector. As such, if the building were brought back into use, this would result in a small benefit in terms of protection from potential anti-social behaviour due to increased activity at the site and the likelihood of improvements in the maintenance of this part of the building.

As there are no physical alterations to the building and no significant physical works to the adjacent hardstanding, there are no other concerns or impacts in terms of the heritage of the site from the proposal. A note to applicant on the decision notice can highlight that any external alterations or signage would require further consent which would be further assessed through another application including any heritage impacts.

Conditioning the Proposed Use Within Class E

The proposed use would fall in Class E, within which there are a variety of uses that may have different impacts from the proposed clothing retail store. I note a comment in objections stating the development is likely to be a supermarket rather than clothing retail.

The agent has agreed in writing to a condition on the approval restricting the use to a clothing retail store only. Therefore, due to this there would be a requirement for consideration of a further application if the use was subsequently sought to be changed to any other use other than a retail clothing shop. This would then be further considered at the time of any future application.

Other Issues

Whilst the site is in an area of flood risk, the change of use would not significantly alter the flood risk impacts for the building and there would be no physical works that would impact on drainage or flood risk.

An objection was concerned regarding a precedent being set for other changes of use in the area if this application is approved. However, the detailed context of each application is assessed on its own merits so this would not be a viable or valid reason to withhold permission for this application.

An objection was concerned regarding the owner's address on the certificate of ownership and whether this was correct. However the certificate is complete and it has been signed by the applicant. There is no evidence that has been submitted to suggest it is incorrect. As such there is no reason to withhold permission on this issue.

An objection was concerned with the amount of letters sent to neighbours. However, all neighbours adjacent to the site were notified at the start of the application process. 2 site notices were displayed at the start of the application process advertising the application, one directly outside the site on Evington Valley Road and one on Gwendolen Road. As such the application has completed the requirements for publicity.

An objection was concerned with work having been carried out prior to the application. Notwithstanding this, applications would be considered in the same manner on the basis of the proposed drawings and proposed use in accordance with the same planning merits. If in future works take place not in accordance with any permissions, they may be reported to the council's planning enforcement team.

An objection was concerned that the detailed layout of any canteen or toilets were not provided. However I am satisfied that these do not represent significant planning issues and the proposed plans can be reasonably assessed on the basis of the proposed use.

Conclusion

The proposed use has passed the retail sequential test and the principle of a shop at this site is therefore acceptable and will lead to re-use of a non-designated heritage asset. The proposal would not be likely to cause significant impacts to the area in other respects.

I therefore recommend approval subject to the following 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. The parking/service area shall be marked out in accordance with the Proposed Plan drawing no PL77 A201 Rev B before the occupation of any part of the development and shall be retained and kept available for that use thereafter. (To ensure that parking/servicing can take place in a satisfactory manner; and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

3. The use shall not be carried on outside the hours of 10:00 - 20:00 daily. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS11 of the City of Leicester Local Plan.)
4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or any order amending or revoking and replacing that Order with or without modification, the premises shall not be used for any other use than a clothing retail shop unless agreed in advance in writing by the Local Planning Authority. (To enable consideration of the amenity, parking and highway safety impacts of alternative Class E uses, in accordance with Policies CS03 and CS15 of the Leicester Core Strategy (2014) and saved Policies PS10 and PS11 of the Local Plan (2006).)
5. Development shall be carried out in accordance with the following approved plans:
Proposed Plan, Drawing no PL77-A200, Rev B, received 07/05/2024
Proposed Plan, Drawing no PL77-A201, Rev B, received 07/05/2024
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.
2. Please note that any signage on the building would require a further permission for advertisement consent to be granted prior to its installation. Furthermore any external alterations to the building may require a further planning permission.

Appendix F

Recommendation: Conditional approval	
20240548	42 Barnes Close
Proposal:	Construction of single storey extension at side and rear of house (Class C3) (amended plans)
Applicant:	Mr & Mrs Ruparel
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20240548
Expiry Date:	3 October 2024
Case Officer:	Stuart Shaw
Ward	Troon



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Summary

- The application is brought to committee as the applicant is an employee of the Council.
- The application is for a house extension and the main issues are design/appearance and neighbouring residential amenity.
- No representations have been received from neighbours.
- The application is recommended for conditional approval.

The Site

The application relates to a two-storey detached dwellinghouse within a suburban residential cul-de-sac. The house has a gable end roof design and a front gable porch. To the right hand side (south) of the house there is a neighbouring two storey

dwelling and to the left hand side (north) are the rear elevations/gardens of further two storey dwellings.

There is an existing outbuilding at the rear of the garden.

The site is in an area that was a historic roman settlement and a drainage hotspot.

The Proposal

The proposal is for a single storey extension to the dwelling. The extension would measure 3.1m in width to the side (north) and extend back 13.1m. It would extend beyond the rear elevation by 5m and measure 3.9m in width at the rear.

The external materials would consist of bricks, roof tiles and uPVC windows and doors all to match the existing dwelling.

The extension would accommodate 2 additional bedrooms.

The proposal was amended during considerations to reduce the massing of the extension from that initially proposed.

Policy Considerations

National Planning Policy Framework 2023 (NPPF)

Paragraph 2 (Primacy of development plan)

Paragraph 115 (Highways considerations)

Paragraph 135 (Good design and amenity)

Paragraph 139 (Design decisions)

Local Policies

Core Strategy policy CS03 (Well-designed developments)

Local Plan policy PS10 (Residential amenity)

Local Plan policy AM12 (Residential parking)

Further Relevant Documents

Residential Amenity Supplementary planning document (SPD) 2008

Local Plan Appendix 001 – Vehicle Parking Standards

Consideration

This application is a householder application to extend the dwellinghouse. House extensions are acceptable in principle subject to the considerations detailed below.

Appearance

NPPF paragraph 135 and Core Strategy policy CS03 require well-designed developments that do not detract from the appearance of the area.

The Council's Residential Amenity SPD Appendix G provides a design guide for house extensions to ensure they appear proportionate and consistent with existing dwellings.

The extension would be single storey in height and flush with the front elevation and therefore be of subservient massing to the original dwelling. I consider that the extension would also not be of excessive width. The proposal would use external materials to match the existing house and this can be secured by condition. Overall,

the extension would not conflict with the above planning policies or SPD guidance and would not significantly harm the character of the area. I consider that the proposal would be acceptable in terms of design and appearance.

Neighbouring Residential Amenity

NPPF paragraph 135 and Local Plan policy PS10 require consideration to be given to impacts on neighbours' amenity. The Council's Residential Amenity SPD Appendix G also provides guidance on ensuring that house extensions do not significantly impact on neighbouring amenity.

The side (north) wall of the proposed extension would be in close proximity to the rear of the yard associated with 43 & 44 Barnes Close and the rear garden of no.45 so the extension would be visible from those properties. No.45 has its own rear extension and the side wall of the new extension would be c.6.6m from the rear windows of no.45. The very rear of the extension would also be in close proximity to the garden of no.46. However, the eaves height of the extension at 2.3m would be modest. In the context of the existing two storey side wall of the dwelling, I consider that the proposed extension would only add limited massing of the house to outlook from the rear of the neighbouring dwellings. I would not consider that amenity of neighbours would be severely impacted from the proposed extension in terms of overshadowing or overbearing impact. Furthermore there would be no windows overlooking at close proximity to any neighbours and the extension would not be within close proximity to any other neighbouring properties.

The proposal would provide additional bedrooms to the application site which would retain an acceptable size of garden space to provide a high standard of amenity for future occupiers of the dwelling.

As such, the proposal would be acceptable in regard to residential amenity and would accord with Local Plan policy PS10 and NPPF paragraph 135.

Further Notes

The application site has hardstanding for parking to the front. The proposal would remain as a family house and there would be no concerns in regard to highways function or parking from this small scale application.

The proposal is a modest house extension to an existing dwelling in an established residential estate. The site is not in a high flood zone. As such there would not be material impacts to the area in regard to drainage or archaeology.

Conclusion

For the reasons outlined above, the proposal is acceptable in terms of the main issues of design and residential amenity and would comply with the development plan and NPPF. There are no other material planning considerations for this householder extension that would override this. I therefore recommend conditional approval.

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 new walls and roof shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Development shall be carried out in accordance with the following approved plans:
 - A201 Proposed First Floor & Roof Plan
 - A202 Proposed Elevations
 - A203 Amenity Space
 - A204 Block Planreceived on 09/09/2024
 - A200 Proposed Ground Floor Plan Rev Breceived on 12/09/2024
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption/transitional arrangement is considered to apply:

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

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 2023 is considered to be a positive outcome of these discussions.