

Recommendation: Conditional approval	
20180611	58 STONEYGATE ROAD
Proposal:	CHANGE OF USE FROM SCHOOL (CLASS D1) TO HOUSE IN MULTIPLE OCCUPATION (35 BEDROOMS) (SUI GENERIS); NEW GATES TO CAR PARK; ALTERATIONS TO CAR PARK LAYOUT; CONSTRUCTION OF RAMPS, STEPS AND RETAINING WALLS; REPLACEMENT OF GARAGE DOORS WITH ROLLERSHUTTERS; (AMENDED PLANS RECEIVED 03/08/2018 & AMENDED SUPPORTING INFORMATION RECEIVED 08/02/2019)
Applicant:	MR MOHSIN CHAUDHRY
View application and responses	http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20180611
Expiry Date:	14 March 2019
PK	WARD: Knighton



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Summary

- Application was deferred from 19th September 2018 committee for Officers to seek a detailed Management Plan and for information on room sizes in similar HMO's elsewhere in the City.

- Application is brought to committee as more than 5 objections have been received.
- Received 107 objections on the grounds of impact on character of Stoneygate Conservation Area, impact on amenity of local residents, living environment for future occupiers, overdevelopment of site, parking, anti-social behaviour, management of site, party wall concerns and impact on trees.
- Also received 5 letters of support for the application.
- Main issues are principal of the use, impact on Stoneygate Conservation Area, impact on amenity, living environment, parking and trees.
- Application recommended for APPROVAL.

Introduction

The application was deferred from 19th September committee to allow the applicant to submit a more detailed Management Plan and also for Officers to advise the committee if there are other similar larger houses in multiple occupation in the City.

The application relates to the site of the former Montessori Grammar School, now closed, that is situated on the north-east side of Stoneygate Road in Knighton Ward. The site is located within the Stoneygate Conservation Area and is in a Critical Drainage Area. The site is defined on the Local Plan proposal map as a 'residential' area.

The site comprises a part three, part single storey 'L' shaped building with some single storey buildings within the grounds. The site is bound with metal rail fencing along Stoneygate Road and 2 metre high brick wall along Aber Road. There is a large area of hardstanding to the rear of the site which is accessed off Aber Road. This area is located on a lower land level as the land slopes downwards to the north of the site.

To the east of the site is the Allandale Road/Francis Street local centre. There are on street parking restrictions along Stoneygate Road, but no parking restrictions along Aber Road.

Background

There is a lot of planning history for the site which relates to the previous school use and tree works applications. The most relevant application is under reference 20172432 which sought the change of use of part of ground floor and all of the first and second floors from school (Class D1) to house in multiple occupation (23 bedroom) (Sui Generis). This was withdrawn on 31/01/2018.

The Proposal

The proposed development relates to the change of use of the whole site from a school (Class D1) to a 35 bedroom house in multiple occupation (Sui Generis). The change of use proposes no external alterations to the main building, only repairs to windows and doors.

The main access into the site would be from the front along Stoneygate Road. As you enter at the ground floor there would be a Reception/Office Area and a Staff/Consultation Room. At ground floor level the main building would comprise 15 bedrooms which would be a mix of single and double rooms. There would be two wet

rooms available for disabled occupants and a further 10 wc's and showers (some provided individually and some together). There would be three kitchen and dining areas and a first aid room. To the rear of the main building the integral garages would be converted to a storage room and a bin area, the doors to these would be altered as part of the proposal. The single storey building to the west of the site would be converted into a storage and laundry room. Bicycle parking would be provided within an existing covered area, and a further secure cycle parking area would be provided to the rear of this.

As noted before, there is a change to the land level between the existing parking area and the main building. To ensure that the site can be accessed by everyone, an external lift is proposed between the main building and the cycle parking area. To the back end of the main building ramps would be provided to allow step free access from the car park to the main building.

At first floor there would be 10 bedrooms with two kitchen dining areas and five shower and wc rooms. There would be a similar layout at the second floor.

There are replacement gates proposed to the vehicular access along Aber Road, alterations to the car parking layout, installation of ramps and steps within the site grounds to provide accessibility. A new retaining wall is proposed between the car park and the main building. It is also proposed to replace the garage doors with roller shutters along the Aber Road elevation of the site.

A revised and more detailed management plan has been submitted by the applicant which provides further information on the proposed use, occupants and management of the site and common areas, including staffing and security requirements. The applicant has also submitted a revised Design & Access Statement. The amended documents include details of sample tenancy agreements as well as the agreement between the applicant and other people such as LCC Waste Management Team and community support officer.

Amended plans have been submitted which include details of emergency exit points on each floor, alterations to the internal ground floor layout and the provision of further information in respect of the cycle parking and parking layout.

Policy Considerations

National Planning Policy Framework (NPPF) 2019

Paragraph 2 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions from the day of its publication.

Paragraph 11 of the National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development. It states that, for decision taking, this means approving proposals that accord with the development plan without delay, and where relevant policies are out of date granting permission unless adverse impacts would so significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted. Paragraph 11 and its associated footnotes go on to state that housing applications should be considered in the context of the presumption in favour

of sustainable development, and that housing supply policies should not be considered up-to-date if a five year supply of deliverable housing sites cannot be demonstrated. The City Council does not have a five year housing land supply.

In making an assessment Paragraph 108 of the NPPF (2018) states that development proposals should take up appropriate opportunities to promote sustainable transport modes; ensure safe and suitable access can be achieved for all users and; any significant impact (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable. Paragraph 109 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 110 requires applications for development to give priority to pedestrians and cycle movements; address the needs of people with disabilities and reduced mobility; create place that are safe, secure and attractive; allow for the efficient delivery of goods and; be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Paragraph 122 places an emphasis on local planning authorities to support development that makes efficient use of land. It requires decision makers to take into account issues such as the need for different types of housing, including the availability of land suitable for accommodating; local market conditions and viability; the availability and capacity of infrastructure and services, including the potential for further improvement; the desirability of maintaining an area's prevailing character and setting and; the importance of securing well-designed, attractive and healthy places.

Paragraph 127 sets out criteria for assessing planning applications which includes issues such as the long term functionality of development proposals; visual impacts; the ability of development to relate to local character; creation of a sense of place using various design tools such as building types and materials; optimising the potential of development sites; and, designing safe, secure and inclusive developments with a high standard of amenity for existing and future users.

Paragraph 192 of the NPPF states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. Paragraph 200 goes on to state that proposals that preserve those elements of the setting and that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Development Plan policies

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

Most relevant Core Strategy policies are: CS03, CS06, CS08, CS15 and CS18

Most relevant Local Plan saved policies are: AM01, AM02, AM12, BE22, PS10 and PS11

Supplementary Planning Documents (SPD)

The following documents are also relevant to the assessment of this application:

Residential Amenity supplementary planning document (2008)

Stoneygate Conservation Area character appraisal

Local Plan Appendix 1 – Vehicle Parking Standards

Other legal or policy context

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Consultations

Highway Authority: No objection subject to securing cycle parking as per the amended plans received on 03/08/2018 and condition requiring a Travel Pack. Not consulted following submission of revised Management Plan and Design & Access Statement.

Pollution – Noise, Premises and Light: No objection. Not consulted following submission of revised Management Plan and Design & Access Statement.

Private Sector Housing Team: The site will need to obtain a license from the City Council under the Housing Act 2004 to operate as a large HiMO. The applicant has previously obtained advice on the ratio of occupants to shared facilities such as cooking and washing, the latter which will need alterations to the separate bathrooms to include a wash basin. There appears to be two large self-contained flats on the ground floor. The main concern for this proposal is the management of the site and whether the site can be appropriately managed.

Following the submission of the revised Management Plan and Design & Access Statement it has been advised that there is a potential for the site to be occupied by a maximum of 60 people. Key fobs are recommended rather than key codes. Cleaning of bathrooms and kitchens should be carried out by a cleaning contractor as well as the individuals, and cleaning should be considered more than three days a week. It is also advised that the number of bathrooms, W.C's and kitchen facilities within the building can be controlled by the House in Multiple Occupation (HMO) license, which specifies that number of people who can occupy the property taking into consideration the size of the bedrooms, kitchen facilities and provision of bathrooms and W.Cs.

Representations

107 letters of objection have been received raising the following material planning issues:

- There is no need for HiMO's in the area as there are others;
- The proposal fails to promote the heritage of the site and Stoneygate Conservation Area;
- The proposal would have an adverse impact on the Stoneygate Conservation Area and character of the local area;
- The development is out of character with this family orientated suburb of Leicester;
- The proposal is overdevelopment of the site and the turnover of occupants would have a negative impact on the local area;
- The proposed HiMO provides a poor living environment which would be cramped and provides inadequate facilities for the future occupants;

- The site only has one lift, the doors do not appear to be wide enough for wheelchair users and would not be accessible;
- The proposal would result in significant noise and disturbance to local residents;
- There are no details of CCTV locations and how they would operate;
- Consideration should be given to the rights of local residents under the Human Rights Act (Article 8 and Article 1 of the First Protocol);
- Negative impact on local businesses;
- There would be overlooking and loss of privacy to residents living immediately adjacent to the site;
- The proposal would not provide adequate parking within the site for residents and visitors;
- There is no on-street parking available on Aber Road;
- The proposal does not take into consideration pedestrian and highway safety and would cause accidents in the road; and,
- The proposal would result in increased pollution in the area.

The following non-material planning issues have also been raised by objectors:

- There's a restrictive covenant on the site;
- Impact on property values in the area;
- The proposal sets a precedent for large HMO's;
- The City Council should engage with local residents on how the site should be used;
- The applicant should provide private housing not a HMO;
- Significant detail of how the site would be operated and who the proposed occupiers would be should be advised; and,
- The proposal would result in a significant amount of anti-social behaviour in the area and public services such as the police and ambulance services would be strained.

5 letters of support have been received stating the following:

- This re-submission is a better scheme which includes off-street parking and better facilities for future occupiers;
- It is good to see the site will be brought back into use;
- The increase in residential accommodation would be beneficial to businesses in the local area; and,
- The proposal would relate to the original use of the site as a hostel for women.

Consideration

The main issues in this case are: the principle of the proposal; residential amenity of neighbours; residential quality; character and appearance of the Conservation Area and character of the local area; parking and highway safety; and trees.

Principle of development

Policy CS06 of the Core Strategy (2014) sets out the housing strategy for the city. In relation to conversions, it states that:

“Careful consideration will be given to conversions...to ensure there is no adverse impact on the character of the area or the maintenance of mixed communities. In particular, the conversion of existing large houses will be resisted where it would still be appropriate for family use and meet an identified demand for this type of accommodation. Specific considerations will be property size and location, including amount of the amount of private amenity space and parking provision”.

The policy further advises that *“the impact on flat conversions on the special character of the area, as identified in Character Statement, will be a material consideration”.*

Policy CS08 provides a spatial strategy for the city’s existing neighbourhoods. In respect of the Suburbs of the City, the policy states that new hostels, hotels and Houses in Multiple Occupation (HiMO) will not be permitted where the community is already imbalanced by a concentration of shared housing or where its development would result in such a concentration. It also states that in areas of high architectural quality or significant local distinctiveness, such as Stoneygate Conservation Area, the Council will seek to ensure that the distinctive characteristics of existing properties are retained and that any new development is sympathetic to its specific location.

The local area is predominantly residential as defined in the Local Plan proposal map. Council tax data identifies that there is a mix of uses along London Road which includes Houses in Multiple Occupation (HiMO), hostels and residential institutions. London Road, by virtue of its nature being an arterial road is expected to have a mix of uses. This end of Stoneygate Road is characterised by mainly residential properties occupied by single families. It is acknowledged that some properties may be privately rented within the immediate vicinity, but the area is not dominated by HiMO, residential institutions and student accommodation which can be of a more transient nature. The proposed change of use includes minor external alterations along the street scene of Aber Road to alter the garage door and vehicular access gate. There are no external alterations to the fabric of the main building itself other than like for like improvements to some of the damaged windows; therefore I consider the character and integrity of the application site and Conservation Area to be maintained. As such I consider that the proposal would not result in an over-concentration of HiMO’s within the street scene of Stoneygate Road.

I am satisfied that the proposed change of use is acceptable. I conclude that there would be no conflict with Core Strategy Policies CS06 and CS08 and that the proposal is acceptable in principle.

Residential Amenity (neighbouring properties)

Policy PS10 of the Local Plan states that in terms of residential amenity any new development proposals should have regard to existing neighbouring and proposed residents in terms of noise, light, vibrations, smell and air pollution, visual quality of the

area, additional parking and vehicle manoeuvring, privacy and overshadowing, safety and security, the ability of the area to assimilate development and access to key facilities by walking, cycling or public transport.

The proposed development would result in the building being brought back into use after a period of closure. The previous use of the site as a school meant that noise from the site was largely limited to school hours and during the school term. The proposed use would result in the site being occupied at all times. However any noise from the proposed use is not necessarily unreasonable. The school use would have had a significantly greater number of pupils on site, using the external areas as a playground, which would have resulted in a far greater amount of noise and disturbance of local residents. The site may not always be fully occupied and the proposed occupants would be using the site as residential premises. I consider the amount of noise from the proposed use would not be significantly harmful to the amenity of local residents.

The applicant has included details of flue and ventilation on the proposed elevations (plan numbers 1732 – 21 of 22 and 22 of 22). Environmental Health Officers have raised no objection in this regard. I consider the proposed development would not result in significant harm in respect of smells from cooking and the general use of the site. The proposal includes a bin store within one of the garages. It is intended that waste collection would be carried out in line with existing weekly waste collection procedures already in place on Aber Road, which is considered acceptable and appropriate for the proposed use.

The proposal would introduce no new windows to the site. The side windows on the north-west elevation (with Aber Road) would now serve bedrooms. The first and second floor windows would be located a distance of 12.6 metres from the side boundary of 56 Stoneygate Road which is in residential use. I consider that there would be some overlooking from the three second floor windows which serve bedrooms; however this would not be so significantly detrimental on the use of the private amenity area to warrant a refusal on this basis alone. The windows are existing and the site may not always be in full occupation. Moreover, the previous school use would have resulted in similar overlooking also. The first floor windows to bedrooms would be at the same height as existing first floor windows. I consider such a relationship to be similar to the relationship between neighbouring residential properties and in this instance would benefit from a separation distance of 12.6 metres. As such although I note that there would be some overlooking from the second floor side windows, I do not consider this to be significantly harmful to the existing occupiers of 56 Stoneygate Road.

Overlooking and loss of privacy concerns have been raised from occupants to the south-east of the site. The first and second floor side facing windows serve hallways and not bedrooms. Furthermore the separation distance between these windows and 60 Stoneygate Road is 28 metres. As such I consider the side facing windows not to result in any harmful overlooking. It is acknowledged that the first and second floor side emergency access doors would be located a distance of 9 metres from the common boundary; however views into the rear garden of no.60 Stoneygate and subsequent residential properties would be obscured by the original two and single storey outriggers to the rear of these properties. The access doors would be for emergency use only and are considered not to result in any harmful loss of privacy and overlooking to the adjacent neighbours.

Due to the lack of extensions to the building I do not consider the proposed development to result in any harmful loss of daylight to or outlook from principal room windows. The building footprint would remain as existing and the alterations within the site would relate to the car parking arrangement and cycle storage which would not be visible within the street scene. I therefore consider the proposal to be acceptable in this respect.

Concerns about external lighting have been raised; however no such details have been submitted to the City Council as part of this application. I consider it appropriate to attach a condition to require the submission of such details prior to occupation of the site.

Concerns over the use of CCTV systems have been raised by objectors. Although the amended Management plan advises that CCTV would be used on site and the duration of any recordings to be retained, no details of any such equipment have been submitted on the plans as part of this application. The installation and operations of such equipment can be carried out without planning permission (albeit subject to certain criteria) under the provisions of Part 2, Class F of the General Permitted Development Order 2015 (as amended). Therefore the submission of further information by way of condition in this respect is considered unreasonable, unless CCTV equipment to be installed would not comply with the provisions of the relevant class.

There have been objections made on the basis of the Human Rights Act 1998, in respect of Article 8 and Article 1 of the First Protocol. Article 1 of the First Protocol of the Act relates to the protection of property and states that *'Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law'*. Article 8 reads *'Everyone has the right to respect for his private and family life, his home and his correspondence'*. The issue of human rights is a material consideration in the determination of planning applications. These rights have to be balanced against all other material considerations and this will be a planning judgement. Any interface with human rights must be in accordance with planning law, have a legitimate aim and be proportionate. 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. The above human rights would be outweighed when considering the general interest and the rights and freedoms of others. All planning decisions are based on an assessment of the development against the current development plan policies. It is considered that because of the minimal impact of the development on neighbouring properties, and for the reasons outlined above, there would be no discernible material impact on the Article 8 and Article 1 of the First Protocol rights of residents.

I consider that whilst there would be some increase in noise from the proposed use and there would be some overlooking from the bedrooms on the second floor, this harm would not be so significant to withhold planning permission on this basis. I consider that the proposal would result in a compatible form of residential development in the area which would not adversely impact the amenity of neighbours in accordance with the NPPF and Policy PS10 of the Local Plan.

Living conditions (*The proposal*)

The Local Plan policy H07 relates to self-contained flats and whilst not directly relevant to the proposal type, the policy includes a number of criteria to assess proposed living environment. These relate to the location of the site; unacceptable loss of alternative uses; loss of family accommodation; creation of a satisfactory living environment; arrangement for general facilities; provision of open space; effect of the development on the general character of the surrounding area and; proposed or potential changes to the appearance of buildings and their settings.

The room sizes range from 8 square metres for the smallest single room and 25.5 square metres for the largest double room on the ground floor with an average room size of 15 square metres. All of the room would be single aspect. The proposed use as HiMO provides communal bathrooms, w.c.'s and kitchen, dining and living areas as well as a separate room for laundry and communal external courtyard. I consider this arrangement of living accommodation to be acceptable.

A courtyard area which would be partly grassed is located within the 'L' shape of the main building. I consider this will provide an adequate garden area for the proposed occupants. I also consider that the site is well located for access to public transport links and shops which are walking distance in the Allandale Road/Francis Street local centre. A Co-op is available along London Road which is a distance of 360 metres. Other facilities such as doctors surgeries and schools are available in the local area should they be required and therefore I consider the proposal to be well located in respect of sustainability.

There are car parking and cycle spaces provided within the ground of the site which would be accessed from Aber Road. The parking spaces include spaces for anyone with disabilities. Considering the size of the building, it would be difficult for use as a single residential dwelling and therefore I consider the proposal would not result in the loss of family accommodation.

There are alterations such as ramps and an external lift within the site to ensure less able occupants would be able to access the main building. It is noted that there are no lifts proposed internally; however the largest bedrooms and wet rooms are proposed on the ground floors and therefore should there be any disabled occupants they would be given a suitable room on the ground floor. I consider this to be acceptable in considering the age of the building and limitations when converting such buildings.

There have been a number of concerns raised on the proposed living environment and facilities available on site. Such specific requirements are not essential for the grant of planning permission, but are required under the Housing Act 2004. The applicant will need to obtain a license from the City Council's Housing Team prior to using the site as a large HiMO and would need to meet the requirements under the relevant legislation. There is no detailed comparisons available on room sizes specifically for houses in multiple occupation.

Overall I consider the proposal provides an acceptable living environment in accordance with Policy PS10 of the City of Leicester Local Plan.

Character and Appearance

Policy CS3 of the Core Strategy talks about designing quality places. It requires developments to be designed well and to contribute positively to the character and appearance of the local natural and built environment. Development should also

respond positively to the surroundings and be appropriate to the local setting and context and take into account Leicester's history and heritage.

The site is wholly within the Stoneygate Conservation Area, but is not a listed building, nor is adjacent to a listed building. The proposed development would result in minor external alterations which are considered not to result in any significant harm to the character and integrity of the site and Conservation Area alike. I consider it appropriate to require the submission of materials prior to the occupation of the site to ensure that external finishes would be compatible with the character of the site and Conservation Area.

The proposed development would bring a vacant building into residential use. This would include the grounds and the outbuildings within the site. This would improve the visual appearance of the site and would therefore make a positive contribution to the local character and context from the general maintenance and improvement works to the site. The site is within a residential area and the proposed residential use is considered compatible within its context.

By virtue of bring the site into use I consider the character and appearance would be much improved by ongoing maintenance. The applicant has submitted a management plan which indicates that bins and litter would be the responsibility of future residents but there would also be on-site staff for general management and ongoing maintenance and repairs.

The proposal includes details of flue ventilation which would be located to the rear of the site, thus not resulting in any significant detriment to the Stoneygate Road street scene. To ensure that no flues or such equipment is installed on the front elevation I consider it appropriate to attach a condition to the same effect. In addition to this, I consider it appropriate to attach a note to applicant stating that this application does not include any external alterations to the original timber windows and front façade of the building. I consider this reasonable to maintain the integrity of the building.

The proposed development would not introduce new physical development on site which would alter the character of the building, nor would the proposal see the loss of green space visible within the public realm. The proposal would not result in visual clutter of cycle storage and external bins and therefore I consider the proposed development to make a positive impact in respect of the Conservation Area. In respect of parking, I consider the proposed use would have no significant impact. There is parking available within the site which would not add visual clutter.

Overall I consider the proposed development not to result in any significant harm in respect of character and setting of the Conservation Area in accordance with Policies CS03 and CS18 of the Core Strategy (2014) and would not conflict with saved Policy PS10 of the Local Plan (2006) nor the Conservation Area Character Appraisal.

Highways and Parking

The site is located outside the central commercial zone approximately 2 miles from the city centre. Vehicle access to the site is off an existing access to Aber Road which is a satisfactory means of access in respect of pedestrian and highways safety. The proposed development includes a replacement of the existing gated access which is also acceptable in respect of highways safety.

Refuse will be stored in an existing garage. Roller shutters door will be provided to this storage area so that refuse can be collected directly from Aber Road. This arrangement is acceptable from a highways point of view.

Leicester's London Road railway station is less than a fifteen minutes journey by bus, car or taxi. There are frequent bus services along the main London Road. The site is therefore accessible by all modes.

There is no car parking restrictions on Aber Road other than where the road forms a junction with Stoneygate Road. The proposed 27 car parking spaces which includes 3 disabled spaces for 35 bedrooms is less than 1 car parking space per bedroom. I do not consider that, if the proposed development results in a small amount of on-street parking demand, this would cause an adverse highway safety problem. I note from the revised plans that provision has been made for secure cycle parking for 33 cycles within the site. This is considered acceptable.

I consider that it would be appropriate to attach a condition requiring the vehicle and cycle parking to be implemented in accordance with the submitted plans prior to occupation of the site. A condition for a Travel Pack to be given to occupants is also recommended by the Local Highways Authority; however given the number of off-street car parking spaces available combined with the location of the site I consider that it would be unreasonable to attach a condition requiring the applicant to provide a Travel Pack to first occupants of the site.

I conclude that the proposal would comply with Policy CS15 of the Core Strategy (2014) and with saved Policies AM01, AM02 and AM12 of the Local Plan (2006), and is acceptable in terms of parking.

Drainage

The site is not within a flood risk area but falls within the CDA. However the proposal would not result in any significant change in the impermeable area of the site or lead to significant flooding or surface drainage issues. I do not consider the proposal would conflict with Policy CS02 of the Core Strategy (2014).

Trees

The proposal includes no changes to the landscape of the site and no removal of landscaping other than general maintenance of the grounds. I consider this to be appropriate to ensure the ground do not detract from the visual quality of the Conservation Area. It is considered appropriate to attach a note to applicant advising the applicant that a tree works notification application would need to be submitted prior to any tree works.

I conclude that the proposal would comply with saved Policy UD06 of the Local Plan (2006) and would have no unacceptable impact upon trees of amenity value.

Other matters

Objections have raised concerns on the additional vehicles resulting in poor air quality and pollution. The proposed use is not considered to result in a significant increase in car usage in the local area. The existing lawful use as a school could generate a lot more pollution from vehicular movements and to pick up and drop off of school children twice a day.

Concerns over ongoing maintenance of the site and internal premises have been raised by objectors. Additional issues such as restrictive covenants and property values have also been raised. These are not planning issues, however the revised Management Strategy does provide details of the options available to the applicant at operation stage.

Concerns over anti-social behaviour and the type of people who may move in have been raised by local residents and businesses. This is not a material consideration.

Some objectors have stated the current application would set a precedent for large HiMO's. Each planning application is assessed on its own merits and the current application does not set a precedent for future applications for large HiMO's.

Conclusion

The proposed change of use would bring a vacant building in a Conservation Area back into use which would result in minor alterations to the original fabric of the building. The building would have an acceptable relationship with neighbouring dwellings and would have an acceptable impact upon the character and appearance of the site, street scene and Conservation Area. No trees of amenity value would be affected by the proposal, and there are no concerns in respect of flooding and drainage. There is no objection to the proposal on highways safety and parking grounds.

The proposal would provide additional housing within the City and would accord with the NPPF 2018, Core Strategy 2014 and the Local Plan. I therefore recommend that the application is APPROVED 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. Prior to occupation of the site, the materials to be used on the new retaining walls, railings, car park gates and roller shutters shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
3. Prior to the first occupation of the site details of any external lighting shall be fitted in accordance with a lighting plan which should first to be submitted and approved in writing by the City Council as local planning authority. The lighting plan shall include details of lighting positions, intensity of lights and hours of lighting. (In the interests of residential amenity, and in accordance with policy PS10 of the City of Leicester Local Plan.)
4. No part of the development shall be occupied until secure and covered cycle parking has been provided and retained thereafter, in accordance with plan no.1732 - 09 of 22 received by the City Council as local planning authority on

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- 03/08/2018. (In the interests of the satisfactory development of the site and in accordance with policies AM02 and H07 of the City of Leicester Local Plan).
5. Before the occupation of any part of the site, all parking areas shall be surfaced and marked out in accordance with plan no. 1732 - 09 of 22 received by the City Council as local planning authority on 03/08/2018, and shall be retained for parking and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner, and in accordance with policy AM12 of the City of Leicester Local Plan and Core Strategy policy CS03.)
 6. The external staircase shall be used in case of emergency only and not as a general means of access to and egress from the upper floors. (In the interests of residential amenity, and in accordance with policy PS10 of the City of Leicester Local Plan.)
 7. No other flues, vents and extraction units shall be installed on site other than those shown on the approved plans, without the prior written consent of the City Council as the local planning authority. (In the interests of the amenities of nearby occupiers and in the interest of the character and appearance of the Conservation Area, and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan and policy CS18 of the Core Strategy.)
 8. The operation of the site as a HiMO shall be carried out in accordance with the amended 'Management Plan' submitted to the City Council as local planning authority on 08/02/2019 unless otherwise agreed in writing by the City Council. (In the interests of residential amenity, and in accordance with policy PS10 of the City of Leicester Local Plan).
 9. This consent shall relate solely to the amended plans ref. no. 1732 - 10 of 22; 1732 - 11 of 22; 1732 - 12 of 22; 1732 - 13 of 22; 1732 - 17 of 22 and; 1732 - 18 of 22 received by the City Council as local planning authority on 30/07/2018, amended plans ref. no.1732 - 09 of 22; 1732 - 14 of 22; 1732 - 15 of 22; 1732 - 16 of 22; 1732 - 21 of 22 and; 1732 - 20 of 22 received by the City Council as local planning authority on 03/08/2018 and Management Plan and Design and Access Statement received by the City Council as local planning authority on 08/02/2019, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. No permission is granted or implied for alterations to the external appearance of the front elevation of the site, for which a separate planning permission may be required.
2. The applicant is advised that works to trees in Conservation Areas can require a formal notification six weeks before carrying out works.

Works to trees in Conservation Areas

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