

Recommendation: Conditional approval	
20181322	349 ABBEY LANE
Proposal:	DEMOLITION OF BUILDING; CONSTRUCTION OF THREE STOREY RESIDENTIAL BUILDING TO PROVIDE 9 SELF CONTAINED FLATS (3 X 2 BEDS; 5 X 1 BED; 1 X STUDIO) CLASS C3; ASSOCIATED PARKING & LANDSCAPING (AMENDED PLANS RECEIVED 25/02/2019)
Applicant:	MR PATEL
View application and responses	http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20181322
Expiry Date:	15 March 2019
SSA	WARD: Abbey



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Summary

- Application is brought to committee as more than 5 objections received;
- A total of sixteen objections have received from neighbouring occupiers on the grounds of loss of amenity, siting, design, size, scale, massing, parking and highway safety;

- The main issues to consider are principle of development, design, character/appearance, residential amenity, access and highways safety, trees, ecology, flooding and sustainable drainage;
- Application is recommended for approval.

The Site

The site currently comprises a single storey vacant car wash premises, located on the eastern side of Abbey Lane. It adjoins a house to the south at 349 Abbey Lane and a car sales unit and retail unit to the north. It backs onto a block of flats. This part of Abbey Lane has a number of street trees within the pavement area and the central reservation.

It is located within a primarily residential area and falls mainly in Flood Zone 2 and partly in 3a and within a modelled surface water flood hotspot and Critical Drainage Area (CDA). The site is in an Air Quality Management Area (AQMA).

Background

20172272 - Application for the demolition of an existing single storey building and to construct a four storey residential building to provide 12 self-contained flats with associated parking & landscaping was withdrawn.

The Proposal

The proposal has been amended during the course of the application by reducing the height, scale and size including design of the building and the overall amenity area/green space has been increased.

The three storey building comprises of two separate blocks at ground floor level and linked at the above floors. The ground floor would provide three flats, the first floor would provide four flats and on the second two flats. The building would have a total length of approximately 33.5 metres and a width of 6.7 metres. The middle section of the building would have a total ridge height of 8.5 metres and 7.2 metres high main side wings. The building will be set back by 1.5m from the back edge of the public footway.

The buildings would have two symmetrical gable fronts in the middle and at the rear with pitched roof. It would be finished in modern mixed white render and red facing brick walls and grey double glazed aluminium doors and windows. The front elevation contains Juliet balconies at the first floor level.

The design and height of access gates and fence at the front have been revised. There would be 9 car parking spaces including 2 parking spaces for disabled persons (undercroft/covered). The bin store would be located within the building. The covered 12 cycle parking spaces would be located at the rear of the building. Two small amenity spaces are proposed at the rear and near to the main entrance on the North West corner. The revised scheme includes furniture layout of the flats and shows floor area ranging between 33 square metres at its smallest and 44 square metres at its largest.

Additional information in the form of an Arboricultural Survey and Report, Noise Survey, Transport and Energy statement and Bat Scoping Survey have been submitted. The revised Flood Risk Assessment (FRA) is supported by flood response plan and the revised scheme also includes finished floor level, flood resilience and SuDs measures and drainage details.

Policy Considerations

National Planning Policy Framework (NPPF) 2018

Paragraph 11 states that, at the heart of the Framework, is a presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with the development plan without delay. Where the development plan is absent, silent or relevant policies are out of date, this means granting planning permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.

Paragraph 59 places an emphasis on the importance of a sufficient amount and variety of land to come forward where it is needed and that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 61 - The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

Paragraph 68 of the NPPF states that small and medium sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. The policy goes stating that local authorities are required to support the development of windfall sites through decisions- giving great weight to the benefits of using sustainable sites within existing settlements for homes.

Paragraph 108 of the NPPF indicates that decisions should take account of the opportunities for sustainable transport modes and safe & suitable access to the site for all people. Paragraph 109 goes on to state that development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts of development are severe.

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

Paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. The policy includes a set of criteria for both plan making and decision taking, for the latter it advises local planning authorities to refuse applications which they consider fail to make efficient use of land, taking into

account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Paragraph 124 describes good design as a key aspect of sustainable development.

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 130 goes on to state that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 163 of the NPPF advises that when determining planning applications local planning authorities should, inter alia, give priority to sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Paragraph 170 of the NPPF encourages decisions to contribute to and enhance the local and natural environment. Paragraph 175 advises that local planning authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments, and that planning permission should be refused for development resulting in the loss of aged or veteran trees unless the need for the development clearly outweighs the loss.

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

Supplementary Planning Document (SPD) – Residential Amenity

Appendix 1 (City of Leicester Local Plan 2006) - Vehicle Parking Standards and 6C Design Guide

Consultations

Local Highways Authority (LHA): No objection subject to conditions

Severn Trent Water: No objection, subject to condition.

Lead Local Flood Authority (LLFA): No objection, subject to condition

Environment Agency (EA): No objections, subject to conditions.

Pollution Control (Land contamination): requested contaminated land conditions due to the historic commercial use.

Pollution Control (Noise Team): No objection, subject to condition.

Air Quality (LCC): No objections, subject to condition requiring travel packs for the proposed flats.

Trees and Woodlands: No objection, subject to condition.

Representations

16 objections including a petition containing 10 letters have been received from the nearby occupiers on the following grounds:

- Height and massing of the building is inappropriate and will have an adverse impact on the neighbouring properties;
- The design of the proposal is not sympathetic with and is out of character with the area;
- Lack of parking which will lead to parking issues;
- Loss of light.

On the revised scheme:

- Although the proposed building set back 1.5m from the Abbey Lane pavement, the site was not sufficiently deep enough to allow the 'adequate separation' from the building to the rear and this amendment only makes this issue worse;
- 21m Building should be placed on the wider end of plot;
- The distances and levels on the plans do not seem to correlate, the site and all distances should be independently measured;
- The applicant has not discussed the proposed works with adjoining neighbours as stated on their submission;
- The revised plans include obscured glass to the entire rear of the building serving the principle windows. this is not sufficient and concerned about impact on their living environment, privacy and the loss of light due to a much taller building than the existing car-wash;
- The site is elevated compared with the building flats behind and the neighbouring building;
- Land is contaminated as the associated fuel tanks are still in the ground and would present a safety concern;
- The positioning of the building, separation distance to the rear of the proposed development is also misleading.

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 a appropriate mix of housing and in particular larger family housing. Policy CS08 seeks to ensure that suburban areas continue to thrive and refers to the valuable role played by small infill sites in the provision of housing, but states that these should only be developed where harm to the desirable qualities of the area can be avoided.

The Core Strategy and Local Plan allow new residential development within residential areas provided that the proposals comply with the necessary design and criteria of the development plan policies and adopted guidance.

Whilst the site had been in commercial use, it is currently vacant for a number of years and falling into disrepair despite securing alternative approval for retail uses. The site is located within a predominantly residential area. There are no site specific designations or constraints to indicate that a residential development would be inappropriate or inherently harmful. In the above policy context and having particular regard to the City's current housing supply position, I consider that the development of the site for nine mixed one and two bedrooms flats is acceptable in principle, subject to consideration of design, level of living environment, neighbouring amenity, access and parking requirements, other environmental issues and representation received.

The City council cannot at present demonstrate a five year housing supply so the NPPF presumption in favour of sustainable development is particularly important.

Design/appearance

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 H07 states that the Council will not permit new flats that have negative impact on the general character and appearance of the surrounding area. 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 design, scale and size of the original scheme have been amended to suit the surrounding area and maintain adequate separation distances from the adjacent building. The proposed building would be of a modern design and appearance including the windows feature with Juliet balconies at the front and would be built of modern external mixed of white render and facing red brick finishes breaking up the facade which limits the visual impact on the street scene and complementing the design of the building.

The design and height of access gates and fence at the front have been revised which would help to improve natural surveillance and character and appearance of the area and the street scene. The car and cycle parking will be secured behind the building and front boundary line.

I consider that the modern design, appearance and combined with the modern external finishes to be acceptable for an infill development of this size and scale at this location. I conclude that *revised proposal would reasonably complement the adjacent residential properties at the side and* would preserve the character and appearance of the surrounding area and the street scene it would comply with the relevant provisions of Policy CS03 of the Leicester Core Strategy (2014) which establishes an expectation for a high standard for design and architectural quality and would not conflict with saved Policies H07 and PS10 of the Local Plan (2006).

Residential Amenity

Policy CS03 of the Leicester Core Strategy (2014) states that development must respond positively to the surroundings and be appropriate to the local setting and context. Policy PS10 of the Leicester Local Plan (2006) sets out the factors concerning the amenity of existing residents that will be taken into account when determining planning applications. These include noise pollution, privacy and safety & security.

Appendix G of the Council's *Residential Amenity* SPD (2008) sets out more detailed design guidance for the protection of neighbouring occupiers' amenity.

The proposed building utilises the location and footprint of the existing building to be demolished. It would set away by approx. 6.50m to 8m from the rear (east side), common boundary and approx. 14 metres from north side. The nearest section of the building would not project beyond the existing footprint and height of the adjacent block flats at no 347 Abbey Lane. It would be set back 0.50m from the common side (south side) boundary with this building. There are no windows proposed in the side elevations. I am satisfied that the proposal would not result in loss of light, outlook, overbearing or loss of privacy to the occupiers of these block of flats.

The front elevation facing Abbey Lane will have main principal room windows and the rear elevation will have obscure glazed openings which only serve non habitable rooms and linked corridors. The topographical survey and section drawings show that there is no significant ground level difference between the site area and the properties at the rear. It would maintain over 16 metres separation distances between the rear of the proposed building and the three storey block of flats at the rear, from the rear of the proposal which I consider this to be adequate to comply with the adopted SPD. Given the design and height of the building, I am satisfied that the proposal would have minimal impact on the living environment of the nearby occupiers in terms of loss of outlook, light overbearing or overshadowing. The proposed non-habitable obscure glazed windows, particularly at the upper floor level would not give rise to overlooking or loss of privacy to the adjacent residential properties at the rear.

Whilst the proposal would change the character of activity (in terms of comings and goings), compared to its former commercial use, this is a predominately residential area, and I consider that the proposal could be integrated without generating a noticeable increase in noise and disturbance to nearby residents. As oppose to the existing commercial use, residential development would be likely to reduce the potential for adversely affecting the amenities of the occupiers of the nearby dwellings.

I consider that the revised proposal would not compromise the amenity of the neighbouring adjoining houses, in terms of loss of light, overlooking and loss of privacy, overbearing or overshadowing impact, and would be consistent with Core Strategy Policy CS03 and complied with saved Local Plan Policy PS10 and adopted SPD.

Standard of Living environment

Saved policy H07 states that planning permission will be granted for new flats provided that the proposal is satisfactory in a number of factors including the nature of nearby uses, the unacceptable loss of an alternative use, the creation of a satisfactory living environment, arrangements for bin storage and car or cycle parking, the provision of communal open space and the effect of the development on the general character of the surrounding area.

The criteria relating to amenity in the saved Policy PS10 of the Local Plan (2006) apply to the future occupiers of proposed development as well as to the occupiers of existing neighbouring property.

Following negotiation, the number of flats has been reduced from 12 flats as originally proposed to nine flats. The revised scheme and the furniture layout demonstrate to have a good circulation space and standard of accommodation. Whilst the flats are mostly single aspect, all habitable rooms would have a window providing a means of natural daylight and ventilation at the front and good level of outlook over Abbey Lane.

Provision is made within the development for communal bin and cycle storage along with private amenity space which would also be accessible from Abbey Lane. The Residential Amenity SPD recommends the provision of 1.5 m² and 2.0 m² amenity space for one and two bedroom flats. Over 100m² outdoor amenity space is proposed within the curtilage of the site. Although some of the space that will be used for ancillary purposes, I consider this will provide an adequate amount of amenity space and comply with the SPD in this respect.

The applicant has submitted a noise assessment which includes a number of recommendations regarding acoustic glazing and ventilation methods without specifying an actual type. The Noise team have raised some concerns about traffic noise levels from the major road adjacent to the site and thus recommend a condition requiring details of acoustic glazing and mechanical ventilation to protect the amenity of future occupiers of the property. I attach a condition in this respect.

The site is within the AQMA area. However impact on the AQMA will be negligible due to the size and scale of the development. I consider that the revised proposal would create satisfactory living environment for the future occupiers and would be consistent with Core Strategy Policy CS06 and saved policies PS10 and H07 of the City of Leicester Local Plan and the Supplementary Planning Document - Residential Amenity.

Accessible homes

The applicant confirmed that the proposal as revised meets the lifetime home requirements and building for life criteria. The amended plans show how the houses and approach would comply with the category M4(2) accessibility requirement as required by Policy CS06. A condition and notes to the applicant is recommended to ensure that the houses are constructed to this standard.

Highway Trees

The façade of the proposed building falls within the Root protection area of four council owned highway trees located on the public footway. The site is already hard surfaced. The revised plans show the building will be set back by 1.5m from the back edge of the public footway and stem diameter measurements contained within the supplied report estimate root protection areas (RPA) to have a radius of at least 9.5m. The revised footprint would therefore encroach into the RPA. The applicant state that a pile and beam foundation would be used which will minimise any perceived damage to the trees root systems.

The Trees and Woodlands team has no objections provided a condition is attached requiring details of specialist pile/raft foundations. I consider that a condition in this respect is necessary.

Although the existing trees on highway land could over shadow the living space of the flats, the City Council currently carry out a five (5) year pruning (pollard) cycle to improve the light penetration to the adjacent flats. In addition, the revised footprint further set back from the highway helps to reduce this impact.

Landscaping/Biodiversity

There are no protected trees or wildlife habitats on the site. There is limited space on site for any extensive landscaping; however the revised proposal increased the amenity space and includes some landscaping to soften the hard surfaced area that is currently paved. I recommend a landscaping condition requiring implementation of some ecological mitigation measure, minor landscaping details to include tree planting, bird and bat boxes, the planting of native hedgerows within the gardens and front and rear boundary treatment.

Flood risk/Drainage issues

Policy CS02 of the Leicester Core Strategy (2014) states that development should be directed to locations with the least impact upon flooding or water resources. It goes on to state that all development should aim to limit surface water run-off by attenuation within the site, giving priority to the use of sustainable drainage techniques. Saved Policy BE20 of the Local Plan (2006) undertakes only to permit development if adequate mitigation measures can be implemented to reduce the risk to an acceptable level.

The development is located within Flood Zone 2 and partly in 3a and within a modelled surface water flood hotspot and Critical Drainage Area (CDA). The site is within an area at a moderate risk of flooding as per the Environment Agency (EA) therefore flood risk needs to be adequately assessed.

The submitted FRA includes flood mitigation measures (raising finished floor levels) and flood emergency procedures for the site. A surface water drainage strategy has been provided for the proposed development, integrating SuDS and including designs, calculations and maintenance plans.

The applicant has conducted a sequential and exception test which concludes that whilst the site lies within flood zones 2 and partly in 3a, there are no suitable alternative sites within the area in lower risk flood zones.

The Environment Agency states that the revised proposal meets the NPPF requirement provided the mitigation measures are secured and implemented via planning condition and notes to the applicant are attached requiring finished floor levels to be set no lower than 52.85m above datum point and flood resistance and resilience measures are incorporated in the design of the building as recommended in the submitted FRA and remedial strategy to deals with associated risks of land contamination.

The site has previously used as a car wash and its past use as a petrol filling station may have led to contamination of the site. I consider a condition to be attached requiring decontamination of the site and mitigation measures details in this respect.

A surface water drainage strategy has been provided for the proposed development, integrating SuDS and including designs, calculations and maintenance plans. The Lead Local Flood Authority (LLFA) has advised that a Drainage Plan including measurements should be submitted to ensure that the proposal does not result in any

significant increase in surface water run-off in the local area. In addition to this, LLFA advises that SuDS should be incorporated within the development to mitigate any increase in surface water run-off. I consider that it is necessary to attach conditions requiring Suds and foul drainage details in this respect.

I conclude that the proposal would comply with Core Strategy Policy CS02 and saved Local Plan Policy BE20 and is acceptable in terms of flooding and drainage.

Energy

Core strategy Policy CS02 also requires new development to address climate change through energy efficiency measures and sustainable construction methods. The applicant states that the building will adopt utilization of green tariff energy sources and highest building specification /energy efficiency measures and sustainable construction methods. I am satisfied with this approach.

Access and parking

Core Strategy (2014) Policy CS15 states that car parking for residential development should be appropriate for the type of dwelling and its location and take into account the availability of existing parking and public transport. Saved Policy AM12 of the Local Plan (2006) gives effect to published car parking standards in respect of residential development.

Policy CS15 also calls for the provision of high quality cycle parking. Local Plan Policy AM02 states that planning permission will only be granted where the needs of cyclists have been successfully integrated into the development.

Appendix 1 - *Vehicle Parking Standards* sets out the Council's maximum car parking standards and minimum cycle parking standards - 1 car parking space per 1 bedroom and 2 car parking spaces for 2 bedrooms; 1 cycle space per 2 bed spaces plus 1 cycle space per 20 bed spaces for visitors.

The Transport Statement (TS) suggests that the proposed development may result in a slight increase in traffic generation although this will be negligible and not result in a material adverse impact.

The site is accessed from the existing vehicular access and a proposed pedestrian gate from Abbey Lane. It includes 9 car parking spaces including 2 spaces for the disabled persons and 12 secure and sheltered cycle parking spaces. The LHA has no objection to the parking provision as the site is well served by public transport and can be reached by walking and cycling, providing links to the city centre and is therefore considered to be a sustainable location in highway terms. A travel pack condition is recommended to encourage sustainable travel.

The proposed vehicular access with the electronic gates set back 6.3 metres from the edge of carriageway. When the gates are closed, refuse, service and delivery vehicles could be tempted to contravene the 'no parking' and 'no loading' waiting' restrictions by parking in front of the gates and impeding pedestrian movement. However, there is a layby to the north of the access, so there is an alternative option available to avoid this situation occurring.

The existing vehicle access over the footway is wider than the proposed gated vehicle access so part of the vehicle access will need to be reinstated to footway. This element could be secure via condition.

I conclude that the proposal unacceptable in highway terms and would comply with the relevant provisions of Policy CS15 of the Leicester Core Strategy (2010) and saved Policies AM12 and AM02 of the Local Plan (2006).

Conclusion

The proposed residential development is appropriate in this location. The impact upon the occupiers of neighbouring properties and upon the character and appearance of the area would be acceptable. The development would secure satisfactory living conditions for occupiers. The parking and access arrangements would be satisfactory. There are no significant flooding impacts. Acceptable drainage details and landscaping can be secured via conditions.

The creation of additional residential units will contribute towards the City Council's housing supply shortfall. The proposal is compliant with the aims of National Planning Policy Framework and development plan policies and adopted guidance.

I recommend **APPROVAL** subject to the following conditions:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. Before the development is begun, the materials to be used on all external elevations and roofs shall be submitted to and approved by the City Council as local planning authority and shall be implemented in accordance with the approved scheme. (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. The flats and its associated parking and approach 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 the dwelling a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the City Council as local planning authority certifying compliance with the above standard. (To ensure the dwelling is adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS06)
4. Before the development is begun, a detailed landscape and ecological management plan (LEMP) showing the treatment and maintenance of all parts of the site which will remain unbuilt upon shall be submitted to and agreed in writing with the City Council as local planning authority. This scheme shall include details of: (i) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means of planting, staking, and tying of trees, including tree guards; (iv) other surface treatments; (v) fencing and boundary treatments, 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 such as wildflower meadow creation and hedgerow improvements including a management scheme to protect habitat during site preparation and post-construction. (ix) details of the make and type of 6 x bird boxes/tiles/bricks and 6 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 five/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 and a written assessment of the landscaped/habitat areas and use by wildlife/species present shall be submitted annually to the LPA (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03 and CS17. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

5. 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 a methodology has first been submitted and agreed by the City Council as local planning authority. (To ensure construction does not cause unreasonable disturbance and in accordance with policy PS10 of the City of Leicester Local Plan. To ensure that the details are agreed in time to be incorporated into the development).
6. Before the occupation of the development, the proposed openings/windows at the rear facing rear of the existing flats and dwelling houses at Beaumanor Road shall be fitted with sealed obscure glazing (with the exception of top opening light) and retained as such. (In the interests of the amenity of occupiers of Beaumanor Road and in accordance with policy PS10 of the City of Leicester Local Plan).
7. Before the development is begun, a detailed scheme of acoustic glazing and forced air ventilation shall be submitted and agreed in writing with the City Council as local planning authority and shall be carried out in accordance with approved details. The applicant should note that windows must not be sealed closed. (In the interests of residential amenity and in accordance with policy PS10 of the City of Leicester Local Plan. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
8. Before the development is begun, the existing highway trees adjacent to the site shall be protected by fences erected not within the root protection area in accordance with submitted tree report and method statement for root protection . No materials whatsoever shall be stored, rubbish dumped, fires lit or buildings erected within these fences; no changes in ground level shall be made within

the spread of any tree, shrub or hedge without the previous written approval of the local planning authority. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.)

9. Before the development is begun, design details of pile and beam foundation/footings of the proposed building and front boundary wall adjacent to the highway trees shall be submitted to and approved by the City Council as local planning authority. The development shall be carried out in accordance with the approved details. (To minimise the risk of damage to highway trees in the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
10. No flat shall be occupied until the parking area has been surfaced and marked out in accordance with the approved plans. It shall be retained for parking at all times and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner and in accordance with policy AM01 of the City of Leicester Local Plan and policy CS03 of the Core Strategy.)
11. No flat shall be occupied until the following works have been carried out in accordance with details which shall be submitted to, and approved in writing by, the City Council as local planning authority showing (a) the existing vehicle access over the footway fronting the site reduced in width (b) reinstatement of part of the existing vehicle access to footway. (To ensure a satisfactory means of access to the highway, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
12. 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 advance by the City Council as 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 policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy.)
13. No flat shall be occupied until the secure and covered cycle parking has been provided and retained thereafter, in accordance with the approved plans. (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).
14. No flat shall be occupied until the Sustainable Drainage System (SuDS) for the site has been completed in accordance with the approved details. The Sustainable Drainage System shall be managed and maintained thereafter in accordance with the approved management and maintenance plan. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy.)

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15. Before the development is begun, details of drainage, and especially foul drainage, shall be submitted to and approved by the local planning authority. No flats shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)
16. The development shall be carried out in accordance with the submitted revised flood risk assessment prepared by Arcelle Consulting dated February 2018 reference 1672-C-R02 revision E Received on 22/02/2019) and the following mitigation measures it details:
- Finished floor levels shall be set no lower than 52.85m above Ordnance Datum (AOD) as stated in section 6.2.4 of the FRA
 - Flood resistance and flood resilience measures are incorporated into the design of the building, as set out in sections 6.4 and 6.5 of the FRA
- These mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development. (To reduce the risk of flooding to the proposed development and future occupants; to reduce the impact of flooding on people and property should it occur and in accordance with saved local plan policy BE20 and Core Strategy policy CS02.)
17. No development shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the City Council as local Planning Authority. This strategy shall include the following components:
1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved. No flats shall be occupied until the scheme is implemented in accordance with the approved details.

(To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework and in accordance with policy PS11 of the City of Leicester Local Plan. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the City Council as local Planning Authority. No flats shall be occupied until the remediation strategy scheme is implemented in accordance with the approved details. (To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.)
19. This consent shall relate solely to the amended plans ref: no. DSA-17109-PL-EXT-01-A, DSA-17109-PL-PRO-01-H and DSA-17109-PL-PRO-02-H Received by the City Council as local planning authority on 25/02/2019, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. 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.

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 seek advice from Travel Plan Officer (Leicester City Council's telephone 0116 4542849).

2. Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.
3. It is unlikely that any construction or demolition work will be agreed outside of the hours detailed above unless the City Council Noise and Pollution Control Team is satisfied that the work will not be detrimental to occupiers of neighbouring properties or the developer is able to demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.

Policies relating to this recommendation

- 2006_AM01 Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.
- 2006_AM02 Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.
- 2006_AM12 Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
- 2006_BE20 Developments that are likely to create flood risk onsite or elsewhere will only be permitted if adequate mitigation measures can be implemented.
- 2006_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.