



Leicester
City Council

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

DATE: WEDNESDAY, 10 SEPTEMBER 2025

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)

Councillor Dr Moore (Vice-Chair)

Councillors Agath, Chauhan, Cole, Joel, Kennedy-Lount, Kitterick,
Modhwadia, Mohammed 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, email: jessica.skidmore@leicester.gov.uk /

Sharif Chowdhury, Senior Governance Services Officer, email:

sharif.chowdhury@leicester.gov.uk

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

Information for members of the public

Attending meetings and access to information

You have the right to attend formal meetings such as Full Council, committee meetings, and Scrutiny Commissions and see copies of agendas and minutes.

However, on occasion, meetings may, for reasons set out in law, need to consider some items in private.

Members of the public can follow a live stream of the meeting on the Council's website at this link: <http://www.leicester.public-i.tv/core/portal/webcasts>

Due to Covid we recognise that some members of the public may not feel comfortable viewing a meeting in person because of the infection risk.

Anyone attending in person is very welcome to wear a face covering and we encourage people to follow good hand hygiene and hand sanitiser is provided for that purpose.

If you are displaying any symptoms of Coronavirus: a high temperature; a new, continuous cough; or a loss or change to your sense of smell or taste, and/or have taken a recent test which has been positive we would ask that you do NOT attend the meeting in person please.

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

Making meetings accessible to all

Wheelchair access – Public meeting rooms at the City Hall are accessible to wheelchair users. Wheelchair access to City Hall is from the middle entrance door on Charles Street - press the plate on the right hand side of the door to open the door automatically.

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

Induction loops - There are induction loop facilities in City Hall meeting rooms. Please speak to the Democratic Support Officer using the details below.

Filming and Recording the Meeting - The Council is committed to transparency and supports efforts to record and share reports of proceedings of public meetings through a variety of means, including social media. In accordance with government regulations and the Council's policy, persons and press attending any meeting of the Council open to the public (except Licensing Sub Committees and where the public have been formally excluded) are allowed to record and/or report all or part of that meeting. Details of the Council's policy are available at www.leicester.gov.uk or from Democratic Support.

If you intend to film or make an audio recording of a meeting you are asked to notify the relevant Democratic Support Officer in advance of the meeting to ensure that participants can be notified in advance and consideration given to practicalities such as allocating appropriate space in the public gallery etc..

The aim of the Regulations and of the Council's policy is to encourage public interest and engagement so in recording or reporting on proceedings members of the public are asked:

- ✓ to respect the right of others to view and hear debates without interruption;

- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

Further information

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

Jessica Skidmore, Governance Services Officer, email: jessica.skidmore@leicester.gov.uk or Sharif Chowdhury, Senior Governance Services Officer, email: sharif.chowdhury@leicester.gov.uk

Alternatively, email governance@leicester.gov.uk, or call in at City Hall.

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

PUBLIC SESSION

AGENDA

FIRE / EMERGENCY EVACUATION

If the emergency alarm sounds, you must evacuate the building immediately by the nearest available fire exit and proceed to the area outside the Ramada Encore Hotel on Charles Street as directed by Governance Services staff. Further instructions will then be given.

NOTE:

This meeting will be webcast live at the following link:-

<http://www.leicester.public-i.tv>

An archive copy of the webcast will normally be available on the Council's website within 48 hours of the meeting taking place at the following link:-

<http://www.leicester.public-i.tv/core/portal/webcasts>

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**

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

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

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

3. MINUTES OF THE PREVIOUS MEETING

Members are to note that the minutes of the previous meeting held on 23rd July 2025 will be presented at the next meeting.

4. PLANNING APPLICATIONS AND CONTRAVENTIONS [Appendix 1](#)

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) **20240552 - 8-14 RAYMOND ROAD & 234A
NARBOROUGH ROAD** [Appendix 2](#)

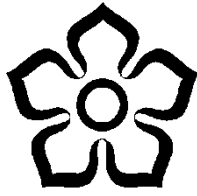
(ii) **20241345 - 101-107 RATCLIFFE ROAD** [Appendix 3](#)

(iii) **20250833 - 30 EAST STREET, ST JOHN'S
HOUSE** [Appendix 4](#)

(iv) **20250839 - 61 LONDON ROAD** [Appendix 5](#)

(v) **20241620 - 104 DUMBLETON AVENUE** [Appendix 6](#)

5. ANY OTHER URGENT BUSINESS



Leicester
City Council

Wards:
See individual reports.

Planning & Development Control Committee

Date: 10 September 2025

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).

COMMITTEE REPORT

20240552	8-14 Raymond Road & 234A Narborough Road	
Proposal:	Demolition of two storey clothing factory building at 8-14 Raymond Road (Class B2); construction of 3-storey residential apartments (Class C3) and change of use of 234A Narborough Road from Storage (Class B8) to residential apartments (Class C3) to provide 14 self-contained flats (12x 1 bed and 2x 2 bed flats); alterations (amended plans received 08/04/2025, 24/06/2025 and 11/07/2025) (subject to section 106 agreement)	
Applicant:	Mr Aman Singh	
App type:	Operational development - full application	
Status:	Smallscale Major Development	
Expiry Date:	11 September 2025	
RB	TEAM: PM	WARD: Braunstone Park & Rowley Fields



©Crown Copyright Reserved. Leicester City Council Licence 100019264(2025). Ordnance Survey mapping does not imply any ownership boundaries and does not always denote the exact ground features.

Summary

- The application has been brought to committee as there have been 7 objections raised by more than 5 different households within the city.
- The main issues include neighbouring residential amenity, living conditions for occupiers and parking.
- The application is recommended for approval subject to conditions and section 106 agreement.

The Site

The application relates to a series of existing factory buildings on the site of 8-14 Raymond Road. The site is designated in the saved version of the Local Plan (2006) as a primarily residential area and is partly within and adjacent to the Narborough Road/Hinckley Road District Centre.

The existing factory building at the 8-14 Raymond Road address is two storeys facing Raymond Road and one storey towards the rear of the site. The existing building at 234A Narborough Road is two storeys with existing vehicle and pedestrian access through an undercroft below 234 Narborough Road to Narborough Road the west. The undercroft is the only part of the site that is located within the Narborough Road/Hinckley Road District Centre.

The site is also located within an Air Quality Management Area, an article 4 direction area that removed permitted development rights for the change of use of class C3 dwellings to houses in multiple occupation within use class C4, and is within a 250m buffer of known air pollutant ST Richards S Station.

The site is within the setting of the locally listed building at 53 Narborough Road: No. 230, Former Tram Depot.

Background

12 Raymond Road

Application 015717 for the alterations extension to and partial rebuilding of factory premises to provide additional production space, new toilet accommodation, reception area, off-street loading/unloading parking & office was approved on 12/05/1967.

Four applications, 19882598, 19892339, 1900502 and 19920626 were approved between 1989 and 1992 for variations to the working hours and to apply for the continuation of these working hours.

234A Narborough Road

Application 20041453 for the change of use of first floor from warehouse (Class B8) to two self-contained flats (Class C3) was refused on 03/09/2004 for the following reason:

- Insufficient details have been provided to demonstrate that there will be no adverse effect on residential amenity through noise from the neighbouring knitwear factory on the proposed self-contained flats. As such the proposal may be contrary to policies H6 and H14 of the City of Leicester Local Plan 1994.

The Proposal

The application proposes:

- the demolition of the two storey clothing factory building at 8-14 Raymond Road, which falls under the use class B2;

- the construction of a 3-storey building comprising of 8 self-contained flats under the use class C3;
- the change of use of the existing building at 234A Narborough Road from Storage, under the use class B8, to 6 self-contained flats, under the use class C3;
- alterations to the existing building at 234A Narborough Road includes replacement windows to the western elevation, the bricking up of two windows on the western elevation with matching brickwork, new windows and doors to the eastern elevation, the installation of an external walkway at the rear;
- Cycle parking, bin storage and a landscaped courtyard

The proposed 3 storey building facing Raymond Road would measure 16.1m in width, 16.m in depth, 6.1m in height to the eaves and 9.3m in total height. The building would have a dual-pitched roof, with a flat roofed rear dormer element that would measure 2.8m in height, 15.6m in width and 8.4m in depth. There would be a flat roofed projection beyond the proposed rear dormer element that would be partially used for a balcony terrace.

The eaves and ridgeline of the proposed building would match the existing height of the neighbouring terraced dwellings to the east of the site, along Raymond Road. The eaves height and roof angle would match those of the neighbouring terraced properties to the west. The ridge height will be 1.4m higher than the ridge height of these properties.

The proposed building would be attached to the two storey building at 234A Narborough Road to the west of the site that would be retained. The buildings would be linked at ground floor level with access to the plant room proposed within the southern part of the ground floor within the existing building.

A total of 14 self-contained flats (12x 1 bed and 2x 2 bed flats) are proposed as part of the application.

The proposed breakdown of the flats is as follows:

- Flat 1 would be located on the ground floor of the proposed new building is a 1 bed 2 person flat, measuring 49.8sqm and comprising of a kitchen/living room/diner, a bedroom and a bathroom;
- Flats 2 and 3 would be located to the rear of the proposed new building at ground floor level, would both be 1 bed 1 person flats and would have a mirror layout, measuring 40sqm and comprising of a kitchen/living room/diner, a bedroom and a shower room;
- Flats 4, 5 and 6 would be located on the ground floor of the building to be converted at the rear of 234A Narborough Road. Flat 4 would be a 1 bed 2 person flat and flats 5 and 6 would be 1 bed 1 person flats. They would measure 55.7, 43 and 43.5sqm respectively. All three flats would comprise of a kitchen/living room/diner, a bedroom and a shower room;
- Flats 7, 8, 9 and 10 would be located on the first floor of the proposed new building, would all be 1 bed 1 person flats apart from flat 7 which would be a 1 bed 2 person flat. These flats would measure 49.8sqm, 46.9sqm, 40.2sqm and 40.2sqm respectively. All of these flats would comprise of a kitchen/living room/diner, a bedroom and a bathroom;

- Flat 11 would be located across the first floor and the loft space of the building to be converted at the rear of 234A Narborough Road. The flat would be 2 bed 4 person flat, measuring 95.6sqm and would comprise of a kitchen/living room/diner, 1 bedroom and shower room on the first floor and 1 bedroom in the loft space;
- Flats 12 and 13 would be located on the first floor of the building to be converted at the rear of 234A Narborough Road. They would both be 1 bed 1 person flats, would measure 42.7 and 43.4sqm respectively. Both flats would comprise of a kitchen/living room/diner, a bedroom and a shower room;
- Flat 14 would be located across the second floor of the proposed new building, would be a 2 bed 4 person flat, would measure 83.5sqm and would comprise of a kitchen/living room/diner, 2 bedrooms, an ensuite shower room to one of the bedrooms and a shower room.

All the flats meet the Nationally Described Space Standards (NDSS) except for flats 1 and 7 that are both 0.2sqm below the 50sqm set out in the space standards for this type of dwelling.

The following materials are proposed for the new three storey building:

- Wienerberger Autumn Russet Sovereign Stock in Flemish and stretcher bond where indicated;
- Wienerberger Tahiti Green Glazed bricks;
- Wienerberger Staffordshire Smooth Blue Solid blue bricks;
- Natural Welsh Slate roof tiles;
- Aluminium windows and doors, Schuco powder coated;
- Greencoat powder coated aluminium standing-seam cladding;
- Corbelled brick dentil detail;
- Cast stone/concrete lintels/sills painted off-white;
- Black aluminium rainwater goods;
- Timber door painted bottle green;
- Natural stain treated oak fins/gate on galvanised steel fixings;
- Steel beam powder coated grey/brown;

The following external materials are proposed to facilitate the conversion of the two storey building to the rear of 234A Narborough Road:

- Existing pantile roof tiles to be re-laid;
- Matching bricks proposed for the blocked up openings;
- Aluminium windows and doors, Schuco powder coated;
- Galvanised steel frame and balustrade with mesh/grate walkway;
- Yellow/grey through coloured render to the east facing elevation;

A courtyard area at the rear of the site is proposed. Covered cycle parking for 18 bicycles as well as hard and soft landscaping are proposed within the courtyard area. Bin storage is proposed at ground floor level within the proposed new building with access directly onto Raymond Road.

The following documents were submitted with the application:

- Archaeological Desk Based Assessment;
- Environmental Noise Assessment;

- Air Quality Assessment;
- Building for Healthy Life Assessment;
- Sustainable Energy Statement;
- Drainage Strategy;
- Heritage Statement;
- Design and Access Statement and Flood Risk Assessment;
- Transport Statement;
- Preliminary Roost Assessment;
- Affordable Housing Statement;
- Draft Section 106 Heads of Terms and
- Floorspace Schedule;

Amended plans were received during the course of the application process to:

- Improve the layout and living conditions of the occupiers of the proposed flats;
- Improve the design and provide additional information in relation to materials submitted with the application;
- Provide a sample panel drawing

The following additional documents were provided during the course of the application process:

- Sustainable Energy Statement with Daylight Assessment

Policy Considerations

National Planning Policy Framework (NPPF) 2024

Paragraphs 2 and 11 (Presumption in favour of sustainable development)

Paragraph 56 (Use of planning conditions)

Paragraph 58 (Planning Obligations)

Paragraph 59 (Viability)

Paragraphs 115, 116 and 117 (Highways)

Paragraph 124 and 125 (Effective use of land)

Paragraphs 131, 135, 139 and 140 (Good design and amenity)

Paragraph 136 (Trees)

Paragraph 166 and 167 (Sustainable Energy)

Paragraphs 170, 181 and 182 (Climate change, Flooding and sustainable drainage)

Paragraph 187 and 188 (Biodiversity)

Paragraph 196 (Land Pollution)

Paragraph 198 and 200 (Pollution)

Paragraphs 203, 210, 216 and 218 (Significance of heritage assets)

Development Plan policies

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

Supplementary Planning Documents (SPD)

Climate Change SPD (2011)

Green Space SPD (2013)

Residential Amenity SPD (2008)

Other planning documents and legislation

Leicester Street Design Guide (2020)

City of Leicester Local Plan Appendix One– Vehicle Parking Standards (2006)

Consultations

Pollution Control - Noise

No objections

Pollution Control – Land

No objections subject to a land contamination condition being attached.

Lead Local Flood Authority (LLFA)

No objection subject to additional SuDS and drainage information being secured by condition.

Local Highway Authority

No objection subject to conditions.

Air Quality

No objection subject to condition

Better Buildings (Sustainability)

No objection subject to condition to secure sustainable energy details.

Waste Management

No objection.

Education and Schools

No developer contributions have been requested.

Parks and Green Spaces

The proposed residential development, within the Braunstone & Rowley Fields ward, will result in a net increase in the number of residents within an area which already exhibits a deficiency in green space.

Opportunities to create new open space to address the other needs of the new residents are limited and therefore we will be looking to make quality improvements to existing open space provision to minimise the impact of this development.

Based on the formula from the Green Space SPD a contribution of £14,811.00 is required in response to this application.

The contribution will be used towards improvements to the existing kick-about space, and for additional tree planting.

NHS (ICB)

Calculations have been made to determine that the proposed development would result in 21 additional patients, which will require almost 1.5 hours of clinic time per week. The contribution of £8400.00 is requested.

Representations

Seven objections from seven different addresses within the city have been received, which have outlined the following concerns:

- The proposal would result in the overlooking of neighbouring rear gardens;
- The proposed development will result in loss of light to neighbouring properties;
- Raymond Road is the first street outside the 'permit parking', resulting in parking issues along the road;
- There is a car tyre business to the rear of the proposal which may cause noise nuisance to the residents of this potential development;
- The nearby locally listed former tram shed has already been negatively affected by fairly recent development, particularly when it was converted to a gym. Please feel free to contact;
- There are too many flats proposed resulting in overcrowding;
- There are too many single occupant flats that would attract too many single people in an area with family housing;
- The site should be used for additional car parking;
- The construction would result in noise and disruption for neighbouring residents; and
- The use of the site for flats would result in depreciation of house prices in the area.

Consideration

Principle of development

Policy CS06 of the Leicester Core Strategy (2014) undertakes to meet the City's housing requirements over the plan period through, inter alia, limited housing growth within established residential areas and small housing infill to support the development of sustainable communities. It goes on to require new housing developments to provide an appropriate mix of housing and in particular larger family housing.

As the council cannot currently demonstrate a 5 Year Housing Land supply there is a further presumption in favour of residential development due to the necessary application of the 'tilted balance' as required by the NPPF.

The proposal lies within a residential area consisting of terraced and semi-detached houses. Notwithstanding the site and the adjoining site are in employment use, the proposal is in accordance with local and national policy in relation to the principle of the proposed development, subject to the appraisal of other material considerations detailed within the report.

Character and design

Policy CS06 of the Leicester Core Strategy (2014) states that new housing should be provided in accordance with the sustainable development and design principles set

out in policy CS03 in order to protect residential amenity and provide quality development.

Policy CS03 of the Leicester Core Strategy (2014) states that high quality, well designed developments that contribute positively to the character and appearance of the local built environment are expected. It goes on to require development to respond positively to the surroundings and to be appropriate to the local setting and context and, at paragraph 1 (first bullet point), to contribute positively to an area's character and appearance in terms of *inter alia* urban form and high-quality architecture. Saved Policy PS10 of the Local Plan (2006) sets out a number of amenity factors to be taken into account when determining planning applications including the visual quality of the area and the ability of the area to assimilate development.

The existing two storey terraced residential dwellings surrounding the application site are mostly constructed in orange brick. The industrial building to the north of the site and the existing factory to be demolished are two storeys in height and are also constructed in orange brick.

The proposed three storey building facing Raymond Road would match the eaves and ridge height of the neighbouring terraced properties to the east and would match the eaves height of the neighbouring properties to the west. The terraced properties to the west would have a ridge height of approximately 1.4m lower than that of the proposed building. However, the pitch of the roof of the both buildings would be at the same angle and the increased massing would be set back when viewed from the street scene. Therefore, I consider that the height difference would not result in an overbearing impact on the neighbouring terraced properties to the west resulting in an adverse impact on the character and appearance of the area.

The existing detailing and materials on the neighbouring terraced houses is proposed to be replicated on the Raymond Road frontage of the proposed building. Sills, lintels, Flemish brick bonding and corbelled brick detailing below the eaves are proposed. The orange brickwork, cream coloured sills and lintels and natural Welsh slate materials are also proposed to match the existing materials along the street. At ground floor level green glazed bricks and wooden fins are proposed to add interest to the design at ground floor level. The materials proposed to the rear are more modern in appearance, which includes aluminium standing seam cladding proposed for the fascia of the rear dormer element, render for the side elevation of the refurbished building to the rear of 234 Narborough Road and stretcher bond brick to the rear elevation of the 3 storey building. I consider that the proposed materials are appropriate response to the surrounding context, both to the front of the site in relation to the character of the area, and to the rear of the site to provide a suitable living environment for future occupiers.

I consider it necessary for the materials schedule, along with the submitted sample panel drawing to be conditioned to secure the quality of development that has been presented in the supporting documents. The conditions would require a new materials schedule and sample panel drawing to be submitted to outline specific manufacturer materials that the proposed development would be constructed with.

A Desk Based Archaeology Assessment has been submitted with the application. The report concludes that there is a low probability of roman and medieval archaeology on site and a moderate potential for 20th century archaeology. There are no archaeological concerns and no conditions are recommended in this respect.

The proposed development would have a neutral impact on the locally listed tram shed to the north of the site and any impact would not be visible from the street scene.

I consider that the proposed development is well designed and respects the character and appearance of the surrounding area and is in accordance with Core Strategy policies CS03 and CS18 and paragraphs 131, 135, 139, 140, 210, 216 and 218 of the NPPF.

Residential Amenity (Neighbouring Occupiers)

The proposed development is located within a primarily residential area, with residential properties to the east, south and west of the site. Due to the proximity of the site to the Narborough Road/Hinckley Road District Centre, there are also retail properties to the north and west of the site.

As the lawful use of the existing building at 8-14 Raymond Road falls within the use class B2 for factory use, which is considered a noisy use class, I consider that the noise impacts from the proposed residential use will be much less than the potential impacts from the current lawful use.

SPD Residential Amenity (2008) sets out guidance for window separation distances within residential areas. The recommended separation distances between first floor windows and a brick wall is 15m, the recommended distance between two indirectly facing windows is 18m and the recommended distance between two facing windows set out within the guidance is 21m. The recommended distance between a first floor habitable room and undeveloped land including gardens is 11m.

The change of use of the existing building to the rear of 234 Narborough Road would result in use of the building at different times to the existing factory use. The proposal would result in the existing windows facing the rear elevation of 234 Narborough Road being retained as well as additional openings being provided. There are four flats within the building at 234 Narborough Road to the west of the site. From Officers' site visit the flats appeared to be mainly at first floor level, but there was an existing flat at ground floor level within the existing rear outrigger. The outlook for this flat is to the south and would not look directly towards the proposed flats. As such, I consider that the proposed development would not have a significant impact on the occupiers of these existing flats.

The distance between the first floor windows within the converted building at 234A Narborough Road and the first floor flats facing the application site is approximately 13.5m. As the habitable rooms within the proposed flats would be dual aspect, amended details have been received to ensure that all the windows that face towards the flats at 234 Narborough Road are obscure glazed up to 1.8m above floor level to avoid any unacceptable overlooking between the flats. I consider that the habitable rooms affected within the proposed flats would receive sufficient outlook to the western side and would still receive a good level of light from both the east and western sides.

The outlook from the proposed flats within the converted building at 234A Narborough Road would be towards the rear gardens of the properties along the northern side of Raymond Road to the west of the site. The separation distance from the east facing windows to the common boundary of the site and the rear garden of 16 Raymond Road would be 16m and the separation distance would be approximately 14.5m from the external walkway to the boundary. Both of these separation distances would be in excess of the recommended 11m distance set out in SPD Residential Amenity. Therefore, although there would be an intensification of occupancy of the site looking towards the rear gardens of the properties to the east of the site, I consider that the separation distance is well within the guidance and is therefore acceptable.

The demolition plan shows that the existing wall on the eastern side of the site that forms the eastern side elevation of the existing single storey building would be retained. This wall is approximately 3.3m in height and would be sufficient to screen any potential overlooking from the proposed courtyard or the east facing ground floor flats towards the neighbouring property at 16 Raymond Road. As the wall is existing, its retention would not result in any additional impacts in terms of the overshadowing or overbearing impact on the neighbouring garden than the existing situation.

The proposed cycle parking shelter would not project above the existing 3.3m high wall and as such its massing would not have a detrimental impact on neighbouring amenity.

The neighbouring property at 16 Raymond Road has a two storey outrigger at the rear within an approximately 3.7m deep single storey outbuilding projecting to the rear of the outbuilding. There is a rear facing bathroom window at first floor level within the outrigger.

The rear elevation of the proposed three storey building would project less than a metre beyond the rear elevation of the existing building on site and the height of the building to the rear would be approximately 1.6m higher than the height of the existing building adjacent to the neighbouring outrigger. The wall projecting beyond the outrigger and adjacent to the neighbouring rear outbuilding would be the same height as the existing building.

Although the proposed building would be larger than the existing building and would be more visible from the neighbouring gardens, particularly at 16 Raymond Road, I consider that any impacts in relation to overshadowing would be mitigated by the position of the existing outrigger and single storey rear outbuilding and would be similar to the existing situation. Moreover, I consider that the proposed development would not result in a loss of light or outlook to the occupiers of the neighbouring property, as there are no rear facing habitable rooms adjacent to the application site that could be affected by the proposed development.

The proposed balcony for the flat would be set away from the common boundary with 16 Raymond Road and set back from the rear elevation of the proposed three storey building. Along with the 3.3m high boundary wall to be retained, I consider that it would be difficult for the future occupiers to obtain direct views of neighbouring gardens that

would result in a significant detrimental impact on neighbouring occupiers. As such, I consider that the location of the balcony would be acceptable in this instance.

There are no habitable room windows at the rear of the neighbouring properties at 4 and 6 Raymond Road to the west of the site. The proposal would result in a slight increase in massing, which would be visible at this side of the site; however, I consider that the impact would not have a significant adverse effect on the amenity of the occupiers of these dwellings, as only 1.5m of the application site abuts the neighbouring site at 6 Raymond Road, the rear amenity space at the neighbouring property is already significantly overshadowed, the useable private amenity space within the rear gardens is set away from the proposed development and no habitable room windows would be affected by the proposal.

There are no other residential properties that could be affected by the proposal, as the two storey building to the north of the site and the existing flats at 232 Narborough Road do not have any windows that face the site. As such, I consider that the proposed development would not have a significant detrimental impact on the amenity of neighbouring occupiers which would warrant the refusal of the application. I consider that the proposal would accord with saved local plan policy PS10 when taking into account the impact the proposed development would have on the amenity of nearby residential occupiers.

Living Conditions (Future Occupants)

Saved City of Leicester policy H07 states 'Planning permission will be granted for new flats and the conversion of existing buildings to self-contained flats, provided the proposal is satisfactory in respect of the location of the property and the nature of nearby uses, the creation of a satisfactory living environment, the arrangements for waste bin storage and car or cycle parking, the provision, where practicable, of a garden or communal open space and the proposed or potential changes to the appearance of the buildings, and their settings.'

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

Flat sizes

The proposal is for a mix of one and two bed self-contained flats. They range in size from 40.2sqm for the smallest 1 bedroom flats to 83.5sqm for the two bed four person flat. All the flats, apart from two of the 1 bedroom 2 person flats meet the minimum size requirements set out in the Nationally Described Space Standards (NDSS). However, as these flats are only 0.2sqm below the NDSS standards and provide suitable circulation space, I consider that they would not result in adverse living conditions for the future occupants in this instance. I consider the overall sizes of the flats to be acceptable.

Accessibility

Core Strategy policy CS06 states that all new housing units should, where feasible, be designed to Lifetime Homes Standards with an appropriate proportion to wheelchair

accessible standard. Lifetime Homes standards are now obsolete but given the introduction of the Building Regulations 2010 access to and use of dwellings Approved Document M Volume 1: 2015 edition including the 2016 amendments; all new homes, where feasible, should now meet the national accessible and adaptable standard M4(2). Normally converted buildings would not be required to meet the accessibility standards due to physical constraints. However, in this instance all the flats, including those in the two storey building that is proposed to be converted will comply with accessible and adaptable standard M4(2). I consider that the proposed accessibility for the proposed flats is acceptable and a condition can be attached to ensure that the development is delivered to this standard.

Amenity space

The Residential Amenity SPD sets out that 1.5sqm of private amenity space should be provided for each one bedroomed flat and 2sqm of private amenity space should be provided for two bedroomed flats. The scheme would require 22sqm of private amenity space based on the number of one and two bedroomed flats.

Some private amenity space is provided for some of the flats through private balconies and thresholds facing the rear courtyard and the area to the west of the building to the rear of 234A Narborough Road. The flats that have private amenity space provided for them and exceeds the recommended provision are flats 2, 3, 4, 5, 6 and 14. The private amenity space would be enclosed with boundary treatments of 1.2m in height, which is sufficient to retain outlook but high enough to ensure reasonable level of privacy.

The landscaping plan shows that approximately 180sqm of communal amenity space to the rear of the site would be provided as a result of the demolition of the existing buildings on site. Whilst this is not private amenity space, the scheme has been designed to provide private amenity space where practicable, along with a large amount of communal amenity space and therefore I consider this arrangement is acceptable.

Light and outlook

A daylight assessment has been submitted as part of the application. As a result of the daylight assessment, amendments were received for additional windows and enlarged windows and doors for flats 4, 5, 10 and 11. The daylight assessment concluded that, with the changes to the scheme, the habitable rooms within the flats would receive sufficient natural light.

All habitable rooms would have windows. However, due to the constraints of the bedroom within the roof of flat 11, this room would only receive outlook from rooflights, which is not ideal. However, the flat would have suitable outlook from rooms elsewhere within the unit and although not ideal, I consider this arrangement is acceptable in this instance.

The habitable rooms within flats 4 and 11 would have limited outlook afforded to the bedrooms. Although this is not ideal, the living room within the flats does provide a good level of outlook. I consider that the proposal, by providing additional residential accommodation within the city would outweigh the impacts of insufficient outlook.

It is indicated on the proposed elevation drawings that the windows within the flats facing the rear of the buildings on Narborough Road would be obscure glazed up to 1.8m above the floor levels. This would be to protect the amenity of the occupiers of the residential dwellings at first floor level of the buildings along Narborough Road. I consider that these flats would have suitable outlook towards the courtyard to the eastern side.

Noise and overheating

An Environmental Noise Assessment was submitted with the application to assess what the impacts of noise from various sources would be on the future occupiers of the proposed flats.

A sound insulation scheme is recommended within the report, based on the predicted internal noise levels, which would ensure that the noise levels within the proposed flats would be below the criteria for indoor ambient noise levels set out in Professional Practice Guidance on Planning and Noise (ProPG).

With regards to overheating, the submitted assessment indicates that it would be possible to use open windows as part of the overheating mitigation strategy and achieve the criteria set out in Acoustics, Ventilation and Overheating Guide (AVOG) and Part O of the Building Regulations.

Internal airborne sound transmission from adjacent attached retail premises or nearby vehicle repair garages have been assessed and they are not considered to cause a significant adverse impact on the occupiers of the flats.

I consider that the proposed insulation is acceptable and the windows can be opened in this location to prevent overheating. The insulation scheme as submitted can be conditioned to be installed prior to the occupation of the proposed flats.

Waste Management

Bin storage for all the flats is proposed to the front of the proposed building fronting Raymond Road. Sufficient space is provided within the area for the required number of bins and it is easily accessible, both from Raymond Road for collection and from within the building itself, which is acceptable.

I consider it necessary to attach a condition to ensure that the designated area for bin storage is provided prior to the occupation of the development and is retained for bin storage thereafter.

Living Conditions - Conclusion

I consider that the internal layouts and floorspace provided within the flats, the light and outlook afforded to the future occupiers, accessibility of the proposed development, the amount of private amenity space to be provided and the bin storage provision are all acceptable. I consider that the proposal would accord with the NPPF, saved local plan policy PS10 and Core Strategy policy CS03 when considering the proposed living conditions for the future occupiers.

Highways

Core Strategy Policy CS14 states development should be easily accessible to all future users, including those with limited mobility, both from within the City and the

wider sub region. It should be accessible by alternative means of travel to the car, promoting sustainable modes of transport such as public transport, cycling and walking and be located to minimise the need to travel.

Saved Policy H07 states planning permission will be granted for the conversion of existing buildings to self-contained flats, provided the proposal is satisfactory in respect of the arrangements for car or cycle parking.

Saved Policy AM12 states level of parking for residential development shall be determined in accordance with Appendix 01 referenced above.

Raymond Road is predominantly residential in nature, and the current uses on the site conflicts with this. As such, a residential use would be more appropriate from a highways perspective. No car parking provision has been made on the site and non can be provided, due to the nature of the site. Trip making is unlikely to differ significantly between the existing and proposed uses. Although the patterns of these trips may vary, the differences are considered unlikely to be of significant concern in this case.

The proposals incorporate no off-road car parking for residents; however, the site is in a sustainable location with bus stops located nearby along Narborough Road and is close to facilities within the Narborough Road/Hinckley Road District Centre. I consider it necessary to attach a condition to ensure that a travel pack that includes information regarding local transport links for residents is provided.

Communal cycle storage for 18 bikes is provided within the rear courtyard, which meets the requirements set out in SPG Vehicle Parking Standards and saved Local Plan policies H07 and AM12. I consider it necessary to attach a condition to ensure that the cycle parking as proposed is provided and retained.

Pedestrian access will be retained from Raymond Road and Narborough Road. As vehicle access to the site would no longer be necessary, the existing driveway between numbers 234 and 236 Narborough Road, which is currently for vehicular use to the site but would now be redundant, would need to be removed. I consider it necessary to attach a condition to ensure that the kerb line and footway are reinstated accordingly.

I consider it necessary to attach a condition to ensure that a Construction Method Statement is provided prior to the commencement of development to ensure that any disruption on neighbouring residential occupiers is limited during the construction and demolition processes.

Subject to conditions, I conclude that the proposal would comply with policy CS14 of the Core Strategy (2014) and would not conflict with saved policies H07 and AM12 of the Local Plan (2006), and is acceptable in terms of highway impact and parking.

Air Quality

An Air Quality Assessment (AQA) has been submitted with the application. The AQA was conducted in line with methodology provided by the Institute of Air Quality Management (IAQM).

The assessment concludes that the site will not adversely affect the air quality of the

surrounding area, nor will the proposed sensitive receptors (residential units) created be exposed to poor air quality in the operational phase. The site is identified as a 'medium risk' site due to potential dust soiling during the demolition phase of operations. Appropriate mitigation measures for a 'medium risk' site to be followed during all periods of construction and demolition are listed in Appendix D of the AQA, which I consider necessary to be secured by way of planning condition.

Subject to the above condition, the proposed development is considered not to have an adverse impact on the air quality of the surrounding area in accordance with saved Local Plan policies PS10 and PS11.

Land Contamination

The site has been used as a factory and has a history of industrial processes. As such, I consider it necessary for a condition be attached to ensure that the site is investigated for the presence of land contamination, and a site investigation report incorporating a risk assessment and, if required, a scheme of remedial works to ensure the site suitable and safe for the development, is submitted and approved prior to the commencement of any development other than demolition.

Subject to the acceptability of any information submitted as a result of the above condition, I consider that the proposal would be acceptable in relation to land contamination impacts and the proposal would not be contrary to NPPF paragraph 196 and saved Local Plan policy PS11.

Ecology and landscaping

The site is not designated for nature conservation and is situated within a heavily urbanised area of the city. However, the site is located close to the Ivanhoe railway line, a locally designated Biodiversity Enhancement Site that provides local Green Infrastructure, which is connected to the site by adjacent rear gardens of residential properties.

An internal/external bat survey report (Dr Stefan Bodnar - May 2024) has been provided, which concluded that both buildings presented negligible roost potential. As a result no further surveys are required. The report is considered acceptable and the proposed demolition and development would be unlikely to impact protected species.

Within the report, the Applicant's Ecologist has recommended that x3 bat boxes and x3 bird boxes (House Sparrow terrace design) be included with the development design which is acceptable and I consider necessary to be conditioned.

I do consider it necessary for a note to applicant to be attached to any permission granted to advise that development should be avoided during the bird nesting season, as there is potential for birds (in particular pigeons) to nest on sheltered areas of flat roofs.

As the site is entirely comprised of buildings and hard standing with no evidence of habitats being present, the 'de-minimis' threshold for Biodiversity Net Gain exemption applies.

The proposed landscaping plans intend to introduce 'low maintenance' habitat as part of the development design that incorporates native species of planting to support pollinators. I consider that this can be achieved through specific details provided within a Landscape and Ecology Management Plan, which can be conditioned to be provided.

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 187 of the NPPF.

Drainage

The site is located within Flood Zone 1, as detailed on the Environment Agency's website, and is shown to be at 'Very Low' risk of surface water flooding. A Drainage Strategy report has been provided, which proposes to limit the discharge of surface water to 3.0l/s via a geocellular attenuation tank and a hydrobrake flow control. Further SuDS are required, which I consider can be secured by way of condition.

Additional drainage requirements are also necessary including drainage measures to prevent water flowing onto the public highway, discharge rates, detailed drainage layout plan and detailed drainage calculations.

The existing surfaces to the rear of the site are impermeable tarmac. It is proposed that raised planters are proposed, which would discharge into the surface water drainage system. I consider it necessary to attach a condition to secure the SuDS details proposed and to ensure that maintenance details are provided.

The additional details can be secured by above slab level conditions. It is considered that the development is acceptable subject to conditions and taking into account Core Strategy policy CS02 and the NPPF when considering flood risk and climate change.

Sustainable Energy

A Sustainable Energy Report has been provided for the development.

Based on the assessment results provided on page 18 of the report, I consider that adequate levels of daylighting for each flat would be provided to prevent the need for excessive use of artificial lighting.

The report confirms that the proposed U values meet or exceed the notional building regulations U values, which is acceptable.

The details submitted in relation to space heating, hot water, ventilation and lighting are all acceptable.

Sufficient space is provided within each flat for hot water cylinders with integral air source heat pumps. External vents to facilitate the air source heat pumps can also be accommodated.

Solar panels are proposed on the flat roof of the rear dormer element of the proposed building fronting Raymond Road, which I consider to be acceptable.

It is confirmed that the proposed level of carbon emission reductions compared to the baseline for this development would result in a projected reduction of 71%.

I consider that the proposed measures are acceptable in accordance with NPPF paragraphs 166 and 167 and Core Strategy policy CS02. The Sustainability Statement including approved measures can be secured by way of condition.

Viability and Developer Contributions

Paragraph 58 of the NPPF (as set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010) states that planning obligations must only be sought where they meet the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

A request for financial contributions has been made by the NHS Leicestershire and Rutland Integrated Care Board. To ensure that the health and wellbeing of the local community is protected, they have requested S106 funding to help mitigate/support the needs arising from an increase in population and is used towards increasing access to these services.

£8,400.00 is requested based on 2021 census data, with an average of 1.5 patients per flat dwelling, the development would result in a minimum population increase of 21 patients.

Based on the formula set out within the Green Space SPD a contribution of £14,811.00 has been requested from the Parks and Open Spaces Team within Leicester City Council in response to this application. The contribution is intended to be used towards improvements to the existing kick-about space and for additional tree planting.

No contribution has been requested from Education and School Services and the number of flats proposed do not meet the threshold of 15 flats to allow for any affordable housing contributions.

This contributions requested will need to be secured by a section 106 agreement.

I conclude that a section 106 agreement is necessary to secure the NHS and Parks and Open Spaces contributions. The proposal is in accordance with NPPF paragraph 58 and Leicester Core Strategy policy CS19.

Other matters

An objector raised concerns regarding the impact of the proposed development on house prices in the area. This is not a material planning consideration and cannot be considered in the determination of the application.

Conclusion

The proposed development is considered acceptable in principle and would not result in detriment in respects of residential amenity, design, heritage, highways, sustainability, flood risk, landscaping, trees, ecology and land contamination.

The proposed development is considered to be high quality, well designed and contributes positively to the character and appearance of the character and appearance of the area.

I consider that the proposal would also contribute towards meeting the City's five year housing land supply. The standard of accommodation on balance is acceptable and the provision of housing would outweigh the lack of outlook to some of the habitable rooms.

The details for all aspects of the proposal as submitted are accepted and conditions will be attached to secure those details are implemented.

Contributions for the NHS and Parks and Open Spaces will be secured through a section 106 agreement.

The development complies with the local development plan policies, NPPF and NPPG and is considered to be acceptable.

I recommend that this application is APPROVED subject to the following conditions and a SECTION 106 AGREEMENT to secure a financial contribution for the NHS and Parks and Open Spaces:

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. No development shall commence, including any works of demolition, until a Construction Method Statement (CMS), has been submitted to, and approved in writing by the Local Planning Authority. The approved CMS shall be adhered to throughout the demolition and 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) a list of all works to be carried out in the highway and arrangements to facilitate these works, including scaffolding required within the highway, temporary traffic management plan/s and permits, licences and TTROs required.(To ensure the satisfactory development of the site, and in accordance with saved 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).

3. No construction or demolition work, other than unforeseen emergency work, shall be undertaken outside of the hours of 0730 to 1800 Monday to Friday, 0730 to 1300 Saturday or at any time on Sundays or Bank Holidays, unless the methodology has been submitted to the City Council Noise and Pollution Control Team. The methodology must be submitted at least 10 working days before such work commences and agreed in writing by the City Council Noise and Pollution Control Team.

The City Council Noise and Pollution Control Team shall be notified of any unforeseen emergency work as soon as is practical after the necessity of such work has been decided by the developer or by anyone undertaking the works on the developer's behalf.

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

4. No development shall be carried out (other than demolition) until the site has been investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, a scheme of remedial works to render the site suitable and safe for the development, has been submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme shall be implemented and a completion report shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied. Any parts of the site where contamination was previously unidentified and found during the development process shall be subject to remediation works carried out and approved in writing by the Local Planning Authority prior to the occupation of the development. The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11". (To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy PS11 of the City of Leicester Local Plan.).

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

6. No part of the development shall be occupied until 18 secure and covered cycle parking spaces have been provided in accordance with the approved plans and retained thereafter. (In the interests of the satisfactory development of the site and in accordance with saved policies AM02 and H07 of the City of Leicester Local Plan).
7. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a 'New Residents Travel Pack'. The contents of this shall be submitted to and approved in writing in advance by the Local Planning Authority and shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. (In the interest of sustainable development and in accordance with saved policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy).
8. Prior to the commencement of works above slab level, a materials schedule in accordance with the materials key shown on the approved plans, including all external materials with product specification and RAL colours, and materials sample panel drawing (at a scale of 1:20) shall be submitted to and approved in writing by the Local Planning Authority. The Sample Panel Drawings shall show (but not necessarily limited to) the following:
 - A) brick,
 - B) bonding & mortar,
 - C) colour of mortar,
 - D) window frames and reveals,
 - E) ventilation panels/louvres materials and coverings,
 - F) fenestration profiles,
 - H) lintels, sills and reveals, and
 - I) cladding.(In the interests of visual amenity and to preserve the special character of the area and in accordance with policy CS03 of the Core Strategy).
9. Prior to the commencement of works above slab level, sample panel(s) shall be constructed on site for inspection (size, number and detail to be agreed under condition 8) showing (but not necessarily limited to) brick, bonding & mortar, colour of mortar, window frames, reveals, fenestration profiles, lintels, sills, reveals and cladding. The development shall only be constructed in accordance with the approved materials and sample panel details. (In the interests of visual amenity and to preserve the special character of the area and in accordance with policy CS03 of the Core Strategy.)
10. Prior to the commencement of development other than demolition, details of drainage shall be submitted to and approved in writing by the local planning authority. No dwelling hereby approved shall be occupied until the drainage has been installed in full 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).
11. Prior to the commencement of development other than demolition, 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 in writing 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).

12. The development shall be carried out in accordance with the energy efficiency measures as outlined in the Sustainable Energy Report rev 3 received on 24/06/2025. (In the interests of development to mitigate and adapt to climate change and in accordance with Core Strategy Policy CS02.)
13. Prior to the commencement of development other than demolition, details of the type and location of 3 x Bat boxes and 3 x Bird nest boxes (Sparrow Terrace type recommended) to be attached to the exterior elevations of the proposed building have been submitted to and agreed in writing by the Local Planning Authority. The locations should be determined by an ecologist who should also supervise their installation. The development shall be carried out in accordance with the agreed details, which shall be retained thereafter. (In the interest of biodiversity and in accordance with NPPF (2024), and Core Strategy policy CS17).
14. Prior to the commencement of development other than demolition until 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 local planning authority. No part of the development shall be occupied until the LEMP has been implemented in accordance with the approved details. This scheme shall include details of: (i) new shrub planting, including plant type, size, quantities and locations; (ii) means of planting, staking, and tying of shrubs, including guards; (iii) other surface treatments; (v) any changes in levels; (iv) the position and depth of service and/or drainage runs (which may affect tree roots), v) a detailed plan of the biodiversity enhancements on the site such as meadow creation and hedgerow improvements including a management scheme to protect habitat during site preparation and post-construction. vi) details of planting design.
For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interest of biodiversity, amenity and the character and appearance of the area, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17.).

15. The development shall not be occupied until the store for refuse bins has been provided in accordance with the approved plans and is accessible to all occupiers. The bin store shall be retained thereafter for the storage of refuse in connection with the use and occupation of the development and all refuse bins shall be kept within the designated area other than on refuse collection days. (To ensure adequate facilities for the storage and collection of refuse and to protect the amenity of the area in accordance with saved policy H07 of the City of Leicester local plan and Core Strategy policy CS03).
16. Prior to the first occupation of the development all details and recommendations in the submitted Environmental Noise Assessment received 21/06/2024 shall be fully implemented. The installations shall be retained and maintained thereafter. (To achieve satisfactory living conditions for future occupiers of the development and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan).
17. Before the first occupation of the flats hereby approved, the windows facing west towards 234 Narborough Road shall be fitted with obscure glazing, as shown on the approved elevations, to Pilkington level 4 or 5 (or equivalent) and non-opening (with the exception of a top opening light), and retained as such. (In the interests of the amenity of future occupiers and in accordance with saved policy PS10 of the City of Leicester Local Plan).
18. All flats shall be constructed in accordance with 'Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement. On completion of the scheme and prior to the occupation of any of the flats a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the local planning authority certifying compliance with the above standard. (To ensure the flats are adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS06)
19. Development shall be carried out in full accordance with the following approved plans:
 - Demolition Plan, 1702 P02 rev A, received 21/06/2024
 - Proposed Site and Landscaping Plan, 1702 P10 rev C, received 24/06/2025
 - Proposed Floor Plans, 1702 P20 rev D, received 24/06/2025
 - Proposed Second Floor and Roof Plans, 1702 P21 rev B, received 08/04/2025
 - Proposed Elevations, 1702 P30 rev E, received 11/07/2025
 - Bike Store Plan and Elevations, 1702 P50 rev A, received 21/06/2024
 - Construction and Materials, 1702 P40 rev B, received 11/07/2025
 - Construction and Materials, 1702 P41 rev C, received 11/07/2025 (for the avoidance of doubt)

NOTES FOR APPLICANT

1. Development on the site should avoid the bird nesting season (March to September), but if this is not possible, a check for nests should be made by an ecologist (or an appointed competent person) not more than 48 hours prior to

the commencement of works and evidence provided to the Local Planning Authority. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone will also be marked out to avoid disturbance to the nest whilst it is in use.

All wild birds are protected under the Wildlife and Countryside Act (1981) as amended making it an offence to kill, injure or disturb a wild bird and during the nesting season to damage or destroy an active nest or eggs during that time. Further information on birds and the law can be found here Wild birds: protection and licences - GOV.UK (www.gov.uk)

2. 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 below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

3. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at:
<https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>

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. 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.

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

With regards to the Travel Pack the contents of the pack are intended to raise the awareness and promote sustainable travel, in particularly for trips covering

local amenities. The applicant should contact highwaysdc@leicester.gov.uk for advice.

The costs for the alterations of the TROs should be funded by the Applicant. The average cost of a TRO scheme is currently in the region of £6,000, but this cost may rise depending on the complexity. The Applicant is advised to contact trafficoperations@leicester.gov.uk to discuss the requirements to enable the TRO to be processed.

4. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process. The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2024 is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

2006_AM01	Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.
2006_AM02	Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.
2006_AM12	Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
2006_H07	Criteria for the development of new flats and the conversion of existing buildings to self-contained flats.
2006_PS10	Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
2006_PS11	Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.
2006_UD06	New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
2014_CS02	Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
2014_CS03	The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
2014_CS06	The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
2014_CS08	Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
2014_CS14	The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.

- 2014_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.
- 2014_CS17 The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.
- 2014_CS18 The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.
- 2014_CS19 New development must be supported by the required infrastructure at the appropriate stage. Developer contributions will be sought where needs arise as a result of the development either individually or collectively.

COMMITTEE REPORT

20241345	101-107 Ratcliffe Road, former Mary Gee Houses Halls of Residence	
Proposal:	Demolition of existing buildings; construction of four x three storey buildings to provide retirement apartments with care (Class C2); communal facilities; associated landscaping, access roads, car parking and services. (Amended plans)(s106 agreement)	
Applicant:	Mr Robert Gaskell	
App type:	Operational development - full application	
Status:	Smallscale Major Development	
Expiry Date:	29 August 2025	
AP	TEAM: PM	WARD: Knighton



©Crown Copyright Reserved. Leicester City Council Licence 100019264(2025). Ordnance Survey mapping does not imply any ownership boundaries and does not always denote the exact ground features.

Summary

- The application is brought to committee due to there being more than 6 objections from different addresses received within the city boundary.
- The main issues are the proposed use, scale and massing, traffic and parking, the character and appearance of Stoneygate Conservation Area,

effect on the nearby listed buildings including Grade II* Inglewood, amenity of neighbouring residents, living conditions for future residents, landscaping and biodiversity.

- The application is recommended for approval subject to conditions and a Unilateral Undertaking to secure an ICB contribution.

The Site

The application site is located on the north side of Ratcliffe Road. The site is within a primarily residential area as defined in the Development Plan. The existing buildings on the site were built in the 1970's and were last used as a university halls of residence by the University of Leicester. The buildings are three storey in height with low pitched roofs. They are spread across the site positioned at different angles with areas of amenity space between them.

The existing vehicular access is from Ratcliffe Road positioned central to the frontage of the site. The site has very little in terms of car parking provision. The boundary to the site is formed by railings or close board fencing with areas of shrubs behind in places. There are mature trees along all the boundaries and some smaller trees within the centre of the grounds.

The site is within the Stoneygate Conservation Area. There is also an associated Article 4 Direction in place. The site is within the agreed boundary of the proposed Knighton Neighbourhood Plan Area. The plan is yet to be produced and adopted.

The site is also within a critical drainage area (CDA). Ratcliffe Road is in a surface water 1 in 1000 years area.

To the south east of the site on the opposite side of Ratcliffe Road are a number of listed buildings:

No. 32 Ratcliffe Road, Inglewood – Grade II Star
Nos. 34 – 38 Ratcliffe Road – Grade II

There are four protected trees to the east of the site to the rear of properties on Ratcliffe Court but none within the boundary of the development site.

Background

20171735 – Planning permission approved for demolition of building to rear: external alterations to student accommodation (Sui Generis).

The applicant purchased the site from the University of Leicester in 2018.

Previous Application

20190433 – Planning permission refused for demolition of existing buildings; construction of residential development of 100 apartments with care for the elderly (27 x 1 bed, 58 x 2 bed and 15 x 3 bed) (Class C2); associated landscaping and parking (amended plans). The reasons for refusal were as follows:

1. The proposal fails to respond to the local context and prevailing character and does not demonstrate a good quality of design. The proposal by virtue of its massing, form, use of materials, scale, layout and relationship with neighbouring buildings, would cause harm to the amenity of the local area. It would not be appropriate to the setting. The proposal is therefore contrary to Core Strategy policy CS03 and the relevant provisions of the National Planning Policy Framework, in particular paragraphs 122, 124, 127, 128 and 130, as supported by the National Design Guide.
2. The scheme fails to represent a high quality and contextually responsive design and as such it fails to preserve the character and appearance of the Stoneygate Conservation Area and will cause less than substantial harm to the setting of the adjacent Listed Buildings. The proposal is contrary to Core Strategy Policy CS18 and the relevant provisions of the National Planning Policy Framework, in particular paragraphs 192, 193 and 194 and the Stoneygate Conservation Area Character Statement.

The applicant submitted an appeal to the Planning Inspectorate against the refusal of planning permission 20190433. An informal hearing was held and the Inspector dismissed the appeal for the following reasons:

The proposed building would be of a considerable height, depth, scale, and mass, and therefore appear significantly larger and domineering than any other building in the immediate context of this part of the Conservation Area (CA), including the existing buildings within the site. Furthermore, despite including more detailing than the existing buildings in the site, the proposal would be so lacklustre and uninviting that it would appear as an inadequate element of townscape in its own right and cause significant harm to its surroundings, including the character and appearance of the Conservation Area. There would also be a limited amount of harm to the setting of the Grade II* listed building.

Appeal Inspector's Conclusions on the main issue (previous application)

The Inspector concluded that the proposed development would not constitute high quality design and would have a significantly harmful effect on the character and appearance of the CA and there would be harm to the setting of the Grade II* listed building. Hence, the appeal proposal would fail to satisfy the requirements of the Act, paragraphs 197 and 199 of the Framework and conflicted with the design and heritage aims of Core Strategy Policies CS03 and CS18, the Stoneygate Conservation Area Character Statement, paragraphs 124, 126, 130, 132 and 134 of the then Framework and the National Design Guide.

Current Application

The applicant has undertaken a pre-application consultation with members of the public including the distribution of leaflets to approximately 500 addresses on two occasions, an in person drop in session in the local area and a website allowing the public to view the proposals and comment on them.

A pre-application process was also undertaken with planning officers and included taking proposals to an independent design review panel on two occasions. Written advice was provided after the design review panels. This is in accordance with paragraphs 40 – 43 of the National Planning Policy Framework (NPPF)(2024)

The Proposal

The applicant has applied to demolish the existing buildings on the site which were previously used as the Mary Gee Hall of Residence for the University of Leicester.

These buildings will be replaced by four new buildings which will accommodate 94 apartments within Class C2 (residential institution - specifically retirement apartments with care for people aged 60 and over) providing the following mix:

38 x 1 bedroom
45 x 2 bedroom
11 x 3 bedroom

The proposed buildings will be three storey in height. The applicant has suggested materials including brick, slate aesthetic roof tiles, aluminium windows and doors, metal balconies.

The communal facilities within the development for residents would include a table service restaurant including an outdoor eating area, coffee bar, residents lounge, activities studio, hairdressing salon and treatment room, guest suite, mobility scooter stores and outdoor amenity space including a garden area with raised beds and a greenhouse and a pétanque court.

Care team offices/facilities are also proposed which would enable staff to be on site 24 hours a day 365 days a year

Ground floor apartments will have terrace areas and upper floor apartments will have balconies as areas of private amenity space.

60 car parking spaces are proposed including six disabled parking spaces. The spaces are distributed throughout the site and adjacent to the four buildings. Vehicular access is from Ratcliffe Road.

The applicant has indicated that the development will be built in three phases starting with the block to the southeast of the site closest to the junction with Ratcliffe Court and finishing with the block on the corner of Ratcliffe Road and Elms Road.

Submitted supporting documents

Design and Access Statement
Air Quality Assessment
Biodiversity survey and report
BNG statutory metric
Ecology Addendum – Bat Survey

Flood Risk Assessment
Heritage Statement
Noise Impact Assessment
Accurate Visual Representations
Parking Statement
Planning Statement
Statement of Community Involvement
Transport Assessment
Travel Plan
Phasing Plan
Floorspace Schedule
Arboricultural Assessment
Arboricultural Method Statement
Care Statement
Drainage Strategy
Statement of Landscape Design
Sustainability Design and Construction Statement

Policy Considerations

National Planning Policy Framework (NPPF)(2024)

Section 2 – Achieving sustainable development – in particular paragraphs 7 to 12.

Section 4 – Decision-making – in particular paragraphs 39, 40 – 44, 48, 49, 56 to 59.

Paragraph 49 states that Local Planning Authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Section 5 – Delivering a sufficient supply of homes – in particular paragraphs 61.

Section 8 – Promoting healthy and safe communities – in particular paragraphs 96 and 98.

Section 9 – Promoting sustainable transport - in particular paragraphs 109, 113, 115, 116, 117 and 118.

Section 11 – Making effective use of land - in particular paragraphs 124, 125 and 129.

Section 12 – Achieving well-designed places – in particular paragraphs 131, 135, 136, 137, 138, 139 and 140.

Section 14 – Meeting the challenge of climate change, flooding and coastal change – in particular paragraphs 161, 166, 170, 181 and 182.

Section 15 – Conserving and enhancing the natural environment - in particular paragraphs 187, 193, 196 and 198.

Section 16 – Conserving and enhancing the historic environment - in particular paragraphs 202, 204, 207, 208, 210, 212, 213, 214, 215, 216, 219 and 220.

Development Plan policies

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

Emerging Local Plan: The site is allocated for residential development in the emerging local Plan with an indicative capacity of 40 dwellings.

Supplementary Planning Documents (SPD)

Biodiversity in Leicester SPG

Residential Amenity SPD

Climate Change SPD

Green Space SPD

Tree Protection Guidance SPG

Other legal or policy context

Planning Practice Guidance – Housing for older and disabled people (2019).

National Design Guide - January 2021 (Ministry of Housing, Communities & Local Government)

Access to and use of Buildings: Approved document M Volume 1: dwellings

City of Leicester Local Plan (2006). Saved policies. Appendix 1: Parking Standards

Leicester City Council – Leicester Street Design Guide 2020

Leicester City Council Waste Management guidance notes for residential properties

Technical housing standards – Nationally Described Space Standards – March 2015 (NDSS).

Building Research Establishment (BRE) - Site layout planning for daylight and sunlight: a guide to good practice (BR 209), Third Edition

Housing needs of different groups (July 2019)

Housing for older and disabled people (June 2019)

Environment Act (2021)

Conservation of Habitats and Species Regulations (2017)

Natural Environment & Rural Communities Act (2006)

Wildlife & Countryside Act (1981) as amended

Stoneygate Conservation Area Character Appraisal

Article 4 Direction Stoneygate Conservation

Consultations

Historic England (HE)

HE suggests that the Local Planning Authority (LPA) seek the views of our specialist conservation and archaeological advisers.

It is not necessary to consult HE on this application again, unless there are material changes to the proposals.

Environment Agency (EA)

The EA have reviewed the submitted documents and on this occasion the Environment Agency will not be making any formal comment on the submission for the following reason:

- The development falls within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site.

There are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency.

Lead Local Flood Authority (LLFA)

Site details

The proposed development is located within Flood Zone 1, the fluvial flood risk (from Main Rivers) in this zone is low.

The site is at low risk to the impacts of pluvial flooding (from surface water). However, the proposed development is within a Critical Drainage Area (CDA), CDAs are the catchments associated with the modelled pluvial hotspots found in the 2012 Surface Water Management Plan (SWMP). Measures in the form of Sustainable Drainage Systems (SuDS) are required to limit surface water volumes and discharge rates. The revised Drainage Strategy report proposes the use of rain gardens, permeable paving, and geocellular attenuation tanks.

The total site area has been defined as 1.36ha within the Drainage Strategy. The impermeable area generated by the development will be 0.658ha, compared to the existing impermeable area of 0.419ha.

The development is considered Brownfield and to comply with Leicester City Council's Strategic Flood Risk Assessment (2022), a 50% reduction of current surface water runoff/discharge rates is required. The application proposed to limit the discharge of surface water to the greenfield rate (5l/s/ha) which has been calculated as 6.8l/s, split equally between two points of discharge.

The lifetime of the proposed development has not been confirmed. However a 40% climate change allowance for peak rainfall intensity has been chosen, which is acceptable.

Flood Risk Assessment

A Flood Risk Assessment (FRA) has been submitted as part of this application. This assesses the level of flood risk from multiple sources, concluding that the level of risk from each source is either 'very low' or 'low'.

A construction method statement is required, which defines the measures that will be implemented during the construction phase of development.

Drainage Strategy

A revised Drainage Strategy report has been provided as part of the application. Surface water will be managed via raingardens and permeable paving, discharging into three geocellular attenuation tanks.

The drainage hierarchy has been used to assess the method for discharge of surface water from the site. It is concluded that discharge through infiltration and to a surface water body is unfeasible, discharge to a surface water sewer is the viable solution.

The applicant has outlined that surface water runoff will be managed through discharge into the public sewer. An application for connection will need to be submitted to Severn Trent Water once planning approval is granted.

In accordance with Section 163 of the Highways Act (1980) "Prevention of water falling on or flowing onto the Highway", surface water runoff must not discharge onto or across any part of the adjacent highway (footway and carriageway). Linear channel drainage has been shown at both access points to the site off Ratcliffe Road on the revised Drainage Scheme Proposed Layout plan.

It is proposed to limit discharge to the greenfield rate (5l/s/ha) which has been calculated as 6.8l/s, split equally between two points of discharge, up to and including the 1 in 100 year plus 40% climate change allowance event.

A revised Drainage Scheme Proposed Layout plan has been submitted and includes: the foul and surface water systems (proposed and existing), any connections into the public sewer systems, the location of and attenuation capacities of the permeable paving, raingardens and geocellular attenuation tanks, and both vortex flow control devices.

Modelled water levels within the attenuation tanks have been illustrated on the layout plan for the critical event for 1:1, 1:30, 1:100 and 1:100 + 40% climate change events. No modelled flooding has been shown in the detailed drainage calculations provided and this modelled water level should be clarified.

Detailed drainage calculations have been provided within Appendix H of the Drainage Strategy. These have been updated to use the REH rainfall methodology and demonstrate that the proposed drainage system is designed to:

- Manage all storm events up to the 1 in 30-year return period with no modelled flooding on site.

- Withstand a 1 in 100 year return period storm event with a 40% peak rainfall intensity climate change allowance.

The peak rainfall intensity climate change allowance is calculated using the proposed lifetime of the development and the Flood Risk Vulnerability Classification.

All development, where possible should integrate SuDS to reduce surface water runoff and comply with the National Planning Policy Guidance: Flood Risk and Coastal Change. The application proposed the use of permeable paving, raingardens and geocellular attenuation tanks.

For each SuDS and flow control device proposed, a product specification or design drawing must be provided.

A SuDS maintenance plan in accordance with CIRIA C753 The SuDS Manual is required.

Water Quality Control Assessment

Water quality will be maintained onsite via filtration using proposed permeable paving as part of the treatment train for surface water flows.

All development must be designed to intercept the first 5mm of rainfall, to minimise mobilisation of pollutants and maintain water quality of surface water discharge from the site. A written statement has been provided within the Drainage Strategy that states the development will provide this.

No objection to the proposal subject to conditions requiring details relating to the Sustainable Drainage System, foul drainage and a construction method statement.

City Archaeologist

The City Archaeologist examined the submitted plans showing the current and proposed layout, extent and nature of the development and built heritage statement dated June 2024.

Due to previous construction and landscaping of the site and its use history and the presence of only small or insufficient quantities of below-ground heritage assets either within the site or immediate environs, there is considered to be a low potential, if any, for any significant archaeological remains or deposits being revealed here. On balance, therefore, he recommended no further action is required with respect to below-ground archaeology.

Pollution Control – Land

Due to previous site investigations and site history, the officer is satisfied that there is a low risk to human health from contaminated land if this development were to go ahead as proposed.

Therefore, they have no comments to make regarding contaminated land.

Pollution Control – Noise

The Pollution Control officer has looked through the submitted documents including the acoustic report by Wardell Armstrong job number:GM13169 dated May 2024.

The report sets out a mitigation scheme so that the future occupants are not exposed to excessive noise and the officer has no reason to doubt their findings in relation to the existing noise climate.

The report discusses potential noise from plant and machinery associated with the development, but states that there are no details as of yet, and that this could be conditioned.

If consent is granted, the officer would recommend a condition relating to plant and machinery, including kitchen extraction flues.

One area that needs further information is the ventilation strategy. The acoustic report does discuss ventilation but in relation to background ventilation only and does not discuss overheating.

It is expected that if a good acoustic design of the development does not allow acceptable internal noise levels with windows open, then an assessment of overheating, such as a TM59 assessment, in particular taking account of solar gain, shall be undertaken. This shall take account of any design features that mitigate overheating, including orientation and location, and shall include details of ventilation arrangements that adequately mitigate overheating.

If no assessment of overheating is submitted then to prevent overheating, ventilation shall equate to open windows, deemed to be 4 air changes per hour on demand (to prevent overheating), if necessary using mechanical ventilation, in all habitable rooms where windows must be closed to maintain acceptable internal noise levels. Windows shall not be sealed closed.

The officer is happy for this to be a condition; however this may impact on the appearance or height of the property.

Better Buildings

Building Fabric and Airtightness

The proposed u-values for the fabric elements and air-permeability value for this development all improve upon the limiting parameters under the Building Regulations, and in most cases meet or improve on the value for the notional building. As such, the Better Buildings officer is satisfied that this represents an acceptable approach to building fabric efficiency.

Heating, Cooling, Ventilation and Lighting Energy Efficiency

It is proposed to use 100% electric technologies for heating and hot water, including air source heat pumps (ASHP) for non-domestic space heating.

Renewable / Low Carbon Technology & Energy Supply

As noted above, it is proposed to provide a proportion of the heating within the development through ASHPs.

Alongside this it is proposed to fit solar PV panels to the roof of the development. The sustainability statement notes that 2-3 panels are to be fitted per apartment. A location for the solar PV panels is shown on the roof plans provided.

The Better Buildings officer accepts the rationale provided for rejecting a site-wide heat network, and the proposed carbon reduction target of 10%.

Passive Solar Design

No objections to the design in respect of built form or daylighting.

The officer recommends a two-part condition to secure the proposed measures and the carbon reduction target.

Tree Officer

The officer has looked at the submitted information.

To facilitate this proposal the removal of 22 trees and 5 groups is required:

4 Category A

10 Category B

12 Category C (includes the 5 groups)

1 Category U

The individual trees that are proposed for removal, 16 are mature and 6 are semi mature.

The landscape Proposals Master Plan shows the planting of 74 new trees to mitigate their loss. However specific details such as species, size and planting methodology have not been provided. Details of this can be requested through a condition.

The officer requests the planting details be conditioned, along with sections 4 through 10 of the supplied Arboricultural method statement prepared by FPCR as well as the following plans:

Tree protection plan (demolition phase)

Tree protection plan (construction phase)

Tree protection plan (construction phase - Roads/Landscaping)

Landscape proposals Masterplan

Integrated Care Board (ICB)

To provide the required healthcare facilities to meet the population increase, a contribution of £45,120 is requested.

Waste Management

The total requirement for bins is – 12x 1100 litre for refuse (5x 1100-litre bins for bin store A & 7x 1100-litre bins for bin store B) and 7x 1100 litre bins for recycling (3x 1100-litre bins for bin store A & 4x 1100-litre bins for bin store B) (In addition new legislation will soon require separate food waste collections from March 2026. Space for these bins (5x 140-litre bins) should be accommodated in the design).

There must be separate bin storage for domestic and commercial waste and they must be clearly labelled.

The size of doors and access paths must have a minimum width of 2 metres as per Leicester City Council planning guidance. A maximum distance from the bin store entrance to the refuse collection vehicle of 10 metres is required for bins to qualify for an assisted collection.

Local Highway Authority (LHA)

This scheme layout provides 60 car parking spaces accessed via two new vehicle accesses from Ratcliffe Road. This is approximately a 64% ratio of spaces to apartments. While this is below the current local plan standard for residential development, it appears to be acceptable based on comparative data presented by the applicant in the TS.

The eastern of the two proposed vehicle accesses was previously reviewed in relation to the earlier applications and was deemed acceptable subject to minor recommended alterations. As was previously pointed out, there is a double telecoms inspection chamber in the footway within the mouth of this proposed access, but 'Dutch kerb' style vehicle crossings for both vehicle accesses were recommended in order to afford greater priority to users of the footway and reduce vehicle speeds entering and leaving the site. This will avoid the need to alter the chamber. It is noted that this recommendation has been incorporated into the new layout, which is welcomed.

The proposed western access would replace several individual dwelling accesses proposed in the earlier layout, which is likely to be a modest net benefit.

The TS states the proposed number of disabled spaces to be 6 in total, and this will be satisfactory.

The layout drawings appear to show the majority of communal parking spaces on the site as 5m x 2.4m in size. Attention was previously drawn to the fact that this does not meet the guidance set out in the Leicester Street Design Guide (LSDG) and that this could result in cars protruding into the aisles making manoeuvring more difficult within the site. LSDG advises spaces be 2.4m x 5.5m. I would note, however, that while this is not ideal, the first car park spaces are set well back from the highway

boundary and, as such, any problems this may cause are likely to be internal to the site rather than on the highway.

Though we do not intend to raise an objection on the basis of this, we would nevertheless encourage the applicant to consider revising these spaces accordingly where possible.

This layout incorporates a pedestrian access completely separated from the two vehicle accesses, which is to be welcomed as it would substantially reduce the use of those access by pedestrians.

The TS refers to provision of cycle parking, and although relatively modest, is nonetheless shown to be consistent with other similar developments. As such this is acceptable.

It is accepted that the proposed development is unlikely to result in a significant increase in vehicular traffic, especially when the previous use is taken into account.

Therefore in light of the comments above, the Highway Authority does not raise any objections to the proposal, subject to recommended conditions.

Representations

Nine objections have been received with the issues raised being as follows:

- Development at odds with city climate responsibilities. Environmental costs of complete destruction and rebuild.
- Site should be used for starter homes. Already adequate provision for retirement locally.
- Will there be the demand for this type of development.
- Increase in traffic will make Ratcliffe Road an accident hotspot. Traffic calming measures will be needed.
- Overspill parking from the development will make the existing parking issues on Elms Road worse.
- Inadequate parking provision.
- The development is not in keeping with the character and appearance of the Stoneygate Conservation Area and would adversely affect the neighbourhood.
- The development does not conform with the established conservation area ground rules.
- The development is too big and will over-dominate Ratcliffe Road and damage the setting of the Grade II* Inglewood.
- Objection to scale and mass. Still excessive and will over-dominate this part of the conservation area.
- The existing laurel hedge should be retained.

Comments in support of the proposal:

- Support the application as accommodation for elderly people is in short supply in the area and would release many of the larger properties in the area to the property market if older people were to move there.
- The plans are more sensitive and appropriate architectural design. The creation of four blocks with spacing in-between will help break up the facades.
- The site is currently dilapidated, hazardous and a site for fly tipping, illegal activity and vandalism.
- Development has been held up for too long and this development plan has been altered appropriately to 3 stories with adequate parking.
- It fits with the architecture of the district and is an appropriate, needed provision for an ageing population.
- Care should be taken with landscaping and tree preservation.

Conservation Advisory Panel (CAP)

Members agreed the scheme had come a long way and welcomed the fact the most recent amendments addressed specific comments from this Panel. They agreed that the viable re-development of the site would be a benefit to the area, that the proposed use was suitable, and that the current scheme would preserve the special interest of the Stoneygate Conservation Area. They felt that the scheme would blend in well as part of the streetscene and would not compete visually. They agreed that the spaces created were interesting, and echoed values found elsewhere in the Conservation Area. The view of the Panel was that the amendments satisfied their previous concerns, particularly in respect to improved detailing and material information. As such, Members agreed they held no further objections to the application.

No Objection

Consideration

Principle of development

The application relates to the site of a former university hall of residence which is located in an area which is mainly residential in character as defined by the adopted proposals map and is an allocation for residential development in the emerging local plan

The NPPF highlights the importance of ensuring that a wide range of different types of dwellings are provided, catering for a wide range of different groups including accommodation for older people.

This is further reflected within the current Housing and Economic Development Needs Assessment (HEDNA) which is the current evidence for local housing need. It states that there is an ongoing requirement for additional older people's accommodation within Leicester especially in regard to supported care.

Paragraph 125 of NPPF states Planning policies and decisions should:

c) **give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs**, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) **promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.**

Paragraph 129 states Planning decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services;
- d) the desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

Core Strategy Policy CS06 'Housing Strategy' states that "new housing developments will be required to provide an appropriate mix of housing types, sizes and tenures to meet the needs of existing and future households in the City" and "the City Council will seek to meet the needs of specific groups through including the provision of Extra Care accommodation to meet identified needs of an increasing elderly population".

Policy CS08 states that in so called 'suburb' areas the council will not permit development that does not respect the scale, location, character, form and function of the local area. This point is important in this case as this development is located within the Stoneygate Conservation Area. This is discussed further in the Design and Heritage sections of the report.

Emerging Local Plan

Further to the above, the emerging Leicester Local Plan 2020-2036 is well underway in its examination process and is expected to be adopted in Autumn 2025. Inspectors have advised the Council that the Plan is likely to be found sound subject to Main Modifications (MM's) following hearings undertaken in Autumn-Winter 2024.

The application site is identified as a housing proposal site in the emerging plan.

The NPPF is clear that increased weight can be given to emerging policies as they become close to adoption, therefore I consider that the proposed use would be acceptable in terms of the emerging Local Plan.

The principle of this type of residential development within this area is therefore acceptable as it will meet identified needs within the HEDNA for an ongoing requirement for additional older people's accommodation within Leicester especially in regard to supported care.

Design

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

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

1. Urban Form and Character:
 - Contribute positively to an areas character and appearance in terms of scale, height, density, layout, urban form, high quality architecture, massing and materials;
 - Create a sense of identity and legibility by using landmarks and incorporating key views within, into and out of new development.
4. Protect and where appropriate enhance the historic environment, recognising its value as a place shaping tool.

Paragraph 131 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places to live and works and helps make development acceptable to communities.

Paragraph 135 states planning decisions should ensure developments:

- Will function well and add to the overall quality of the area;
- Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting;
- establish and maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and
- Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Paragraph 139 states that permission should be refused for development that is not well designed taking account any local design standards or style guides in plans or supplementary planning documents.

There has been extensive pre-application work including two independent design review panel submissions. Many of the positive aspects of that pre-application work have been taken forward into this application. Some of the major principles in the pre-application have been continued which is welcome.

Scale, Height and Massing

As stated in the Stoneygate Conservation Area Character Appraisal and clearly seen when walking around the area of the application site the special character and appearance of the conservation area is created by a consistency of scale across the whole area of 2 or 3 storey buildings and this is a unifying theme for the area's varied houses and buildings.

The application site currently contains numerous three storey blocks built in the early 1970's, spread around the whole site, with low pitched roofs. The blocks are approximately eight metres high to the eaves and ten metres to the ridge of the roofs. In the immediate area of the site there is a mix of two and three storey properties. Many properties in the immediate area have high pitched roofs including properties on the opposite side of Ratcliffe Road, on Elms Road to the west and Knighton Drive to the north, some with accommodation within the roof space. These existing properties have eaves and ridge heights that are higher than those of the existing 1970's buildings on the application site.

The previously refused proposal included a section of four storey building. The scale and height of this current proposal is 3 storeys across the four buildings with eaves and ridge heights consistent with surrounding existing buildings and is considered acceptable.

The massing of the proposal has been broken up from the refused scheme now having three buildings fronting Ratcliffe Road and one to the rear, rather than the previous proposal which because of the siting of the buildings gave the appearance of one large long building. The current proposal has sizeable spaces between the buildings ranging from approximately 15m up to 18.5m which will allow views into and around the site and views of the existing landscaping to be retained and the new proposed landscaping.

The massing of the buildings themselves has also been broken up by the use of recessed sections, varying roof heights, projecting bay/balcony features and window reveals are proposed at 200mm.

Layout: Connections (ease of movement, legibility), Urban Grain (arrangement of blocks, continuity and enclosure, frontages and thresholds, delineation of public and private space, legibility)

The rationale for the layout on site is understandable and I consider to be sound. I welcome the consistent building line to Ratcliffe Road. The overall layout is much improved on previous iterations. The block to the corner of Ratcliffe Road and Elms Road being a smaller villa style results in a more broken footprint and layout of buildings throughout the site and thus more consistent to the urban grain of the area.

The layout allows external amenity spaces to be created. I welcome the central avenue and it has the potential to be a positive aspect of the layout. The positioning and use of the block to the rear of the site to terminate this vista brings some key legibility.

Most of the car parking sees spans of no more than four spaces before being broken up. This is welcome.

Character, Appearance: Details and Materials

The applicant has carried out a detailed analysis of the context of the site noting the architectural character and also the landscape character. From this and taking into account the previous reasons for refusal, the Inspectors reasons for dismissing the appeal and the comments of the independent Design Review Panel the applicant has submitted an amended proposal that is now considered to respond to the local context and prevailing character and demonstrates a good quality of design. It includes design elements such as gabled roofs, ornate detailing and bay windows which reflect characteristics of the existing nearby buildings.

The materials proposed include a multi-toned soft red brick which will sit well within the existing buildings on Ratcliffe Road and Elms Road. The exact details of the materials to be used will be agreed through the submission to discharge the proposed condition. Particular sections of the proposed buildings will be selected to include for example window detail, balconies and where feature brickwork is proposed and be required to be built as sample panels on the site to be inspected and approved before the development is begun.

The buildings include bay windows, a contextual design feature, and these have been amended to a squared design to reflect a contemporary style as seen in modern villa style buildings on Knighton Road to the north of the site.

The applicant has included a landscape consultant in the development of the proposal and the landscape masterplan to include the retention of existing landscape features where possible, retain informal landscape areas and add zones of activity to allow future residents to be involved in outdoor activities. The masterplan considers the different zones of the site from the Ratcliffe Road frontage to the landscape buffer around the edge of the site where it meets neighbouring properties.

Although a landscape masterplan is included with the application the exact details of the plant type, size, quantities and locations is to be provided and agreed. I have proposed a condition which requires the submission of a details landscape and ecological management plan. This will also require the details of any other surface treatments and boundary treatments.

I consider that in accordance with Core Strategy policy CS03 the proposal will contribute positively to the areas character and appearance. The buildings and spaces will be fit for purpose providing an attractive environment for future residents. The car parking has been integrated so that it will not dominate the development or have a detrimental impact on the appearance of the surrounding area.

The proposal will provide acceptable access and permeability within and around the site. A safe pedestrian route is provided around the site.

The site layout and position of the apartments provides for active frontages to the landscaped areas and routes through the site providing surveillance and security.

I consider the proposal in accordance with Core Strategy policy CS03 and the relevant paragraphs of the NPPF.

Heritage Assets

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

It goes on to say ‘The Council will pro-actively engage with local communities to protect and enhance the quality and diversity of Leicester’s historic environment, in particular through the production of Conservation Area Character Appraisals incorporating management strategies, other development plan documents and guidance notes.

We will consider the advice of statutory and local consultees in considering applications affecting designated and other heritage assets.’

NPPF paragraph 210 states - In determining applications, local planning authorities should take account of:

c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 212 states - 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 219 States - ‘Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.’

The Stoneygate Conservation Area Character Appraisal states in Paragraph 3.2:

The special character and appearance of the conservation area is also created by a consistency of scale and building materials across the whole area. Red brick, slate and timber in 2 or 3 storey buildings are a unifying theme for the area’s varied house and building types.

The Article 4 direction with many PD rights removed shows the quality of the conservation area and the concern over development that might have a detrimental effect on its character and appearance.

The Grade II* Listed No.32 and Grade II Listed Nos. 34-26 Ratcliffe Road are located to the immediate south-west of the site. The site under consideration is currently occupied by a series of late-1960s/early 1970s purpose-built student accommodation blocks, set within a mature landscaped setting.

This application is a revision of an application for a scheme that was previously refused, with the Planning Inspectorate subsequently upholding that decision.

The proposal is for a comprehensive redevelopment of the site, associated with a demolition of the 20th century buildings on site, to create retirement apartment units with care. A Heritage Statement is included which meets the requirements detailed in paragraph 207 of the NPPF.

Although of limited architectural interest in their own right, the buildings on site are set within a landscaped setting comparable to localities present elsewhere within the Stoneygate Conservation Area. The existing development benefits from the extensive landscaping and the suburban layout, which demonstrates a relatively loose urban grain. Taken as a whole, the composition is essentially neutral in terms of the character of the Conservation Area, providing a context for redevelopment of a high-quality design that is contextually responsive.

As such, although comprehensive demolition of the 20th century development on site could be acceptable in principle, it should not lead to the erosion of the character of the area. There are no objections in principle to the proposed use, but earlier iterations of the design failed to provide a contextually responsive approach and were harmful to the character of the area. The current proposal is much improved in this regard and has moved the scheme on in terms of responding to the various heritage contexts that are of relevance.

Of most heritage significance in the vicinity is the property Inglewood, situated to the opposite corner of the site under consideration, and one of only a handful of Grade II* properties within the city. It is the earliest dwellinghouse attributed to Ernest Gimson, a leading Arts and Crafts architect and designer. The property was originally intended to serve as his own residence but instead became the home of his patrons. Architecturally and spatially it dominates its locality, currently enhanced by complementary landscaping. The Mary Gee Halls of Residence have a neutral impact on the immediate setting of the Grade II* asset, with broadly matching brickwork elevations enhanced by mature trees and associated planting present to the corner of Ratcliffe Road and Elms Road. Based on the high significance of the Grade II* Inglewood, the setting of the property should be preserved or enhanced.

I did not consider that the previously refused design would have significantly compromised the setting of the listed buildings and the latest revisions have broken up the massing of the buildings closest to them more. In terms of the setting aspect of these particular heritage assets, I do not consider the proposed design would

represent any tangible harm relative to the existing arrangement, subject to the details of the materials and landscaping.

The previous design proposed by the applicant appeared of standardised form and lacked contextual responsiveness. It did not demonstrate high quality design, had larger scale urban design issues – such as the massing, and exhibited a range of more minor details, such as the materials proposed. The revised design has attempted to resolve the issues raised and the results are largely positive. The primary design elements are now more coherent and successful. The bulk of the more minor details previously raised have now been resolved.

The building heights are not out of scale with the wider character of the area and the massing of the development is now more in keeping with the Stoneygate Conservation Area. The applicant has broken up the formerly proposed uniform mass into a series of freestanding structures and the effect is less monolithic. The current iteration of the design has extended the focus on neo-traditional elevational treatment. Although the typology proposed has been presented in terms of a responsiveness to the architecture of the wider area, it does suffer from appearing somewhat pastiche. However, this format is an improvement over the poorer quality and more utilitarian detailing proposed previously and more of the issues of proportionality with historic features presented in oversized formats have been resolved. I previously raised concerns that the prominent brick gables appeared more awkward in terms of their scale, both in terms of how they are read in terms of responding to local context and on their own merits. Carrying the roof detail across, with overhanging eaves and the removal of the parapet will reduce the scale of the upper brick gable and be more contextual and comfortable proportionally. The applicant has amended the design of some of the secondary gable features, which has helped reduce the uniformity across the primary street elevation. The design of the upper gables remains as before but this matter is not a critical one.

Aspects of detail and materiality have been amended across the whole complex of buildings, so the scheme reads more cohesively and does not see a more notable drop off in design quality further into the site. The materials proposed in general are higher quality with metal window frames and rainwater goods instead of UPVC, and the ambiguities on other detail has now been clarified. This is acceptable.

The landscaping scheme is now more integral to the design as a whole and the structural landscaping elements add quality to the character and appearance of the development. The current boundary treatment has become more dominant since the halls of residence were closed and the proposed visuals show a lower and more formal hedge. The design and management of this feature has now been clarified and is acceptable.

The proposal is much improved over earlier iterations and now can be assessed to preserve or enhance the character of the Conservation Area. The scheme has the potential to present a successful infill scheme in this important site within the Conservation Area. In addition, I do not consider this iteration would cause meaningful harm to the setting of the nearby Listed Buildings.

I consider the proposal to be in accordance with Core Strategy policy CS18 and the relevant paragraphs of the NPPF.

Living conditions (*The proposal*)

Saved City of Leicester policies H07 states - Planning permission will be granted for new flats and the conversion of existing buildings to self-contained flats, provided the proposal is satisfactory in respect of:

- a) the location of the site or property and the nature of nearby uses;
- b) the unacceptable loss of an alternative use;
- c) the loss of family accommodation;
- d) the creation of a satisfactory living environment;
- e) the arrangements for waste bin storage and car or cycle parking;
- f) the provision, where practicable, of a garden or communal open space;
- g) the effect of the development on the general character of the surrounding area (where a property is already in multiple occupation, this will be taken into account in assessing the impact of the proposal); and
- h) the proposed or potential changes to the appearance of the buildings, and their settings.

PS10 states - In determining planning applications, the following factors concerning the amenity of existing or proposed residents will be taken into account:

- a) noise, light, vibrations, smell and air pollution (individually or cumulatively) caused by the development and its use;
- b) the visual quality of the area including potential litter problems;
- c) additional parking and vehicle manoeuvring;
- d) privacy and overshadowing;
- e) safety and security;
- f) the ability of the area to assimilate development; and
- g) access to key facilities by walking, cycling or public transport.

The proposed unit sizes are acceptable and provide an acceptable standard of living with a variety of unit types and sizes providing choice for future residents. All units will meet the Nationally Described Space Standards (NDSS). The units range from 1 bed through to 3 beds with en-suite bathrooms. Ground floor units will have a private terrace area. Units above ground floor have a small balcony each as private amenity space. The proposal also includes communal facilities on the ground floor of building 4 such as a restaurant, coffee lounge, activity studio and hair salon. Outside are communal gardens and a pétanque court/seating area. The proposal also includes garden areas, flower beds and vegetable beds for residents to plant or tend.

The majority of residents will have an acceptable outlook over the proposed landscaped gardens or out onto Ratcliffe Road and Elms Road. A limited number face car parking spaces however I do not consider this of sufficient detriment to consider it as a reason for refusal.

Two bin storage areas are proposed one in the parking area between building 1 and 2 and another to the east of the site within the car park area between buildings 3 and 4. They show space for 16 bins. Waste Management have recommended that 19 bins will be required, 14 for general waste and 8 for recycling. Although the plans

currently show less bins than recommended it would be possible for the applicant to increase the size of the bin storage area to accommodate the extra bins and this could be secured by condition. Access to the bin storage area is via the main vehicular access into the car parks and there is adequate manoeuvring space for a refuse vehicle.

The appearance of the bin storage area is acceptable with a close boarded fence enclosure proposed with a flat roof above open eaves. The east boundary of the area has an existing 2.5m high wall to the next door Ratcliffe Court garages.

Car parking for 60 cars including 6 disabled parking spaces is proposed and this number is considered acceptable by the Local Highway Authority. All spaces will be provided with electric charging facilities.

Cycle parking is shown on the submitted plans and its provision can be secured by condition. A mobility scooter store is shown on the ground floor of each building.

Residents would have easy access to the amenity space and street through various exits from the building.

I do not consider the use of the site for elderly accommodation will have any detrimental effect on the character of the area.

The units as shown would be adaptable into self-contained flats for general residential use.

Residential amenity (*neighbouring properties*)

There will be noise during the demolition of the existing buildings and construction phases for any proposed redevelopment of the site, this cannot be avoided but can be mitigated against by controlling the hours and days work is allowed to happen.

I do not expect the future residents of the proposed development to cause an unacceptable level of noise such that it would disturb existing residents of neighbouring properties. The position of the proposed parking areas are such that they are away from most existing neighbours. The bin storage areas are also away from neighbouring properties.

I consider the distances between the proposed properties and those neighbouring the site sufficient to prevent a substantial loss of privacy to the properties on Elms Court, Knighton Drive and Ratcliffe Court. The applicant also proposes to retain the mature trees situated around the site boundary with all neighbouring properties which will help to provide shielding between the properties.

I do not consider the buildings likely to cause significant detriment to neighbouring properties in terms of loss of light or outlook.

The site is proposed to have a secure boundary to the rear of the buildings with controlled access for residents and staff only. I do not consider there will be any

additional risk to neighbouring properties from a security perspective. The proposal is likely to provide a more secure environment.

I consider the proposal acceptable in terms of Saved Policies H07 and PS10 of the City of Leicester Local Plan.

Waste storage and collection

The total requirement for bin storage arisings using the formula under BS5906 2005 shows a requirement for – 12X 1100 litre for refuse (5X 1100-litre bins for bin store A & 7x 1100-litre bins for bin store B) & and 7x 1100 litre bins for recycling (3X 1100-litre bins for bin store A & 4x 1100-litre bins for bin store B). In addition new legislation will soon require separate food waste collections from March 2026. Space for these bins (5x 140-litre bins) will need to be accommodated in the design.

The applicants have shown the provision of bin stores however to ensure they are of the correct size and an acceptable design I have proposed a condition requiring details to be submitted and also details of the management arrangements for waste collection.

Highways and Parking

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

Policy CS15 states - To meet the key aim of reducing Leicester's contribution to climate change, opportunities should be provided that will manage congestion on the City roads. This will be achieved by:

- Requiring travel plans for large scale development;
- Ensuring the provision of high quality cycle parking to encourage a modal shift away from the car; and
- Ensuring that parking for residential development is of the highest design quality and use land efficiency does not compromise viability and the need for high quality regeneration. It should be appropriate for the type of dwelling and its location and takes into account the amount of available existing off street and on street car parking and the availability of public transport.

Saved policy AM12 of the City of Leicester Local Plan states that levels for car parking for residential development will be determined in accordance with the standards in Appendix 1 of the plan. The standards state that a Class C2 use outside of the central commercial zone (CCZ) should provide up to 1 space per 4 bed spaces which equals a target of 48 spaces.

The applicant is providing 60 car parking spaces (including 6 disability spaces). All parking spaces will provide for electric charging. The reports submitted with the application suggest that this will be sufficient to cater for the likely demand. The car parking and cycle parking numbers have been derived from a study of four other

sites owned and managed by the applicants looking at both weekday and weekend occupancy rates. The proposed number of car parking spaces is more than that required by the adopted parking standards and is approximately a 64% ratio of spaces to apartments.

The level of parking shown is considered reasonable for the type of development proposed, however I consider that even if the proposal were to lead to the occasional parking in the highway, it would be difficult to demonstrate that given the width of Ratcliffe Road and Elms Road, that a limited amount of on-street car parking would lead to any significant highway safety issues. A car park management plan would be required to ensure the efficient use of the car parks and this can be secured by condition.

The proposal also includes internal parking space for 23 mobility scooters for future residents to use. Cycle parking for staff, visitors and residents is shown providing 20 spaces spread throughout the site, some within the mobility scooter storage rooms and some in the grounds. I consider that should additional cycle parking be found to be required in the future there is sufficient space within the site to provide this. I have proposed a condition to secure the cycle parking including details to ensure it is secure and under cover.

The site is within walking distance of London Road which is well served by public transport traveling into and out of the city centre.

The applicant has submitted a travel plan with the application. I have however proposed a condition requiring the submission of a travel plan prior to occupation of the development. This will ensure that it is up to date and considers the needs of residents, staff, visitors and carers. This will then be monitored for a minimum of five years.

I consider the proposal to be in accordance with saved policy AM12 of the City of Leicester Local Plan and Core Strategy policies CS14 and Cs15.

Sustainable Energy

Core Strategy policy CS02 states - All development must mitigate and adapt to climate change and reduce greenhouse gas emissions.

The following principles provide the climate change policy context for the City:

2. Best practice energy efficiency and sustainable construction methods, including waste management, should be incorporated in all aspects of development, with use of locally sourced and recycled materials where possible, and designed to high energy and water efficiency standards.
3. Wherever feasible, development should include decentralised energy production or connection to an existing Combined Heat and Power or Community Heating System.
4. Development should provide for and enable, commercial, community and domestic scale renewable energy generation schemes.

NPPF Paragraph 166 states - In determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

The submitted design is considered to be acceptable in terms of passive solar design in respect of built form and daylighting, building fabric and airtightness, ventilation and lighting.

Additional information was requested from the applicant in relation to the proposed use of air source heat pumps and the site-wide heat network and the proposed carbon reduction target. The rationale provided by the applicant for rejecting the use of air source heat pumps as a site wide heat network and the proposed carbon reduction target of 10% is accepted

The officer from the Council's Sustainability Service has raised no objections to the proposal in relation to the demolition of the existing buildings. A condition is proposed to secure the design details of the on-site installations to provide renewable energy and energy efficiency measures and the 10% carbon reduction target and evidence of installation and satisfactory operation.

Subject to the satisfaction of the proposed condition the proposal is considered in accordance with Core Strategy policy CS02.

Drainage

Core Strategy policy CS02 states - All development must mitigate and adapt to climate change and reduce greenhouse gas emissions.

The following principles provide the climate change policy context for the City:

Development should be directed to locations with the least impact on flooding or water resources. Where development is proposed in flood risk areas, mitigation measures must be put in place to reduce the effects of flood water. Both greenfield and brownfield sites should be assessed for their contribution to overall flood risk, taking into account climate change. All development should aim to limit surface water run-off by attenuation within the site as a means to reduce overall flood risk and protect the quality of the receiving watercourse by giving priority to the use of sustainable drainage techniques in developments.

NPPF Paragraph 182 states that Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits

for amenity. Sustainable drainage systems provided as part of proposals for major development should:

- a) take account of advice from the Lead Local Flood Authority;
- b) have appropriate proposed minimum operational standards; and
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

The application is accompanied by a Flood Risk Assessment and Drainage Strategy.

The Local Lead Flood Authority (LLFA) having considered the submitted information have concluded that they have no objection to the proposal and the information that has been provided is considered acceptable however they require further details in relation to a construction method statement which should include mitigation measures during construction, clarification on the modelled attenuation tank levels detailed on the drainage layout plan, the product specifications and/or design details for each of the SuDs features proposed and a SuDs maintenance plan.

The LLFA consider that this information can be secured by conditions. I have therefore proposed conditions requiring the details to be submitted before the development is begun.

The proposal is considered based on the details already submitted and subject to acceptable details being submitted to satisfy the proposed conditions, to be in accordance with Core Strategy policy CS02.

Nature conservation/Trees/landscaping

Core Strategy policy CS03 states - Good quality design is central to the creation of attractive, successful and sustainable places. We expect high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment.

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.

New development should achieve the following urban design objectives:

3. Public Realm and Open Space:-

- Create high quality public spaces with full consideration given to the relationship between buildings and the spaces between them and to make best use of landscaping, lighting and public art;
- Promote active frontages onto public spaces, streets and waterways, an uncluttered street scene and a clear distinction between public and private spaces.

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

moving out from these sites across the broader network of green spaces in the City will also be assessed for their biodiversity value.

Saved City of Leicester Local Plan policy UD06 states - Planning permission will not be granted for any development that impinges directly or indirectly, upon landscape features that have amenity value including areas of woodland, trees, planting or site topography whether they are within or outside the site unless:

- a) the removal of the landscape feature would be in the interests of good landscape maintenance; or
- b) the desirability of the proposed development outweighs the amenity value of the landscape feature.

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.

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

Development proposals will require maintenance of existing and new landscape for the first ten years after implementation during which time all dead or vandalised stock will need to be replaced (where appropriate with additional protection).

NPPF paragraph 136 states Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

Paragraph 187 states that decisions should contribute to and enhance the natural and local environment by:

- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.

Paragraph 193 states that when determining planning applications LPA's should apply the following principles:

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Schedule 7A of the Town and Country Planning Act 1990, inserted by the Environment Act 2021, mandates Biodiversity Net Gain (BNG) in England for developments requiring planning permission. This means developers must ensure that their projects leave habitats for wildlife in a measurably better state than before the development. Paragraph 13 of Schedule 7A imposes a pre-commencement condition requiring the submission of a Biodiversity Gain Plan (BGP) and paragraph 14(2) of Schedule 7A states the matters that should be included within the BGP.

Nature Conservation

This site is surrounded by mature gardens and trees which provide significant wildlife connectivity to the Local Wildlife Sites and Biodiversity Enhancement Sites nearby, and the wider natural environment beyond the city boundary. The site itself provides habitats for bats, birds and other wildlife.

Protected Species

Due to the existence of mature landscaping and buildings that are proposed for demolition a Preliminary Roost Assessment was undertaken in June 2024 and this stated that further bat activity surveys were required. These were carried out and three of the existing buildings on the site were found to have active day roosts. No bats were recorded emerging or returning to the other buildings. However, the report recommends a precautionary approach to the demolition of these buildings.

Therefore, as stated within section 6 of the report, the Applicant's Ecologist has confirmed that a Natural England European Protected Species Mitigation Licence (EPS License) will be obtained for the demolition of buildings to be carried out lawfully.

Details of the proposed mitigation strategy to support an EPS application have been provided within section 6.6 - 6.13 of the latest bat report.

This mitigation includes guidance for:

- ☐ Provision of alternative roosting habitat during demolition - The Applicant's Ecologist has recommended that 6 x bat boxes are to be installed on suitable trees under the direction of a suitably experienced Ecologist prior to demolition taking place.
- ☐ Safeguarding of roosting bats during demolition - Detailed within section 6.10. Specifically precautionary approach for bats during the demolition works, to include tools, talks and watching brief by a suitably qualified Ecologist.

□ Reduction of light pollution - To comply with the criteria of the EPS licence, any extra artificial lighting required for demolition and/or construction phases will follow current industry guidance.

□ Post construction lighting - The applicant's Ecologist further recommends that industry lighting guidance is followed when determining final external lighting plans.

In addition to the suggested outline mitigation strategy, further required bat mitigation measures outlined under any EPS License application may also be required by Natural England.

A copy of an approved EPS License will need to be provided to the LPA within seven days of issue.

The updated mitigation and compensation strategy provided within the latest Bat Emergence and Activity Survey detailed within the provided Ecology Addendum is acceptable.

Should the development not commence within 12 months of the date of the last protected species survey (October 2024), a further protected species survey shall be carried out of all buildings by a suitably qualified ecologist.

Therefore, I have proposed conditions relating to lighting and the provision of bat boxes is included within the proposed LEMP condition. The provision of a copy of the EPS License is proposed in a note to applicant.

Biodiversity Net Gain (BNG)

An updated Biodiversity Net Gain statement has been provided. This latest statement confirms that the baseline biodiversity unit (BU) values of onsite habitats amount to 7.15 BUs for area habitats and 1.01 BUs for linear habitats (hedgerows).

The proposed development and draft landscaping scheme is projected to result in a net loss of 0.73 BUs (equivalent to -10.17%) in area habitat units, in this case from projected tree losses; but will increase linear (hedgerow) habitats by 1.29 BUs (equivalent to +127.8%). Further to this, the statement confirms that approximately +1.95 'individual tree' BU's (or equivalent high distinctiveness habitat) will be required to meet the necessary 10% BNG.

Although the Applicant's Ecologist does suggest that they consider additional onsite tree planting and retention of trees where possible, the statement makes it clear that under current proposals the required 1.95 BU's will be sourced off-site from Environment Bank (a private provider of off-site BUs). It is also intended that these off-site BUs will consist of 'Lowland Meadow' BUs, which is acceptable in terms of meeting BNG Metric 'Trading Rules'; and as no provision currently exists within the LPA area, the required BUs will be provided from a local habitat bank within the same 'National Character Area' as the development site which is also acceptable.

At this stage, the provided ecological detail and explanation of how the proposed development will meet BNG requirements provides sufficient comfort that the

General Biodiversity Gain Condition (GBGC) will be able to be discharged post permission (when the Applicant provides the required Biodiversity Gain Plan (BGP) and associated management plan).

I have therefore proposed a condition requiring the submission of the Biodiversity Gain Plan before the development is begun to ensure that the required 10% BNG is secured.

Subject to the additional details required by the proposed conditions I consider the proposal to be in accordance with Core Strategy policy CS17, the relevant paragraphs of the NPPF and the requirements of the Environment Act.

Landscape

Paragraph 3.3 of the Conservation Character Statement states that – Another notable feature of the conservation area is its large number of trees. There are many tree-lined streets as well as well treed and planted private gardens. Many parts of the conservation area are thus viewed through and against a backcloth of vegetation.

Paragraph 4.58 goes on to say ‘As important as any particular building or garden is the overall pattern of built and unbuilt upon areas within the conservation area and the variations in this pattern between and within the defined sub-areas.’

With regard to the ecology/biodiversity existing in this area and on this site and the character of the conservation area the proposed landscaping is of great importance as the existing landscaping has amenity value.

The applicant has carried out an Arboricultural Assessment of the existing trees on the site and looked at all other landscape features on the site. A landscape masterplan has been submitted with the application.

The Tree Officer considers the proposal to remove certain trees around the site to be acceptable in arboricultural terms and the applicant is proposing 74 replacement trees as mitigation for their loss. Although exact species have not been stipulated the applicant has stated that the new trees will be a mix of native and semi-ornamental species and will also include some fruit bearing trees. They propose to increase diversity, encourage wildlife and add seasonal interest.

The overall landscape masterplan is considered to be acceptable and an improvement on that submitted with the previous refused scheme. The proposal includes lots of different ambitions for the landscape setting including a horticultural area for residents, a nature walkway, private terraces, wildlife features, amenity grassland with existing/new trees and shrubs. The landscaping also includes rain gardens with sensory planting which also act as part of the sustainable drainage solution for the site.

Following comments received from members of the public in relation to the existing laurel, along the Ratcliffe Road boundary in particular, the applicant has stated that the existing shrubs will be retained in key locations to retain character and aid

filtering of views to the Grade II* Listed Inglewood. The retained sections will be assessed and reduced in height (to 1.75m) and width to maintain a mature green frontage and managed appearance. The laurel will need to be removed in places along Ratcliffe Road however to provide the vehicle and pedestrian entrances and the required visibility splays.

The proposal as submitted is considered acceptable in quality and in keeping with the character of the Stoneygate Conservation Area. The applicant has not provided the full details of the landscaping scheme in terms of species and number of trees/plants/bulbs however this missing detail can be included within a condition for a detailed landscaping and ecology management scheme. I have therefore proposed such a condition.

I consider the landscaping to be in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.

Viability and Developer Contributions

The Integrated Care Board (ICB) have requested a contribution of £45,120 to provide the required healthcare facilities to meet the population increase at GP surgeries and/or to develop alternative primary/community healthcare infrastructure in the immediate area of the development site. The applicant has agreed to this requested contribution.

Section 106 agreement

A Unilateral Undertaking under s106 of the Town and Country Planning Act is drafted and agreed with the applicant securing the ICB contribution.

Conclusion

The NPPF highlights the importance of ensuring that a wide range of different types of dwellings are provided, catering for a wide range of different groups including accommodation for older people.

The NPPF states that Planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused. Decisions should also promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.

This is further reflected within the current Housing and Economic Development Needs Assessment (HEDNA) which is the current evidence for local housing need. It states that there is an ongoing requirement for additional older people's accommodation within Leicester especially in regard to supported care.

The proposal will provide 94 needed Class C2 retirement apartments with care where required. Although some further detail is required on aspects of the proposal it is considered that these can be dealt with by way of conditions.

The applicant has worked positively with the Local Planning Authority at both pre-application stage and during the processing of the application to provide a proposal that it is now considered in accordance with policies in particular taking account of the historic context of the site and the character and appearance of the Stoneygate Conservation Area.

I recommend that this application is APPROVED subject to conditions and a Unilateral Undertaking under S106 to secure the ICB contribution:

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 details of the accommodation approved by this decision are 94 apartments made up of 38 x 1 bed, 45 x 2 bed and 11 x 3 bed. (For the avoidance of doubt)
3. The development shall only be occupied within Use Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) by approved occupiers who are over the age of 60 years and who have completed a written assessment undertaken by the care provider which has assessed the occupier to be in need of care and support and shall be used for no other use. (To ensure acceptable occupation of the development meeting identified needs for extra care for the elderly and in accordance with Core Strategy policy CS06 and paragraph 61 of the NPPF and given the nature of the site, the form of development is such that a change of use may be unacceptable or lead to an unacceptable loss of amenity to occupiers of neighbouring properties in accordance with saved City of Leicester Local plan policy PS10 and policies CS03 and CS14 of the Core Strategy)
4. Prior to the commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the vehicle and pedestrian temporary access arrangements including 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 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 storage and management of waste resulting from excavation works (viii) the proposed phasing of development and a detailed description of the works in each phase (ix) the temporary access arrangement to the construction site; (x) procedures to ensure flood risk is managed on site during the period of works for personnel, plant and members of the public (xi) the procedures to ensure flood risk is not increased anywhere outside of the site for the duration of the works; (xii) the procedures to be used in case of a pollution incident. (To ensure the satisfactory development of the

site, and in accordance with saved policies AM01 & UD06 of the City of Leicester Local Plan and Core Strategy policy CS02 & CS03. To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

5. (A) Prior to the commencement of development, except for demolition, a materials sample panel drawing (at a scale of 1:20) and full materials schedule, which shall be in broad accordance with the materials shown on the approved Bay Study drawings, shall be submitted to and approved in writing by the Local Planning Authority. (B) Prior to the construction of any above ground works the approved sample panel/s shall be constructed on site, showing all external materials, including but not limited to, bricks, bond, balconies, windows, doors and dormer, for inspection by Officers and approval in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved materials. (In the interests of visual amenity, and in accordance with 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).

6. Prior to the commencement of development, a Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Gain Plan shall be submitted in accordance with the requirements of paragraph 14(2) of Schedule 7A to the Town and Country Planning Act 1990. (To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

7. Prior to the commencement of development, except for demolition, 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 in writing by the Local Planning Authority. 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. The use shall not commence until the system has been implemented in accordance with the approved details. It shall thereafter be managed and maintained in accordance with the approved details. (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 approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

8. Prior to the commencement of development, except for demolition, details of foul drainage, shall be submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the foul 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 approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

9. Before any above ground level works are begun, a detailed landscape and ecological management plan (LEMP) showing the treatment and maintenance of the site which will remain unbuilt upon shall be submitted to and approved in writing with the 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, including details of the entrance gates; (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. ix) details of planting design and maintenance of; x) details of the make and type of 10 x bat boxes/tiles/bricks to be erected on buildings under the guidance and supervision of a qualified ecologist. 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 ten 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 saved policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17).

10. Before any above ground works are begun a detailed design plan of lighting to be used which shows the locations of lights, their type of light emittance and wavelength, together with a lux contour map showing the variation in light, shall be submitted to and approved in writing by the Local Planning Authority. The lighting should be designed to cause minimum disturbance to protected species that may inhabit the site with appropriate areas remaining dark and a maximum of 1 lux on vegetated/water areas where considered necessary. The approved scheme shall be implemented and retained thereafter. No additional lighting should be installed without prior agreement from the Local Planning Authority. (In the interests of protecting wildlife habitats and in accordance with NPPF (2024) Paragraph 192, saved policy BE22 of the City of Leicester Local Plan and Core Strategy policy CS17)

11. The development shall be carried out in accordance with the details approved in the Arboricultural Method Statement dated February 2025 and shown on the Tree Protection Plan Ref: 8663-T-03 (Demolition phase), Tree Protection Plan Ref: 8663-T-04 (Main Construction phase) and Tree Protection Plan Ref: 8663-T-05 (Car parking/landscaping). All works shall be carried out in accordance with British Standard for Tree Work BS 3998:2010. (In the interests of the health and amenity value of the trees and in accordance with saved Policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03)

12. Before any works above ground level are begun full design details of on-site installations to provide renewable energy and energy efficiency measures shall be

submitted to and approved in writing by the Local Planning Authority. No phase of the development shall be occupied until evidence demonstrating satisfactory operation of the approved scheme including on-site installation in that phase has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained thereafter. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy).

13. No part of the development shall be occupied until 2 metre by 2 metre pedestrian sight lines on each side of each vehicular access have been provided, and they shall be retained thereafter. (In the interests of the safety of pedestrians and other road users, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03)

14. All street works shall be constructed in accordance with the Council's standards contained in the Leicester Street Design Guide (First Edition). (To achieve a satisfactory form of development, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03)

15. No phase of the development shall be occupied until secure and covered cycle parking has been provided on site for that phase in accordance with written details previously approved by the Local Planning Authority and it shall be retained thereafter. (In the interests of the satisfactory development of the site and in accordance with saved policies AM02 and H07 of the City of Leicester Local Plan).

16. No part of the development shall be occupied until a Travel Plan for the development has been submitted to and approved in writing by the Local Planning Authority and it shall be carried out in accordance with a timetable to be contained within the Travel Plan. The Plan shall: (a) assess the site in terms of transport choice for staff, users of services, visitors and deliveries; (b) consider pre-trip mode choice, measures to promote more sustainable modes of transport such as walking, cycling, car share and public transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site as single occupancy vehicle users, so that all users have awareness of sustainable travel options; (c) identify marketing, promotion and reward schemes to promote sustainable travel and look at a parking management scheme to discourage off-site parking; (d) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with saved policies AM01, AM02, and AM12 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

17. Prior to the occupation of any phase of the development a Car Park Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include:

- a) details of how the parking areas would be managed;
- b) details of electric vehicle charging points; and
- c) arrangements for the provision of at least six disabled parking spaces.

The approved car park management plan shall be implemented for each phase from the first occupation of that phase. The parking shall be operated in accordance with the approved Car Park Management Plan and maintained thereafter. (In the interests of residential amenity and pedestrian safety and in accordance with saved policies H07, PS10 and AM12 of the City of Leicester Local Plan and Core Strategy policy CS15)

18. No part of the development shall be occupied until the following works have been carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority: (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. (To ensure a satisfactory means of access to the highway, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03)

19. No phase of the development shall be occupied until the following works have been carried out for that phase in accordance with details approved on plans Ground Floor Site Plan Ref: 00009 MP-0120 Rev A2 and Surfacing and Site features ref: 10206-TEP-XX-XX-DR-L-0002 Rev P02 : (a) surfacing and marking out of all parking areas including the provision of at least 6 disabled parking spaces and electric vehicle parking with charging facilities and infrastructure for at least 5% of the total number of parking spaces; and (b) provision of turning space. The parking and turning spaces shall not be used for any other purpose. (In the interests in highway and pedestrian safety, and in accordance with saved policies AM01 and AM12 of the City of Leicester Local Plan and Core Strategy policy CS03)

20. Before the installation of any plant or machinery, including kitchen extraction flues, the details shall be submitted to and approved in writing by the local planning authority. The plant or machinery shall be installed in accordance with the approved details before the occupation of any residential unit and shall be retained and maintained thereafter. (In the interests of residential amenity and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan)

21. Before any above ground level works are begun a ventilation strategy, including measures to deal with overheating, shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall ensure that ventilation equates to open windows, deemed to be 4 air changes per hour on demand, if necessary using mechanical ventilation, in all habitable rooms where windows must be closed to maintain acceptable internal noise levels. Windows shall not be sealed closed. The approved ventilation strategy shall be installed and operational in each phase prior to its occupation and shall be maintained thereafter. (In the interests of residential amenity and in accordance with saved policy PS10 of the City of Leicester Local Plan)

22. During the demolition and construction period no machinery shall be operated and no work shall be undertaken outside the hours of 07.30 to 18.00 hours Mondays to Fridays, and 07.30 to 13.00 hours Saturdays, nor at any time on Sundays or officially recognised public holidays. (In the interests of the amenities of nearby

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

23. No part of the development shall be occupied until the details for the storage of bins and the management arrangements for waste collection have been submitted to and approved in writing by the Local Planning Authority. The approved storage and management arrangements shall be maintained thereafter. (In the interests of the amenities of the surrounding area, and in accordance with saved policies H07 and PS10 of the City of Leicester Local Plan and Core Strategy policy CS03)

24. Should the development not commence within 24 months of the date of the last protected species survey (October 2024), a further protected species survey shall be carried out of the site by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and agreed in writing with the Local Planning Authority and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey should be repeated annually and any mitigation measures reviewed by the Local Planning Authority until the development commences. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000), the Habitat & Species Regulations 2017 and Core Strategy policy CS17).

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

Location Plan, 00009-MP-0100 Rev A1, received 25th July 2024

Ground Floor Site GA Plan, 00009-MP-0120 Rev A2, received 4th December 2024

Context Elevations, 00009-MP-0150 Rev A2, received 4th December 2024

Site Phasing Plan, 00009-MP-0500 Rev A1, received 25th July 2024

Building 01 (B1)

GA Floor Plans, 00009-B1-0220 Rev A3, received 4th December 2024

North and South GA Elevations, 00009-B1-0250 Rev A3, received 4th December 2024

East and West GA Elevations, 00009-B1-0251 Rev A3, received 4th December 2024

Bay Study, 00009-B1-0255 Rev A3, received 4th December 2024

Building 02 (B2)

Ground and First Floor GA Plans, 00009-B2-0320 Rev A3, received 4th December 2024

Second Floor GA and Roof Plan, 00009-B2-0321 Rev A3, received 4th December 2024

South and West GA Elevations, 00009-B2-0350 Rev A3, received 4th December 2024

North and East GA Elevations, 00009-B2-0351 Rev A3, received 4th December 2024

Typical Bay Study 01, 00009-B2-B4-0355 Rev A3, received 4th December 2024

Typical Bay Study 02, 00009-B2-B4-0356 Rev A4, received 12th March 2025

Building 03 (B3)

Ground Floor GA Plan, 00009-B3-0420 Rev A3, received 4th December 2024

Upper Floors GA Plans, 00009-B3-0421 Rev A3, received 4th December 2024

Roof Plan, 00009-B3-0422 Rev A2, received 4th December 2024

South and West GA Elevations, 00009-B3-0450 Rev A3, received 4th December 2024

North and East GA Elevations, 00009-B3-0451 Rev A3, received 4th December 2024

Bay Study, 00009-B3-0455 Rev A3, received 4th December 2024

Building 04 (B4)

Ground Floor GA Plan, 00009-B4-0520 Rev A3, received 4th December 2024

First Floor GA Plan, 00009-B4-0521 Rev A3, received 4th December 2024

Second Floor GA Plan, 00009-B4-0522 Rev A3, received 4th December 2024

Roof GA Plan, 00009-B4-0523 Rev A2, received 4th December 2024

South and West GA Elevations, 00009-B4-0550 Rev A3, received 4th December 2024

North and East GA Elevations, 00009-B4-0551 Rev A3, received 4th December 2024

Landscape Masterplan, 10206-TEP-XX-XX-DR-L-0001 Rev P03, received 4th December 2024

Surfacing and site features, 10206-TEP-XX-XX-DR-L-0002 Rev P02, received 4th December 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 at 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 2024 is considered to be a positive outcome of these discussions.

2. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at:

<https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-document-s/> 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.

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

3. Development on the site shall avoid the bird nesting season (March to September), but if this is not possible, a re-check for nests should be made by an

ecologist (or an appointed competent person) not more than 48 hours prior to the commencement of works and evidence provided to the LPA. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone will also be marked out to avoid disturbance to the nest whilst it is in use.

All wild birds are protected under the Wildlife and Countryside Act (1981) as amended making it an offence to kill, injure or disturb a wild bird and during the nesting season to damage or destroy an active nest or eggs during that time. Further information on birds and the law can be found here [Wild birds: protection and licences - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

4. Noise from any plant/machinery should 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, when measured at 1 metre from the facade of any nearby residential properties.

5. The protected species mitigation licence approved by Natural England shall be submitted to the Local Planning Authority. The mitigation strategy should clearly detail mitigation requirements, works schedule and Reasonable Avoidance Measures (RAMs) to be followed during demolition and construction to safeguard protected species and breeding birds from harm, injury, or disturbance during the demolition and construction works.

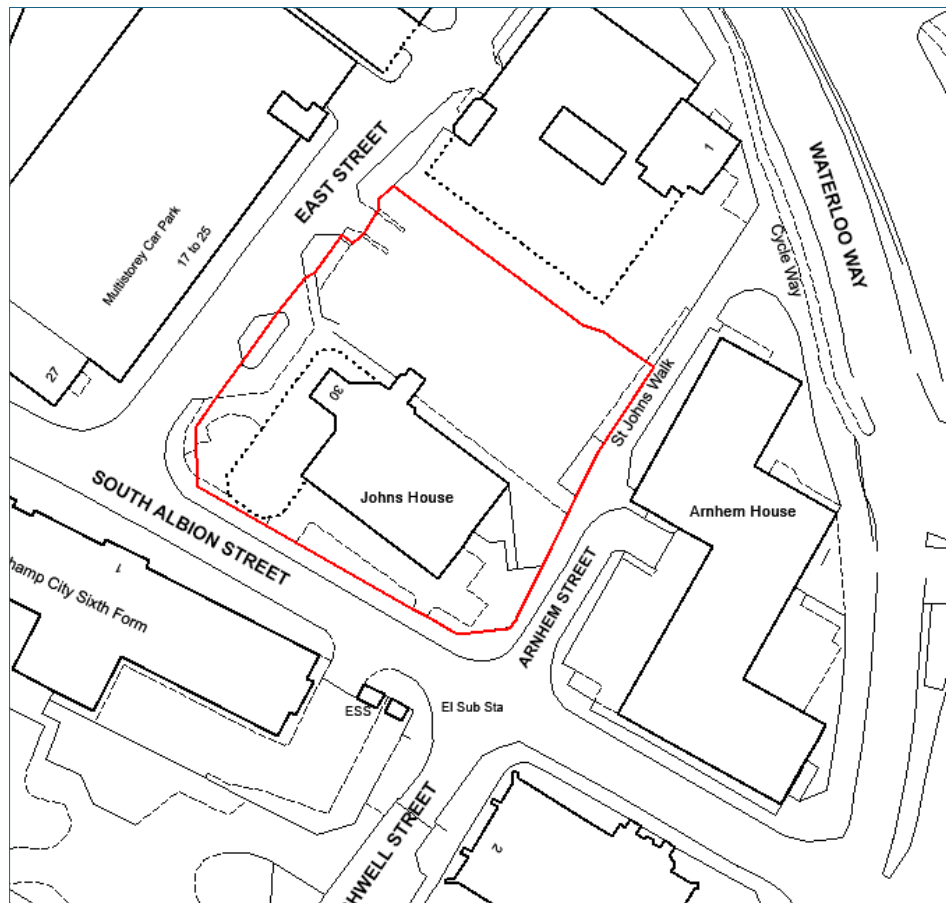
Policies relating to this recommendation

2006_AM01	Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.
2006_AM02	Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.
2006_AM12	Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
2006_BE22	Planning permission for development that consists of, or includes, external lighting will be permitted where the City Council is satisfied that it meets certain criteria.
2006_H03	Provides guidance on minimum net densities to be sought for residential development sites according to location.
2006_H07	Criteria for the development of new flats and the conversion of existing buildings to self-contained flats.
2006_PS10	Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
2006_UD06	New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
2014_CS01	The overall objective of the Core Strategy is to ensure that Leicester develops as a sustainable city, with an improved quality of life for all its citizens. The policy includes guidelines for the location of housing and other development.

2014_CS02	Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
2014_CS03	The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
2014_CS06	The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
2014_CS08	Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
2014_CS14	The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.
2014_CS15	To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.
2014_CS17	The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.
2014_CS18	The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.
2014_CS19	New development must be supported by the required infrastructure at the appropriate stage. Developer contributions will be sought where needs arise as a result of the development either individually or collectively.

Item 4c

Recommendation: Conditional approval	
20250833	30 East Street, St Johns House
Proposal:	Change of use of office building (Class E) to student accommodation (114 studios & 7 cluster flats) (Sui Generis); construction of single storey infill extension at front; parking, landscaping & alterations (amended plans 08/08/2025)
Applicant:	Hannah Yates
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20250833
Expiry Date:	8 September 2025
SS1	WARD: Castle



©Crown Copyright Reserved. Leicester City Council Licence 100019264 (2019). Ordnance Survey mapping does not imply any ownership boundaries and does not always denote the exact ground features.

Summary

- The application is for use of the building as student accommodation to provide 142 beds (in a mix of cluster and self-contained flats), and a single storey extension;
- The application is brought to committee as Councillor Kitterick objected on the grounds of an unacceptable living environment for future occupiers;
- The main issues are the principle of replacing office space with student accommodation; proposed living environment; visual impact, highways impact, ensuring a satisfactory build-out & meeting technical requirements, ensuring no

- other adverse impacts to the area in planning terms, and developer contributions;
- Application is recommended for approval subject to conditions and a section 106 agreement to secure financial contributions for healthcare and parks/green spaces.

The Site

The application relates to a 1970's multi-storey office block. The site is within an area of predominantly commercial buildings within the inner ring road in close proximity to Leicester Railway Station. The building has a top height of around 39m and is therefore prominent in the surrounding area including when viewed from the station.

The building features an undercroft area around its entrance which faces East Street (i.e. the west elevation), which benefits from a pick-up/drop-off layby point to the front. The site also includes a private car park, also accessed from East Street. To the east and south of the site there is hardstanding for pedestrians and service vehicles along with several shrubs and trees.

There is a 5-storey building to the north of the site (Peat House) and a further multi-storey building to the east (Arnhem House), beyond a small access road (Arnhem Street) and footpath (St John's Walk). South Albion Road to the south of the site and East Street are relatively lightly trafficked roads. To the southeast of the site at Ashwell Street/South Albion Street there is a church (St John the Divine) which is Grade II listed.

Internally, there is a basement area for plant, with reception and office space on the ground floor, and a mix of larger and smaller office spaces across the 1st to 9th floors with plant on the 10th floor. There are air conditioning units on the rooftop. There are 3 lifts from ground to 9th floor.

The building is currently vacant.

In terms of planning designations, the site is in the city centre and strategic regeneration area. In terms of constraints, the site is in a critical drainage area and within proximity to an air pollutant use (dry cleaners on Granby Street) and historic land contaminant use.

There have not been any significant planning applications or planning history at the site that would be material to this application.

The Proposal

The proposal includes a ground floor extension to fill in the undercroft area under the 3 blocks of the building fronting East Street. The west and south west elevations of the extension would be largely glazed with aluminium windows and doors, with spandrel panels above. The north east and east elevations would be finished with aluminium cladding panels. The bricks used in the construction would match the existing building. Further alterations would take place including installation of aluminium cladding panels to all elevations, replacement of all existing windows, the insertion of an additional window on the north elevation of the building at first to fifth floor levels, additional windows on the east elevation at 6th to 8th floor levels, and additional windows on the southwest elevation at 9th floor level.

The building would be re-laid out internally to provide student accommodation. The basement floor would include plant space. The ground floor would then include the main East Street entrance area with a reception, co-working area, office, social lounge, private dining area, gym and communal study space behind.

The layout of the living accommodation would be as follows:

- 6 studios to the east part of the ground floor;
- At 1st and 2nd floor, there would be 2 cluster flats (with 4 bedrooms per cluster flat), and 13 studios;
- At 3rd to 5th floor, there would be 1 cluster flat and 14 studios;
- At 6th floor, there would be 16 studios;
- At 7th floor, there would be 13 studios;
- At 8th floor, there would be 7 studios; and
- At 9th floor, there would be 4 studios.

The total number of bedspaces would therefore be 142, composed of 114 studios & 28 cluster bed spaces.

There would be further plant at 9th floor and on the rooftop.

In terms of the site layout, the pick-up/drop off area would be retained with a new landscaped area adjacent in place of an existing tree. All other trees would be retained with new landscaping around the site including hedges, shrubs and a rain garden. The car park would also be retained with 19 spaces, where there would also be a new landscaped area with the bin store and cycle stores (with space for 72 bicycles). There would be a turning area off South Albion Street with 3 further parking spaces. There would be access ramps to each of the entrances.

The application was submitted with the following supporting information:

- Air Quality Assessment
- Arboricultural Impact Assessment
- Archaeological Assessment
- Biodiversity Net Gain Assessment & BNG Metric
- Design & Access Statement
- Drainage Strategy & Flood Risk Statement
- Energy Statement
- Framework Travel Plan
- Gateway One Fire Statement
- RIBA Stage 2 Fire Strategy
- Heritage Statement
- Land Contamination Preliminary Risk Assessment
- Student Accommodation Demand and Supply Report
- Noise Impact Assessment
- Planning Statement (including Consultation Statement and Draft S106 Heads of Terms)
- Preliminary Ecological Appraisal and Roost Assessment
- Student Management Statement
- Transport Statement
- Utilities Search Report

- Viability Report for Office Use

Amended plans were submitted on 8th August 2025 to make minor alterations to the scheme including the change from glazed spandrel panels to cladding panels to the upper floors, which is required to achieve the required fire and acoustic separation and reconfiguring the layout of the amenity space/bin and cycle stores.

Policy Considerations

National Planning Policy Framework 2024

Paragraph 2 (Primacy of development plan)
 Paragraph 11 (Sustainable development)
 Paragraph 49 (Weight to emerging plans)
 Paragraph 56 (Planning obligations)
 Paragraph 57 (Planning conditions)
 Paragraph 58 (Tests for planning obligations)
 Paragraph 61 (Housing supply)
 Paragraph 73 (Small housing sites)
 Paragraph 85 (Economic growth)
 Paragraph 103 (Access to open spaces)
 Paragraph 109 (Transport impacts and patterns)
 Paragraph 110 (Development in sustainable locations)
 Paragraph 115 (Assessing transport issues)
 Paragraph 116 (Highways impact)
 Paragraph 117 (Highways requirements for development)
 Paragraph 118 (Travel plan)
 Paragraph 124 (Effective use of land for homes/other uses)
 Paragraph 125 (Urban land considerations)
 Paragraph 127 (Changing demand for land)
 Paragraph 129 (Making efficient use of land)
 Paragraph 131 (High quality, beautiful and sustainable buildings)
 Paragraph 135 (Good design and amenity)
 Paragraph 136 (Trees)
 Paragraph 139 (Design decisions)
 Paragraph 161 (Climate impacts)
 Paragraph 163 (Mitigate/adapt to climate change)
 Paragraph 167 (Sustainable heating e.g. heat pumps)
 Paragraph 181 (Flood risk considerations and SuDS)
 Paragraph 182 (Incorporating SuDS)
 Paragraph 187 (Natural environment considerations)
 Paragraph 193 (Biodiversity in planning decisions)
 Paragraph 196 (Land instability or contamination)
 Paragraph 198 (Noise and light pollution)
 Paragraph 199 (Air quality considerations)
 Paragraph 200 (Agent of change)
 Paragraph 202 (Heritage as an irreplaceable resource)

Core Strategy 2014 and Local Plan 2006

Policy CS03 (Designing quality places)
 Policy CS04 (Strategic Regeneration Area)
 Policy CS06 (Housing strategy)

Policy CS12 (City Centre)
Policy CS10 (Employment opportunities)
Policy CS13 (Green Network)
Policy CS14 (Transport network)
Policy CS15 (Managing demand for car use)
Policy CS17 (Biodiversity)
Policy CS18 (Historic environment)
CLLP policy AM01 (Impact of development on pedestrians)
CLLP policy AM02 (Cycling and development)
CLLP policy AM12 (Residential car parking provision)
CLLP policy PS10 (Residential amenity and new development)
CLLP policy PS11 (Protection from pollution)
CLLP policy UD06 (Landscape features)

Emerging Local Plan

Further to the above, the emerging Leicester Local Plan 2020-2036 is at an advanced stage in its examination process and is expected to be adopted in Winter 2025/26 therefore some regard can be had to relevant future policies. Having regard to the designations for the site on the emerging policies map, the proposal would be subject to the following emerging policies.

SL01 (Location of development)
CDA01 (Central development and management strategy)
CDA02 (New development within character areas)
CHA01 (Railway Station character area)
TCR03 (City Centre)
Ho08 (Student Residential Accommodation Development)

Further Relevant Documents

Department for Communities and Local Government - Nationally described space standard
Leicester City Council – Leicester Street Design Guide 2020
Local Plan Appendix 001 – Vehicle Parking Standards
Planning (Listed Buildings and Conservation Areas) Act 1990
The National Heritage List for England
GOV.UK Planning Practice Guidance – Noise <https://www.gov.uk/guidance/noise--2>
Development Management Procedure Order (DMPO)
Economic Development Needs Assessment (EDNA 2020)

Consultations

Noise Pollution Officer

- Satisfied that if the recommendations made for minimum facade sound insulation treatment are implemented, the noise impacts on occupiers will be adequately mitigated with windows closed;
- There is a potential for noise impact when the occupant wishes to open the windows for thermal comfort;
- An overheating risk assessment should be submitted to address this.

Air Quality Officer

- The air quality assessment has assessed the dust impacts of the construction phase to be Low with mitigation measures to reduce this to Negligible;
- The impact of the operational phase has been assessed to have no impact on the future local air quality as a direct result of vehicle trips generated by the development;
- The background pollutant concentrations around the site do not exceed the National Air Quality objectives;
- Does not have any air quality concerns with the development.

Health & Safety Executive

HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.

Waste Management

- The bin area should be large enough for the requirement;
- Requested further information in terms of how the bins will be collected;
- Provided information on bin store design.

Sustainability Officer

Welcomes improvements proposed to the thermal performance of the building, as well as the commitment to targeting best practice in terms of both whole life carbon and operational energy demand reduction.

Requests the applicant to approach the district heat network operator, Bring Energy, to ascertain if connection is feasible and could be viable.

Highways Authority

- Accesses from East Street, South Albion Street and Arnhem Street are acceptable;
- 22 parking spaces is an acceptable level for this development;
- Overall traffic impact would reduce from the change of use;
- Parking management plan & a more detailed travel plan is required and can be conditioned;
- 78 cycle parking spaces is an acceptable level (compliant with the standard of 1 per 2 bedspaces);
- Recommends conditions relating to footway crossing alterations; cycle parking to be secured; travel plan to be secured; travel packs for occupiers to be agreed; parking areas to be marked out; & Arnhem Street access to be retained for pedestrians/cyclists.

Trees & Woodlands

The arboricultural impact assessment highlights that an arboricultural method statement should be acquired. More in-depth details on the proposed tree planting with a specific management plan are also requested.

LLFA

The site is within a Critical Drainage area and SuDS measures should be considered to manage surface water runoff. A drainage strategy and flood risk assessment document is provided which shows the surface water runoff will be managed using

rain gardens, permeable block paving and attenuation tank (76m³) before discharging into the public sewer at a discharge rate of 15.6l/s using a Hydrobrake flow control device. A number of requirements as mentioned in the 'Requirements for Applicant' section are still outstanding.

Land Contamination Officer

The officer assessed the submitted preliminary risk assessment report and is satisfied that this covers everything required. The report states that an intrusive investigation is necessary so the planning consent, if granted, will need the contaminated land condition attached to cover this.

Leicester, Leicestershire & Rutland Integrated Care Board

The ICB calculates 1 patient per 1 bed and the development will result in a minimum population increase of 142 patients. To ensure that the health and well-being of the local community is protected, the ICB maintains that S106 funding is essential to help mitigate the impact/support the needs arising from the forecasted increase in population.

The contribution requested would be £56,800.00.

Parks/Green Spaces Officer

- Proposed development will increase the number of residents in an area which exhibits a deficiency in green space;
- Opportunities to create new open space to address the needs of the new residents are limited. Therefore the officer would look to make quality improvements to existing open space provision to minimise the impact of the development;
- Based on the formula from the Green Space SPD a contribution of £87,804.00 is required. This would be used for works at Museum Square, Town Hall Square, and Nelson Mandela Park.

Representations

Councillor Kitterick objected on the grounds of an unacceptable living environment for future occupants.

Consideration

Principle of Development

Policy Overview

Both the current and emerging Local Plan policies set out the importance of the city centre as a sub-regional shopping, leisure, historic, tourist and cultural destination.

Similarly, the site is within both the current "strategic regeneration area" and future "central development area" in the emerging Plan, which are aimed to be the focus of major housing development, employment, and physical regeneration to provide the impetus for economic, environmental, and social investment and provide benefits for existing and future residents and those who work, visit and learn within the city.

Furthermore, both the existing policy CS06 and the "Housing" section in the emerging Plan require the city to meet housing need and demand. Policy Ho08 in the emerging Plan states that student residential accommodation development will be supported

where it meets certain criteria. Policy SL01 sets out need in the city for both offices and student accommodation.

Policy CS10 also supports business and economic development including provision of office space.

The Student Housing SPD (2012) provides criteria for new purpose-built student accommodation.

Assessment

The existing office use of the site is considered to sit well in its surroundings, being part of a complex of commercial buildings in the area which are very close to the railway station and within the city centre. Office use is an acceptable and sustainable one having regard to existing and emerging planning policies described above. The Economic Development Needs Assessment (EDNA 2020) grades the site as B2 which offers high protection for the office use.

However, I consider that student accommodation would also be a suitable use for the site. The site would meet criteria listed in the current SPD that the development is within reasonable walking distance of both the University of Leicester and De Montfort University (15 minutes to both). The site is not in a high-density residential area where there could be impacts arising to neighbours. Emerging policy SL01 sets out that “the Council will support applications for student accommodation that help to meet the City’s requirement for 4,800 units over the plan period where appropriate in accordance with Policy Ho08”.

The applicant has submitted a “Leicester Student Accommodation Demand and Supply Report” from a professional property valuation firm. The report considers the recent history of student numbers in Leicester and tenure/types of accommodation students are living in, along with the known supply of PBSA. It concludes that there is a demand for at least 8,000 units. I consider that the evidence is well-researched and adds some weight in favour to the proposal.

The development of 142 student bedrooms would be a significant boost to the housing supply in the city. Whilst the proposal would only provide accommodation for students, there is an evidenced need and the extra provision would also relieve some pressure from student use of the private rented housing stock.

Notwithstanding the comments above regarding the suitability of the existing office use, the applicant has also submitted a viability report for the site as offices by a professional marketing agent. The report has included evidence that the office was marketed in 2021, 2022, and 2023, which is a considerable period of time. The offices were marketed at a rate of £12.50/sqf in 2021, which is a little over 50% of the headline rent achieved at Colton Square, and less than the headline rent achieved at Peat House, reflecting the building's age and quality of offering. The marketing did not bring in new tenants and as there is office space available to rent in nearby buildings which are a better offering to prospective tenants, the applicant has demonstrated that the building does not appear viable at present for office use. As such, the loss of office space at this particular site is not considered to weigh significantly against the development.

As discussed in further detail below, the site is considered to provide an acceptable standard of living accommodation and included communal facilities appropriate to the scale of the development.

The application includes a student management statement from a specialist operator of PBSA. It advises of management in terms of points including staffing, security, student behaviour, facilities, waste management, sustainable travel and accessibility. I am satisfied that the proposed site would likely be managed suitably to avoid any harmful impacts to the surrounding area and the statement can be included as an approved document.

Principle of Development – Conclusion

Taking the above together, the loss of office space would not weigh significantly against the development and the proposed use would be appropriate and help meet a significant identified demand for student accommodation in accordance with policy CS06. I consider significant weight can be given in favour of the proposal in regard to the principle of development.

Proposed Living Environment

NPPF paragraphs 135f & 189 and Local Plan saved policies PS10 and PS11 require developments to provide a high standard of amenity for future residents.

Floorspaces & Amenity Space

69 of the proposed 114 studio flats would be between 19-23 sqm. 3 would be below this at 17sqm. 19 would be larger, between 24-26sqm and 23 would be larger still, between 28-38sqm.

In terms of the 7 cluster flats, 2 would measure 114sqm in total, with bedrooms of 15-16sqm and a communal area of 31sqm. 5 would measure 123sqm in total, with bedrooms of 15-17sqm and a communal area of 39sqm.

The ground floor would provide a co-working area, social lounge, private dining area, gym and communal study space.

The studios would provide space for the furniture required for occupation on a short to medium term including a single bed, a desk, a countertop for utilities, a wardrobe and an en-suite bathroom. I acknowledge that most of the flats would not provide excess space beyond this and would not meet the NDSS (noting that these standards cannot be required of student accommodation in policy terms) . However, student occupation is predominantly used during term times for some 8 months of a year and often only for one academic year, during a time when students would have access to communal facilities on campus such as the library and other leisure-based spaces and often a main alternative residence. The development provides the resident students with access to the shared facilities described above as well as a modest outdoor amenity space. For avoidance of doubt, I am conscious that policy Ho07 within the emerging Local Plan will give full weight to compliance with the NDSS for Class C3 residential proposals – however this proposal for “sui generis” student accommodation would not fall under that requirement and so emerging policy Ho07 is not applicable to this development.

Outlooks/Privacy

I consider that all studios would have windows which would provide a reasonable outlook and light to an acceptable proportion of the rooms. I note that the north facing rooms would generally be of modest depth to allow as much as possible of the rooms to be reasonably lit.

Noise & Disturbance

The application site is within the city centre and near to buildings in commercial use. The applicant has submitted a noise impact assessment to determine the noise levels for the proposed occupiers. The assessment sets out noise sources and with noise measurements taken from around the site and discussed noise impacts to the site. It goes on to set out how suitable internal noise levels can be achieved.

I accept the conclusion of the noise officer that if the recommendations made for minimum facade sound insulation treatment in table 1 of the assessment are implemented during construction, then the environmental noise impact on the proposed dwellings will be adequately mitigated with windows closed. As is discussed in the report, there is a potential for noise impact due to occupiers wishing to open the windows for thermal comfort. As such, natural ventilation relying on open windows or trickle vents is not suitable for this development. I therefore recommend a condition to agree either an overheating assessment which demonstrates that acceptable thermal comfort can be achieved without the reliance on openable windows at night, or a mechanical ventilation scheme to be agreed.

Air Quality

NPPF paragraph 199 requires proposals to mitigate air quality impacts. The Air Quality Officer has reviewed and accepted the assessment submitted, which confirms that the future occupiers would not be exposed to excessive levels of air pollution. A condition would be required however to follow the mitigation measures recommended in the report (p45-46) in terms of dust impacts from the construction works.

Subject to such a condition, the proposal would therefore not cause harm in regard to air pollution to future occupiers and as such accord with NPPF Paragraph 199. A c

Fire Safety

The building is a tall building to be used for student accommodation and as such Article 9a of the DMPO requires this proposal to be accompanied by a Fire Statement describing the fire safety design principles, concepts and standards that have been applied to the development.

The application was accompanied by such a statement (OrionFire engineering, ref OF-001815-FSS-01). The application was also accompanied by a RIBA Stage 2 Fire Strategy. The documents provide details on fire safety systems, building fabric and components, means of escape, fire service access, and suitability of water supply.

The Health and Safety Executive have been consulted, and they are content with the fire safety design, to the extent it affects land use planning considerations.

I am satisfied that the proposal therefore accords with the DMPO on this issue and recommend a compliance condition with the fire statement.

Waste Management

The Waste Management team has confirmed that the proposed bin storage would accommodate a satisfactory number of bins. The consultee did raise a query in terms of how the waste will be collected. I am satisfied that this is addressed in paragraph 5.3.9 of the planning statement which confirms that: servicing and delivery arrangements will remain from Arnhem Street; refuse will be managed by Building Management with refuse bins moved from the bin store to Arnhem Street for refuse collectors to access; and Building Management will also be responsible for returning the bins to the bin store afterwards.

Living Environment – conclusion

Taking all of the above together, I consider that the proposal would provide an acceptable level of accommodation for the future student occupiers and the proposal would comply with the above listed policies in regard to providing a satisfactory living environment.

Appearance/Visual Impact

Core Strategy policy CS03 and NPPF paragraph 135 require developments to be well-designed and appropriate to the character and appearance of the area.

The proposed extension and alterations would match the footprint and brickwork of the existing building. I note that the face of the cladding panel will be set back from the face of the existing brickwork, in order to maintain the horizontal appearance of the existing openings. I consider that the proposal would not result in a significant impact to the character and appearance of the area, nor would it project any material impact to the setting of the nearby listed building.

Enhanced landscaping is provided at the entrance and across the remainder of the site, and I am satisfied that this is appropriate on balance to meet the needs of the development and ensure enhancement to visual amenity is created as a result.

Given the high visibility of the site and scale of the development I consider it necessary to require specifications of external materials to be agreed via condition. Subject to this, the proposal would comply with the above policies on appearance/visual impact.

Sustainability

Core Strategy policy CS02 and NPPF chapter 14 require developments to be sustainably designed.

The submission included an Energy Assessment by a suitably qualified professional which acknowledged the sustainable energy policies in the emerging Local Plan. Pages 12-17 provide a detailed assessment of how the building can be improved to be more energy efficient and use LZC (low/zero carbon) technologies. The Sustainability Officer welcomes the improvements proposed to the thermal performance of the building, as well as the commitment to targeting best practice in terms of both whole life carbon and operational energy demand reduction. Compliance with the energy statement can be conditioned in accordance with the consultee comments. I note that the officer did also request re-consideration of whether connection to the district heat network could be viable and rejects the discounting of such a connection in the submission. I consider that this should be further explored to accord with existing and proposed energy planning policies and recommend a further condition in this regard. Subject to conditions, the proposal would accommodate energy efficiency in the proposal in accordance with the policies listed above.

Highways/Parking

NPPF chapter 9, Local Plan policies AM01, AM02 and AM12, and Core Strategy policy CS14 set out guidance for highways considerations.

The site is in a highly sustainable location that is close to universities, the city centre, parks and public transport. It is possible to live here without the need for a car. Notwithstanding this, the proposal to provide 22 parking spaces is acceptable.

I recommend a travel pack to be provided to new residents and employees at the facility to encourage the use of sustainable modes of transport and this can also be secured via condition.

Servicing and delivery arrangements will not alter and will continue to take place from Arnhem Street.

To encourage the use of cycling and to comply with city council policy, 78 cycle parking spaces will be provided for residents in the form of 39 two-tiered cycle racks located in a secure cycle store to the east of the main parking area with 8 visitor cycle parking spaces being provided via Sheffield Stands off South Albion Street. The proposed cycle parking is acceptable and can be confirmed by condition.

Further conditions are required to secure the effective operation of the parking and access in relation to: reinstatement of redundant footway crossings; parking area to be surfaced and marked out; access onto Arnhem Street to be retained for pedestrians/cyclists only

Ecology

Core Strategy policy CS17 and NPPF paragraphs 187 and 193 require developments to preserve and enhance the ecological environment. Additionally, Schedule 7A of the Town and Country Planning Act 1990 provides a legislative requirement for all developments to provide biodiversity net gain (BNG) and the applicant has indicated on the application form that BNG would apply to this development.

Protected Species

The PEA confirms that the site is primarily comprised of a single building and hardstanding with onsite habitats comprised of trees and ornamental hedgerow. The extended survey included scoping for the likely presence of protected and priority species; and the report details that no evidence of protected and/or priority species was discovered within the redline boundary. It was further confirmed that the building and onsite habitat presents negligible potential to support roosting bats and/or nesting birds.

Although the PEA confirmed no evidence of protected and/or priority species, it was noted that potential remains for protected and/or priority species to be impacted though this is still considered unlikely. However as a precaution, the Applicant's Ecologist has recommended some simple reasonable avoidance measures within the PEA for bats (page 7), birds (page 9) and hedgehog (pages 12 & 13) which must be followed during the development works.

Further to this, the PEA recommends biodiversity enhancements to support local protected and priority species which includes provision of 3 x bird boxes (suitable for Swifts) and 2 x bat boxes. This is a welcomed addition to the site and should be conditioned.

The findings and conclusions of the presented PEA are acceptable however the Applicant's Ecologist has not recommended a validity period for this report. As the site is not complex in terms of habitat with negligible potential to impact protected species, in accordance with CIEEM Guidance a validity period of 24 months would be acceptable.

The proposal is therefore acceptable in respect of protected species.

Biodiversity Net Gain

The provided DEFRA Statutory Metric based upon the PEA surveys confirm onsite habitat present a baseline biodiversity unit (BU) value of 0.93 BUs for area habitats and 0.02 BUs for linear (hedgerow) habitats.

Compensatory habitat creation detailed within the presented proposed site plan (273-DEN-00ZZDR-A-1002 - Den architecture - February 2025) is projected to result in a net gain in of 0.22 BUs (equivalent to 23.92%) in area habitat units and 0.11 BUs (equivalent to 528.45%) in linear (hedgerow) habitat units.

The presented landscaping proposals are projected to exceed the national minimum requirement of +10% BNG and are considered achievable; the proposal is therefore acceptable in principle. This means that the applicant has submitted sufficient information to support granting planning permission (e.g., the properly completed DEFRA Statutory Metric with acceptable baseline information).

The BNG legislation and guidance dictates that the on-site habitat creation and/or enhancement cannot be confirmed as acceptable until the biodiversity gain plan is submitted after the planning permission is granted to discharge the mandatory General Biodiversity Gain Condition (GBGC). As the proposed habitat compensation would not be considered 'significant' it would be reasonable to secure the landscaping via a 'landscape and ecological management plan' condition.

Subject to the conditions to secure the details described above, the proposal would accord with biodiversity net gain legislation and be acceptable in this regard.

Trees

Local Plan policy UD06 and NPPF paragraph 136 require developments to retain trees of amenity value wherever possible and encourage new tree planting.

11 trees have been surveyed at the site; 1 tree will require removal to facilitate the proposal. Whilst this is unfortunate, new trees and hedgerows are to be planted around the south and west boundaries and the amenity garden area to enhance the site and mitigate the loss of the tree. The proposal would overall not significantly conflict with the above listed policies.

As per the arboricultural impact assessment and the tree officer comments, I consider that prior to any below ground works take place, an Arboricultural Method Statement (AMS) will need to be agreed in writing via a condition.

Drainage

Core Strategy policy CS02 requires developments to mitigate effects of flood water and limit surface water run-off.

The site is located within a Critical Drainage Area and is identified as at low risk of flooding. The applicant has provided a "Drainage Strategy & Flood Risk Statement" from professional consultants, which sets out a proposed drainage strategy at chapter 5. The contents of the report have been considered by the LLFA, who advise that further details are required to ensure the proposed drainage will be suitable, and this can be secured by way of conditions in the event of planning permission being granted. I accept the recommendations of the LLFA. Subject to such conditions I consider the proposed development would accord with Core Strategy policy CS02.

Ground Contamination

NPPF paragraph 196 requires proposed land uses to be appropriate for their siting, having regard to land stability and contamination.

A preliminary risk assessment by professional consultants have been submitted. The assessment provides an analysis of the history of the site, and advise on the basis for a ground investigation. The Phase II assessment (chapters 4-7) advises that samples of the ground at the site were assessed in a laboratory and analysed for potential contamination (chapters 8-11).

It is concluded that, subject to further testing post-demolition and implementation of protective measures, there is no evidence to suggest that the site is not suitable for its intended purpose. The Land Contamination Officer has suggested a condition to secure the recommended procedures to be following. I conclude that, subject to condition, the development would be safe from ground contamination impacts in accordance with NPPF paragraph 196.

Archaeology

The application included an archaeology assessment, which concluded that the archaeological potential of the Site is considered Low for all periods. This is primarily due to the re-development of the Site from the post-medieval period onwards, with substantial disturbance likely caused by groundworks associated with the construction of St John's House and associated infrastructure. On this basis no further works are proposed. I accept this recommendation and consider that no further works are required in respect of archaeology.

Developer Contributions

The LLRICB have requested a developer contribution of £56,800.00 to mitigate the increased demand for their services that would arise from the change of use.

The parks/green spaces service have requested a developer contribution of £87,804.00 as the proposed residential development, within the Castle ward, will result in a net increase in the number of residents within an area which already exhibits a deficiency in green space. Opportunities to create new open space to address the other needs of the new residents are limited and therefore the service will be looking to make quality improvements to existing open space provision to minimise the impact of this development.

These contributions will be secured by a S106 legal agreement.

Conclusion

Taking the above together, evidence indicates that the existing office use in this particular building is unviable, whilst the emerging Local Plan and evidence submitted by the applicant demonstrates a high demand for student accommodation, and this proposal would provide a major addition to supply in this regard. The proposal would provide acceptable living conditions and subject to conditions, meet technical requirements and avoid significant impacts to the surrounding area. I therefore recommend conditional approval subject to prior completion of a section 106 agreement to secure financial contributions for the LLR ICB and parks/green spaces.

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 building shall be maintained at all times from first occupation of the new use to meet the minimum facade sound insulation treatment in table 1 of the noise impact assessment (apex, ref 12135.1). (To avoid harmful noise impacts to future residents, in accordance with Local Plan 2006 saved policy PS11).

3. Prior to occupation of any units, either:

a) an assessment of overheating, (TM59 assessment) including details of ventilation arrangements that adequately mitigate overheating, shall have been submitted to and approved in writing by the local planning authority, or

b) details of mechanical ventilation that allows for 4 air changes per hour and does not exceed 30dB(A) in bedrooms, and 35dB(A) in living rooms shall have been submitted to and approved in writing by the local planning authority.

Measures within the agreed details shall be implemented prior to occupation of the flats, retained as such and at the same minimum performances indicated above for the lifetime of the development.

(In the interests of the amenities of future occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.

4. All building works shall incorporate dust mitigation methods detailed on pages 45-46 of the Air Quality Assessment (Tetra Tech, 784-B07567) (to ensure dust impacts to the surrounding area are mitigated, in accordance with Local Plan 2006 saved policy PS11).

5. Development and use of the site shall take place in full accordance with the Gateway One Fire Statement and RIBA Stage 2 fire strategy (OrionFire engineering, ref OF-001815-OFS-01). (To accord with article 9a of the Development management procedure order).

6. The development shall not be occupied until the approved store for refuse bins has been provided in full accordance with the approved plans and are accessible to all occupiers. The bin store shall be retained thereafter for the storage of refuse in connection with the use and occupation of the development and all refuse bins shall be kept within the designated area other than on refuse collection days. (To ensure adequate facilities for the storage and collection of refuse and to protect the amenity of the area in accordance with saved policy H07 of the City of Leicester local plan and Core Strategy policy CS03).

7. The flats shall only be occupied by students enrolled on full-time courses at further and higher education establishments, or students working at a medical or educational institution as part of their medical or education course. The owner, landlord or authority in control of the development shall keep an up-to-date register of the name of each person in occupation of the development together with course(s) attended, and shall make the register available for inspection by the Local Planning Authority on demand at all reasonable times. (To enable the Local Planning Authority to consider the need for affordable housing in accordance with Core Strategy Policy CS07, and residential amenity standards for any alternative residential use in accordance with saved policies H07 and PS10 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS06, and parking provision in accordance with saved policies AM02 and AM12 of the City of Leicester Local Plan.)

8. Prior to commencement of operational development, specifications for all new external materials to be used shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details (In the interests of visual amenity, and in accordance with Core Strategy policy CS03).

9. Development shall incorporate the energy efficiency measures as described within pages 12 to 14 of the submitted Energy Statement Ref: P7883-FUT-XX-XX-RP-ME-0001, such measures to be operational prior to first occupation and retained thereafter. No part of the development shall be occupied until evidence demonstrating satisfactory installation and operation of the approved scheme including on-site installation has been submitted to and approved in writing by the Local Planning Authority. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy).

10. Notwithstanding the submitted energy statement, details of connection to the Leicester District Energy Company (LDEC) district heat network shall be submitted to and approved in writing by the local planning authority, or should the use of district heating be proven to be unfeasible or non-viable, then details of alternative energy efficient, low carbon heating options shall be submitted to and approved in writing by the local planning authority. Development shall incorporate the further connection or heating infrastructure prior to first occupation and retained thereafter. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy).

11. Prior to the first occupation of any studio or cluster flat, the occupiers of each of the studio or cluster flats and employees of the facility shall be provided with a 'Travel Pack'. The contents of this shall be submitted to and approved in writing in advance by the local planning authority and shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. (In the interest of sustainable development and in accordance with saved policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy).

12. No part of the development shall be occupied until secure and covered cycle parking has been provided in full accordance with the approved plans. The cycle parking shall be retained thereafter for its designated use. (In the interests of the satisfactory development of the site and in accordance with saved policies AM02 and H07 of the City of Leicester Local Plan).

13. Before the occupation of any part of the development, all parking areas shall be surfaced and marked out in full accordance with the approved plans. The parking areas shall be retained for parking and not used for any other purpose throughout the lifetime of the development. (To ensure that parking can take place in a satisfactory manner, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

14. The access onto Arnhem Street shall be retained for pedestrian and cyclist use only. Prior to the occupation of any part of the development, measures shall be implemented to prevent vehicular access into the site from Arnhem Street in accordance with details first submitted to and approved in writing by the local planning

authority. (For the safety and convenience of pedestrians, cyclists and other road users, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

15. Recommendations within the Preliminary Ecological Appraisal and Roost Assessment (Arbtech) which require adherence to specified working procedures to protect or avoid disturbance for bats (page 7), birds (page 9) and hedgehog (pages 12 & 13) must be followed during the development works. (In the interest of avoiding harmful impacts to biodiversity in accordance with Core Strategy policy CS17).

16. Prior to commencement of works above slab level, details of the type and location of 3 x bird boxes (suitable for Swift) and 2 x bat boxes to be incorporated within the elevations of the proposed building shall have been submitted to and agreed in writing with the local planning authority. The locations should be determined by an ecologist who should also supervise their installation. The development shall be carried out in full accordance with the agreed details with the agreed features retained thereafter. (In the interest of biodiversity and in accordance with NPPF (2024), Policy CS 17 Biodiversity of the Core Strategy).

17. Should the development not commence within 24 months of the date of the last protected species survey (18/10/2024), then a further protected species survey shall be carried out of all buildings by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and agreed in writing with the local planning authority and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey should be repeated biennially and any mitigation measures reviewed by the LPA until the development commences. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat & Species Regulations 2017 and CS 17 of the Core Strategy).

18. Prior to commencement of development, a Biodiversity Gain Plan (BGP) shall be submitted to and approved in writing by the local planning authority. Development shall take place in full accordance with the approved BGP details. (To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990).

19. The development shall not commence until a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- a) Description and evaluation of the features to be managed;
- b) Ecological trends and constraints on site that may influence management;
- c) Aims, objectives and targets for management;
- d) Description of the management operations necessary to achieving aims and objectives;
- e) Preparation of a works schedule, including annual works schedule;
- f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
- g) Details of the persons responsible for the implementation and monitoring;

h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and

i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain.

(To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990).

20. Prior to commencement of development, an Arboricultural Method Statement (AMS) shall be submitted to and agreed in writing with the local planning authority. The AMS shall include: A schedule and specification of tree removal and pruning works; Specifications for tree protection barriers and ground protection; Procedures for any specialist construction techniques / any supervised excavations within RPAs; Phasing of work; Site monitoring (where required); a Tree Protection Plan & details of the new tree planting with a specific management plan. Development shall take place in full accordance with the approved arboricultural method details. (To ensure satisfactory development of the site with regard to arboricultural considerations in accordance with Local Plan saved policy UD06).

21. 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 in writing by the local planning authority. No flat shall be occupied until the system has been implemented in full. 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).

22. Prior to the commencement of development details of drainage, shall be submitted to and approved in writing by the local planning authority. No flat 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).

23. a) Prior to the commencement of development, the site shall be investigated for the presence of land contamination in accordance with paragraph 6.3 of the submitted preliminary risk assessment (IDOM, ref PRA-22691-24-364), and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, shall be submitted to and approved in writing, by the local planning authority.

b) Prior to the occupation of any flat, the approved remediation scheme shall be implemented, and a completion report shall be submitted to and approved in writing, by the local planning authority.

c) Prior to the occupation of any flat, any parts of the site where contamination was previously unidentified and found during the development process shall be subject to remediation works carried out and approved in writing, by the local planning authority. The report of the findings shall include: (i) a survey of the extent, scale and

nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, pets, service lines and pipes, adjoining land, ground waters and surface waters, ecological systems; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11". (To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PS11 of the City of Leicester Local Plan.)

24. Development shall be carried out in full accordance with the following approved plans and documents:

273-DEN-ZZ-ZZ-DR-A-4002	Proposed Cycle & Bin Store	Revision A	received 23 May 2025
273-DEN-ZZ-ZZ-DR-A-3000	Proposed Sections	Revision D	received 9 June 2025
121-DAC-PL-001 P3	Landscape General Arrangements	Revision P3	received 8 August 2025
121-DAC-PL-002 P3	Detailed Planting Plan 1 of 2	Revision P3	received 8 August 2025
121-DAC-PL-003 P3	Detailed Planting Plan 2 of 2	Revision P3	received 8 August 2025
273-DEN-00-ZZ-DR-A-1002	Proposed Site Plan	Revision K	received 8 August 2025
273-DEN-ZZ-ZZ-DR-A-2002	Proposed Floor Plans 1 of 2	Revision J	received 8 August 2025
273-DEN-ZZ-ZZ-DR-A-2003	Proposed Floor Plans 2 of 2	Revision J	received 8 August 2025
273-DEN-ZZ-ZZ-DR-A-4003	Proposed Elevations	Revision F 1 of 2	received 8 August 2025
273-DEN-ZZ-ZZ-DR-A-4004	Proposed Elevations	Revision F 2 of 2	received 8 August 2025

Air Quality Assessment (Tetra Tech, 784-B07567)
Noise impact assessment (apex, ref 12135.1)
Gateway One Fire Statement and RIBA Stage 2 fire strategy (OrionFire engineering, ref OF-001815-OFS-01)
Preliminary Ecological Appraisal and Roost Assessment (Arbtech)
Energy Statement Ref: P7883-FUT-XX-XX-RP-ME-0001
LUNA Students – Management Statement
(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 2024 is considered to be a positive outcome of these discussions.

2. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at:

<https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>

As this is a new document it will be kept under review. We therefore invite comments from users to assist us in the ongoing development of the guide.

3. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 **PRIOR** to undertaking any works on or in the highway:

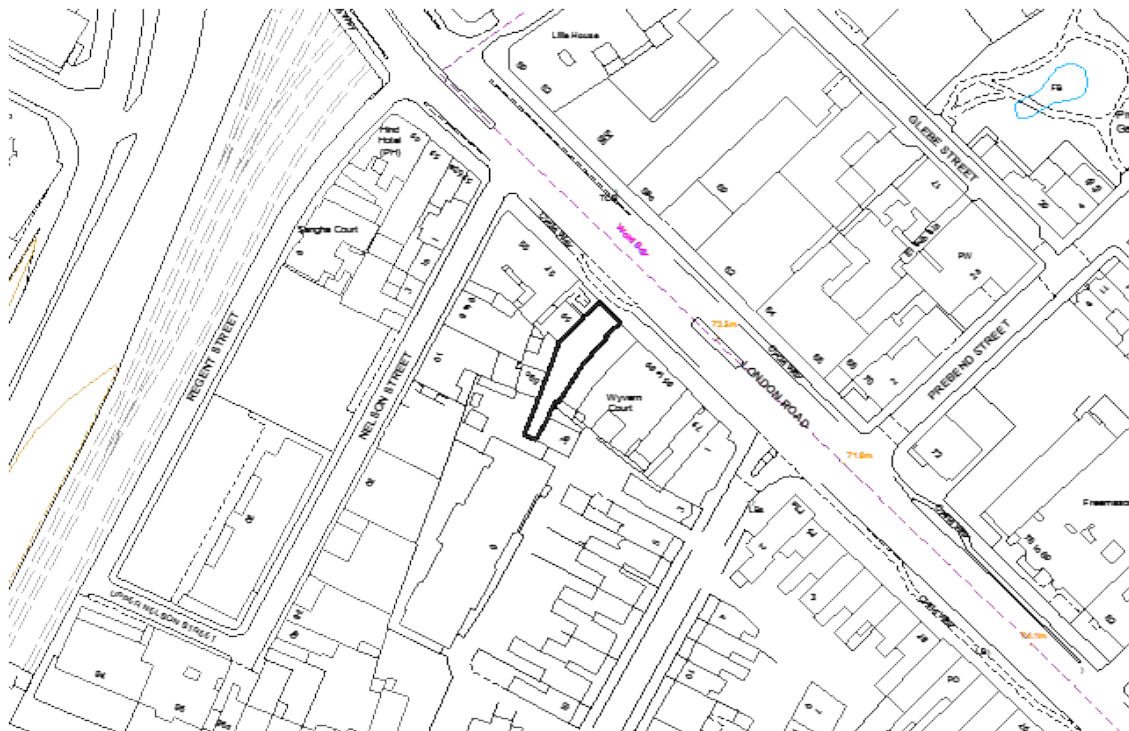
- The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 **PRIOR** to undertaking any works on or in the highway: For **alterations to the existing highway**, the applicant must enter into an Agreement with the Highway Authority under Section 278 of the Highways Act 1980. The costs associated with any temporary traffic management, licences and Temporary Traffic Regulation Orders (TTRs) which may be required to facilitate works during construction will need to be covered by the applicant.
- For **alterations to provide new footway crossings (dropped kerbs)**, the applicant must obtain approval from the Local Highway Authority for construction of a dropped kerb before undertaking any works. Leicester City Council no longer construct dropped kerbs on behalf of applicants. Therefore, you will need to find a suitable contractor that meets the criteria, which will be explained through the approval process.

The Applicant is advised to contact highwaysdc@leicester.gov.uk for information regarding obtaining approvals, setting up Agreements and/or to discuss the requirements to enable the processing of SLOs and TROs.

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

Item 4d

Recommendation: Refusal	
20250839	61 London Road
Proposal:	Construction of new shopfront to front and side; installation of first floor doors, balustrade and screens to create first floor roof terrace; cladding to front and side; installation of ventilation system including units to rooftop; & alterations to restaurant (Class E)
Applicant:	Mr Riyaz
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20250839
Expiry Date:	30 July 2025
SS1	WARD: Castle



©Crown Copyright Reserved. Leicester City Council Licence 100019264 (2019). Ordnance Survey mapping does not imply any ownership boundaries and does not always denote the exact ground features.

Summary

- The application relates to a restaurant on London Road;
- The proposal includes the use of the ground floor rooftop as a roof terrace at first floor level for dining space, along with alterations to the frontage and installation of ventilation systems;
- The proposal is recommended for refusal due to impacts on amenity of neighbouring residents;
- The application is brought to committee by request of Councillor Kitterick.

The Site

The application relates to a restaurant within the London Road local centre and South Highfields conservation area. The site is also in an air quality management area and critical drainage area.

The site includes dining space to the front on both ground and first floors, with kitchen space and ancillary areas including storage and offices. There is a single storey flat roof protrusion to the front of the site and a two storey flat roof protrusion to the rear of the site, as seen in photos on p5-6 of the design and access statement.

Current council tax records along with planning history confirms the following uses within close proximity to the restaurant as below:

- There is a 2-bedroom residential unit on the second floor of the site, above the restaurant (2nd floor 61 London Road).
- The neighbouring unit to the south also includes a restaurant (no.63), with a residential unit set back at 2nd floor (no.63a).
- The neighbouring unit to the north also includes a restaurant at ground floor (no.59), with a 4-bed house in multiple occupation at first and second floors (no.59b).
- A 2-storey (3-bed) dwellinghouse (no.59c) was granted planning permission on appeal to the rear of 59 London Road in 2023 (it is understood that the site may be being used as 3 flats).

Background

There is a recent refused planning application which is relevant to the consideration of the current proposal:

20240936: Installation of retractable awning & glass balustrade to first floor; alterations to front and side (north) elevations including new shopfront; & installation of ventilation system including units to rooftop (Class E)

Refused for 3 Reasons:

1. The proposed first floor seating/terrace area facilitated by the first floor glazed doors, glass balustrades and retractable awning would lead to diners being seated in close proximity to neighbouring first floor windows of rooms 2 and 3 of the 59b London Road HMO, and to neighbouring second floor windows serving the living room of the same property. The proposal would lead to unacceptable constant and severe loss of privacy to occupiers of rooms 2 and 3, and noise/disturbance impacts to both occupiers of those rooms and also to all occupiers of the HMO when using their living room. The proposal would be contrary to Local Plan 2006 saved policies PS10 and PS11 and National Planning Policy Framework 2023 paragraphs 135f and 191.

2. The proposed fans, ventilation units and heat pumps on the first floor roof would be adjacent to rear second floor windows that appear to serve the second floor 61 London Road flat. In the absence of information to demonstrate otherwise the proposal would be likely to lead to poor outlook for the second floor flat directly to the functional equipment, and noise impacts from the running of the mechanical equipment. The proposal would therefore be contrary to Local Plan 2006 saved policies PS10 and PS11 and National Planning Policy Framework 2023 paragraphs 135f and 191.

3. The proposed large awning would form a large visual mass of no architectural quality at first floor level and the glass balustrade would be a modern eye-catching design feature in close proximity to the listed building 55-57 London Road and within the South Highfields conservation area, to the detriment of the setting of the designated heritage assets contrary to Core Strategy 2014 policy CS18 and National Planning Policy Framework 2023 chapter 16.

There have been further planning applications & advertisement consent applications at the site:

New signage was refused under **20240937** on the grounds of illumination would be harmful to the conservation area, and the upper floor sign harmful to the conservation area.

There is a re-submission for proposed signage, ref **20250838** – still under consideration.

An application to amend hours of use to 0900-0500 under **20060130**, was refused on the grounds of detriment to amenity of neighbours.

Permission was granted for change of use of first floor to function room ancillary to ground floor restaurant granted under **19961235**.

Permission was granted for change of use of ground floor to restaurant, plus flue under **19940713** and **19950922** (temporary) and **19961226** (permanent) (hours of use 0900-2400).

The Proposal

As with the previous application 20240936, the proposal is to set out the ground floor roof to be used as an outdoor terraced part of the restaurant at first floor level. However, the current proposal has amended the proposed terrace balustrade to be formed of a charcoal grey steel frame with timber fins. The balustrade would be 0.85m in height to the front elevation and 1.85m to the side elevations. The roof terrace would accommodate 28 diners. It would be used alongside the same current hours of use of the restaurant which are Monday-Friday 4pm-10:30pm and Saturday-Sunday 1pm-10.30pm.

The previously proposed awning has been removed from the current submission.

Also proposed are amendments to the ground floor front and side frontages, which would see the installation of black upvc/aluminium framed windows and doors and black wall cladding. This has been carried over from the previously refused application. 3D renders of how the proposal would appear are provided on page 11 of the design and access statement.

New ventilation equipment is also proposed including ducting, fans, ventilation units and heat pumps on the roof. This would accommodate ventilation from the ground floor and first floor dining, kitchen and storage areas and protrude onto the rear first floor flat roof. The plans show additional equipment compared to that proposed within the previous application.

The previous application did not provide either existing or proposed second floor plans, these have however been submitted under the current application. The plans submitted under this application show that as existing, the second floor includes two bedrooms, one to front and one to rear, with a prayer room to front and kitchen to rear. The proposed second floor plans show that the floor would be entirely re-laid-out. It would include a flat to front with 3 bedrooms to front with a kitchen, shower and WC. It would also include general space to rear including a hallway, ablution room, two prayer rooms, and storage (with an access to the rooftop).

The application was accompanied by a specification/schedule of equipment relating to the works along with a document containing specification brochures of a variety of ventilation equipment.

The application was also accompanied by a heritage statement, and a noise impact assessment.

The agent was advised during considerations particularly of issues with impacts on residential amenity. Further information was provided by the agent via emails including comments, a photo and a video on the location/height of the flue; comments refuting the concerns regarding outlook of the neighbour; and comments from the applicant's noise consultant relating to the concerns on the heat pump noise impacts.

Policy Considerations

National Planning Policy Framework 2024

Paragraph 2 (Primacy of development plan)
Paragraph 11 (Sustainable development)
Paragraph 90 (Support town centres)
Paragraph 135 (Good design and amenity)
Paragraph 140 (Clear and accurate plans and drawings)
Paragraph 198 (Noise and light pollution)
Paragraph 202 (Heritage as an irreplaceable resource)
Paragraph 207 (Heritage statement)
Paragraph 208 (Considering impact on heritage assets)
Paragraph 210 (Sustaining significance of heritage assets)
Paragraph 212 (Conservation of designated heritage assets)
Paragraph 213 (Clear & convincing justification for heritage impacts)
Paragraph 215 (Less than substantial harm)

Core Strategy 2014 and Local Plan 2006

CS03 (Designing quality places)
CS11 (Retail hierarchy)
CS18 (Historic Environment)
BE10 (Shopfront design)
PS10 (Residential amenity and new development)
PS11 (Protection from pollution)

Further Relevant Documents

Planning (Listed Buildings and Conservation Areas) Act 1990
South Highfields Conservation Area Character Appraisal
The National Heritage List for England
GOV.UK Planning Practice Guidance – Noise <https://www.gov.uk/guidance/noise--2>
Leicester Shopfront Design Guide

Consultations

Noise & Pollution Control Team

The officer raised concerns as below:

On drawing MSHC-37802-M01, it shows a change in the existing flue height, being lower than seen in figure 10 and 11 in the design statement, and additional flue terminates against the near the adjacent building windows, this is likely to cause noise and odour issues with the HMO next door, we advise that all ventilation flues terminate 1m above the roof ridge.

The noise sensitive receptors in the noise impact report by noise air, do not include the 59 and 63 London Road which are residential properties and maybe affected by patron noise from the use of the terrace until 22:30.

The Noise impact Report - P8186-R1-V2 also states there are 5 heat pumps with each unit can generate up to 66dB(A), the report doesn't indicate whether this is the sound power or sound pressure level. If it is sound pressure level, this choice of air source heat pump is unacceptable as it is too loud, (approx 73dB(A) if all working at the same time, minus 10dB(A) for enclosure = 63dB(A), plus facade reflection of +3dB total would be 66dB(A). The ASHPS need to assessed using the latest MCS 020 a) guidance (April 2024), ensuring that the sound pressure level at all assessment positions is equal to lower than 37dB(A).

With the level of information given, refusal was recommended by the officer.

Representations

Councillor Kitterick made a supportive comment on the proposal, noting that

- “this application will positively contribute to the appearance and economic health of London Road. As a major arterial road in the City of Leicester I believe London Road is a success story for the city which has been brought about by food businesses investing in the improvement of the area of which this is another example; and
- If officers are minded to reject these applications under delegated powers I would like the matter to be determined by the Planning Committee as London Road is a strategic commercial area of the city sitting as it does next to Leicester Railway Station.”

Consideration

Principle of Development

The proposal is for additions to an existing restaurant in a local centre. Core Strategy policy CS11 seeks for local centres to be protected and enhanced, and NPPF paragraph 90 states that planning decisions should support the role that town centres play by taking a positive approach to their growth, management and adaptation. As such the principle of development is favourable in accordance with the above listed policies.

Neighbouring Residential Amenity

Policy Context

Local Plan policies PS10 and PS11 and NPPF paragraphs 135f and 198, taken together, require a high standard of amenity for neighbouring residents to be retained. This would include any impacts on privacy, outlook and impacts resulting from noise/disturbance.

Nearby Neighbours

As noted above, the neighbour directly to the north is 59 London Road. This is made up of no.59 at ground floor, no.59b at first and second floors, and the approved 3-bed dwelling at no.59c towards the rear of that site (which is understood to be in use as 3 flats). No.59b is a 4 bed HMO approved under application 20191807. Plans for that application show that bedroom 2 is served by the left hand first floor front window, bedroom 3 is served by the two right hand first floor front windows and the living room is served by the second floor front windows. GOV.UK Council tax records confirm that the 4 rooms are registered.

Also, there is a second floor flat above the food/drink unit to which the application relates, as confirmed by GOV.UK council tax records.

Assessment – Roof Terrace Impacts to Neighbouring Sites

The proposed first floor glazed doors and balustrades would facilitate the proposed outdoor first floor seating/terrace area for up to 28 diners. As with the previous application, the closest table shown on the floor plans would be around 4m from the no.59b HMO bedroom 2 window and only a little more distance from the bedroom 3 windows. The tables would also be just below the HMO living room windows. I consider that the proposed roof terrace will result in noise/disturbance impacts to amenity of the neighbours, from having diners seated a few metres away from their windows. These impacts could be constant and uncomfortable, over and above existing noise impacts from the nearby commercial premises and traffic due to the very close proximity of the terrace. I note the noise pollution officer raised concern on this issue also. As such the proposal would be unacceptable in this regard and contrary to the policies listed above.

I acknowledge that the noise impact assessment has attempted to deal with noise impacts from the development. However, as touched on by the noise pollution officer, the assessment has only taken into consideration impacts to other sites across the road and to the rear of the site. Despite being closer to the proposed terrace, 59/59b London Road is not shown as being a 'noise sensitive receptor' as per the maps on pages 2 and 11, so impacts to this neighbour have not been considered in the report.

I would not recommend that reasonable conditions could satisfactorily overcome the issues described above in this case as the proximity of the terrace to the HMO would be such as to be inherently concerning.

The current application has replaced the previously proposed glass balustrade to the right hand side elevation of the roof terrace, to a new 1.85m steel frame wall with overlapping timber fins. This would resolve the issue in the previous application in terms of intrusion of privacy to the neighbouring no.59b HMO bedroom windows. However, the issue would be replaced with impact on outlook from the no.59b bedroom 2 window. The occupier at current enjoys a reasonably clear outlook onto London Road. The proposed side balustrade would extend a further 4.6m in depth and result in the neighbouring bedroom 2 occupier having a narrowed and constrained outlook, significantly exacerbating the breach of the 45 degree rule (whereby, extensions should not extend beyond a 45 degree line taken from the centre of the neighbouring window). The proposal would also harm the neighbour's amenity in this way, and therefore would be unacceptable in this regard and contrary to the policies listed above.

There is a further second floor flat to the south at no.63. Although the proposed roof terrace would be in relatively close proximity to that flat also, it is set further back from the terrace and would not be likely to cause a significant unacceptable noise impact over and above the existing situation.

Assessment – 2nd Floor Flat

As noted above, the second floor 2-bed flat as existing is registered with council tax records. The proposal would see the re-configuration of the flat to include 3 bedrooms, all to front, with a kitchen behind. It would appear to be restricted to only the front part of the second floor through the door from room 'S1' to room 'S3'. The previous application did not include either existing or proposed second floor plans and the re-configuration of the flat to include an additional bedroom now raises concerns in terms of standard of living accommodation as follows:

- The flat would be separated from the rear rooms of the second floor and measure c.53sqm, which would be well below the recommended NDSS requirement of 74sqm
- There would not be any in-built storage space provided, despite the recommended NDSS requirement of 2.5sqm.
- The left hand bedroom would measure 6.6sqm, below the recommended NDSS requirement of 7.5sqm.
- The kitchen would not appear to benefit from any natural light or outlook.
- The new bedroom windows would all be directly above the roof terrace. As such the proposal would exacerbate noise/disturbance impacts from use of the roof terrace to the occupiers of the second floor flat, resulting in similar harmful impacts as described above in relation to no.59 London Road.
- It is unclear in terms of the intensity of the use of rooms S1 hallway /S2 ablution /S9/S10 (prayer rooms) /S11 (storage) and consequently their impact on the existing flat in relation to general noise and disturbance.

Taking the issues above together, the occupiers of the newly laid out second floor flat would have insufficient floorspace, limited and enclosed communal space, and suffer from noise and disturbance impacts, leading to unacceptably poor living conditions, contrary to Local Plan saved policies PS10 & PS11 and NPPF paragraphs 135f and 198.

Assessment – New Flue/Plant Impacts

The proposal shows the proposed installation of the new ventilation system on drawing MSHC 37802 - /M01, revision B. Detailed specifications of the system to be installed accompanied the application.

Firstly, the noise pollution officer raised concerns regarding the flue not terminating 1m above the highest adjacent roof ridge. This is a standard request to ensure that odours from cooking fumes disperse well away from neighbouring windows.

The agent responded to the concerns to advise that the new flue is situated near an existing flue. It has been placed in the most prudent position away from adjacent properties. There are other flues at neighbouring buildings positioned in a similar manner.

However, I share the noise pollution officer's concerns as the low flue height would risk causing odour impacts to the dwelling at 59c London Road, which has rooflights in close proximity to the proposed flue. I do not consider that the presence of other

flues would justify allowing the impacts that would be caused by this proposal. The proposal would therefore be contrary to Local Plan saved policies PS10 & PS11 and NPPF paragraphs 135f and 198 in this regard.

The noise officer also raised technical concerns regarding the noise of the plant to rear including the heat pumps. The noise consultant has responded to those concerns with technical justification of their own. I note that the noise assessment has considered the noise sensitive receptor no.59c London Road as the closest dwelling to the plant to the rear, and the second floor flat has been re-laid out to avoid any principal rooms to the rear. On balance I consider that this issue could have been resolved were the application otherwise acceptable.

Appearance & Built Heritage Considerations

Policy/Site Context

The application relates to a building within the South Highfields Conservation Area. Core Strategy policies CS03 and CS18, NPPF paragraphs 135, 195, 201, 203 and 205, and the Planning (Listed Buildings and Conservation Areas) Act 1990 require planning decisions to ensure the appearance and setting of the conservation area is retained.

The site is also located in the setting of the listed building 55-57 London Road which located to the north beyond the intervening property no.59. The above policies and legislation also require planning decisions to ensure the appearance and setting of the listed building is retained.

Assessment

Whilst the proposed frontage design would not strictly accord with the Leicester shopfront design guide, including in terms of materiality and the low stall riser, the replacement of the existing uPVC cladding with a new synthetic material in a darker colour and replacement of the existing windows and shopfront with metal-framed units were considered acceptable in the previous application, as this would represent improvement on the current situation subject to agreement of details of the exact material and details of the new glazing. The proposal has remained the same in this application in this regard and therefore this aspect is considered acceptable.

The new proposed timber fins would be low-rise to the front elevation and the previously proposed awning has been removed and is not proposed in the current application.

Overall, I do not consider that the proposal would cause harm to the appearance of the site in comparison with the existing situation and would not cause notable harm to the conservation area or setting of the listed building to the north.

Other Issues

The proposal is a modest extension in a sustainable city centre location and as such there would be no significant highways considerations.

The proposal is exempt from Biodiversity Net Gain.

The location of the development site means the likelihood of bats being impacted by the works is low, therefore it would be unreasonable to ask for a bat survey for this development.

As described below, the proposal is to be recommended for refusal. The design and access statement has noted that permission was granted in 1988 for a covered veranda to the neighbouring site no.63. This historic permission under historic planning policies is noted however an assessment of the current proposal against up-to-date planning policies is required and has been carried out, and a historic permission nearby would not significantly impact the above considerations.

Conclusion

The proposal is acceptable in principle as an extension to a main town centre use within a city centre location, however the neighbouring amenity impacts would be significantly detrimental and an overriding unacceptable element of the proposal. As such, having regard to the above considerations, I recommend refusal of the application for the following reasons.

REASONS FOR REFUSAL

1. The proposed roof terrace facilitated by the first floor glazed doors and balustrades, by reason of its close proximity to bedroom and living room windows of the neighbouring house in multiple occupation 59b London Road, would lead to harmful noise/disturbance impacts to the neighbouring residents from its use, and the balustrade would harmfully enclose and obstruct the outlook from bedroom 2 of the same neighbouring property. The proposal would therefore be contrary to Local Plan 2006 saved policies PS10 and PS11 and National Planning Policy Framework 2023 paragraphs 135f and 198.
2. The occupiers of the newly laid out second floor flat would have insufficient floorspace, limited and enclosed communal space, and suffer from noise and disturbance impacts from the close proximity to the roof terrace, leading to unacceptably poor living conditions, contrary to Local Plan 2006 saved policies PS10 & PS11 and National Planning Policy Framework paragraphs 135f and 198.
3. By reason of its low height of termination less than 1m above nearby roof ridges, the proposed flue to the rear first floor flat rooftop would fail to adequately disperse the odours beyond neighbouring residential properties including the rooflights at 59c London Road, to the detriment of neighbouring residential amenity contrary to Local Plan 2006 saved policies PS10 & PS11 and National Planning Policy Framework paragraphs 135f and 198.

NOTES FOR APPLICANT

1. The City Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application no negotiations have taken place during the course of the application. The City Council has determined this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. As the proposal is clearly unacceptable, it was considered that further discussions would be unnecessary and costly for all parties.

COMMITTEE REPORT

20241620	104 Dumbleton Avenue	
Proposal:	Construction of first floor extension at side and rear (Class C3)	
Applicant:	Sarjet & Ranjit Singh & Kaur	
App type:	Operational development - full application	
Status:	Householder development	
Expiry Date:	6 January 2025	
JA1	TEAM: PD	WARD: Braunstone Park & Rowley Fields



© Crown Copyright Reserved. Leicester City Council Licence 100019264(2025). Ordnance Survey mapping does not imply any ownership of boundaries and does not always denote the exact ground features.

Summary

- The application is brought to committee as the applicant is an employee of Leicester City Council
- The main considerations are design and character, the impact on neighbouring residential amenity and existing and future occupants within the development site, and Ecology.
- No representations were received from neighbours.
- The recommendation is to grant conditional approval.

The Site

The application site concerns a semi-detached, three-bedroom dwelling within a suburban area of the city. The application site has a garden of approximately 167sqm.

The application site is within a residential area.

Background

The proposal site has one previous application. In 2013, an application (20131620) for single storey extension to side and rear was approved. This permission has been implemented.

The Proposal

The application proposes a first floor extension to the side and rear of the dwelling. The proposal would be wraparound in character, measuring 10.5 metres in depth, a maximum width of approximately 4.2 metres and have a maximum ridge height of 7.5 metres above ground level. The first floor side extension would be setback by 1 meter from the principal elevation.

The proposed development would provide the existing dwelling with two further bedrooms.

The application proposes the materials to match those of the existing dwelling.

Policy Considerations

National Planning Policy Framework 2024

Paragraph 2 (Primacy of development plan)

Paragraph 11 (Sustainable development)

Paragraph 44 (Sufficient Information for good decision making)

Paragraph 57 (Six tests for planning conditions)

Paragraph 135 (Good Design and Amenity)

Paragraph 139 (Design Decisions)

Paragraph 140 (Clear and accurate Plans)

Paragraph 186 (Biodiversity in Planning Decisions)

Local Policies

Core Strategy Policy CS03 (Well-designed developments)

Local Plan Policy PS10 (amenity of existing or proposed residents)

Supplementary Guidance

Residential Amenity SPD (2008)

Representations

- No representations were received.

Consultations

None undertaken.

Considerations

Principle of development

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

Design and Character Considerations

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 household extensions to ensure they appear proportionate and consistent with existing dwellings.

The semi-detached dwelling is located within a surrounding area that is largely inter-war and early post war development. The majority of the dwellings are still characterised by hipped, gable end roofs, although many of the houses have had significant alterations.

The proposed first floor side extension would be set back by one metre from the principal elevation of the dwelling. This would ensure the extension appears subservient to the original dwelling, accommodating a drop in the ridge of the roof, as well as replicating the siting of 102 Dumbleton Avenue's first floor side extension.

To the rear of the dwelling, the application proposes a first floor rear extension. This aspect of the proposal would not be visible from the streetscene. Nonetheless, the scale and massing of the rear extension would still be proportionate to the original dwelling, ensuring it is subservient in design.

Overall, I am satisfied that the proposal would have an acceptable impact on the design and character of the existing dwelling. The application would comply with Core Strategy policy CS03, that requires development to be well-designed and not harmful towards to the appearance of the area.

Amenity of existing and future occupants

The existing site is a three-bedroom, semi-detached dwellinghouse. Saved Policy PS10 of the local plan (2010) applies to the amenity of future as well as existing residents.

The application proposes a first floor extension to the rear. This aspect of the proposal would impact the outlook and access to natural light of the existing bedroom to the rear of property. However, I note that the bedroom would still have some access to natural light and outlook, in addition to all other principal rooms having acceptable

outlook and access to natural light, therefore I do not consider this aspect of the proposal would cause significant harm to the amenity of the rear bedroom. As a result and in consideration of the overall context of the site, I consider the first floor rear extension would have an acceptable impact on the outlook and access to natural light of the original dwelling.

The proposed rear and side extension would have acceptable living conditions, in consideration of privacy, outlook and access to natural light.

Overall, I am satisfied that the application would have an acceptable impact on the amenity of existing and future occupants of 104 Dumbleton Avenue.

Neighbouring Residential Amenity

NPPF paragraphs 135 & 198, and saved Local Plan policies PS10 require amenity to be protected for neighbouring residents from development.

The application proposes a first floor side extension side extension and first floor rear extension. The siting of first floor extension to the side of the existing dwelling would ensure there is minimal impact on the amenity of 106 Dumbleton Avenue.

The proposed first floor rear extension would have an impact on the access to natural light and outlook of 102 Dumbleton Avenue. As per the residential amenity SPD, a 45 degree line taken from the edge of the adjacent ground floor window and the middle of the adjacent first floor window. In both instances, the 45 degree line is not intersected by the proposed rear extension, therefore the rear extension would have an acceptable impact on the outlook and access to natural light of 102 Dumbleton Avenue.

To the rear of 106 Dumbleton Avenue, there are significant extensions that would ensure there is minimal increase in harm to the outlook and access to natural light, caused by the rear extension. However, the rear extension would have a considerable impact on the first floor window nearest 104 Dumbleton Avenue. Nonetheless, as the window is obscure glazed and serving an existing bathroom, I do not consider its impact would be unacceptable.

I conclude that the proposal would not conflict with NPPF paragraph 135f, and saved Local Plan Policies PS10 and that the proposal would be acceptable in terms of impact upon amenity.

Ecology

Core Strategy Policy CS17, sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.

A preliminary roost assessment was submitted in support of this application. The preliminary roost assessment determined that the habitat value was assessed as moderate, due to the condition of hanging tiles and wooden cladding, as well as gaps at the eaves. As a result of the preliminary roost assessment, two bat

emergence surveys were required to either confirm the presence or absence of a bat roost in the building.

Two Bat Emergence Surveys were submitted as a consequence of the findings in the Preliminary Roost Assessment. The emergence survey report confirmed that no bats were observed emerging from and/or returning to the property during the survey periods. However, the surveys also confirmed that surrounding bat activity was observed and focussed mainly to the rear of the property with several 'passes' recorded around the immediate and neighbouring gardens. Further recommendations were made in the report, asserting that a pre-commencement condition is attached to the permission, requiring details of two bat bricks. For the proposed scale of the development, I do not consider this request would be proportionate.

Notwithstanding this, I am satisfied that it is proportionate for the scale of the proposed development, to attach a condition to the permission that would require a further Ecology Survey to be carried out if development does not commence within 18 months of the last protected species survey.

Conclusion

I recommend the application for 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 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. The proposed render as identified on 'Proposed Elevations' received by the local authority on the 11 September 2024, shall be finished in render to match the existing and retained as such. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
4. Should the development not commence within 18 months of the date of the last protected species survey (18/06/2025), then a further protected species survey shall be carried out of all buildings by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and agreed in writing with the local planning authority and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey should be repeated every 18 months and any mitigation measures reviewed by the LPA until the development commences. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat & Species Regulations 2017 and CS 17 of the Core Strategy).

5. Development shall be carried out in accordance with the following approved plans:
Block Plan, DRAWING NUMBER PL104 A202, REVISION A, received 11 September 2024
Proposed Plans, DRAWING NUMBER PL104 A200, REVISION A, received 11 September 2024
Proposed Elevations, DRAWING NUMBER PL104 A201, REVISION A, received 11 September 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 property may be suitable for roosting bats, which are protected by law from harm. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst expert advice from a bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls. Further information on bats and the law can be found here Bats: protection and licences - GOV.UK (www.gov.uk)
3. Development on the site shall avoid the bird nesting season (March to September), but if this is not possible, a re-check for nests should be made by an ecologist (or an appointed competent person) not more than 48 hours prior to the commencement of works and evidence provided to the LPA. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone will also be marked out to avoid disturbance to the nest whilst it is in use.
All wild birds are protected under the Wildlife and Countryside Act (1981) as amended making it an offence to kill, injure or disturb a wild bird and during the nesting season to damage or destroy an active nest or eggs during that time. Further information on birds and the law can be found here Wild birds: protection and licences - GOV.UK (www.gov.uk)

4. 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 2024 is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

2006_PS10	Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
2014_CS02	Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
2014_CS03	The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
2014_CS17	The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.

