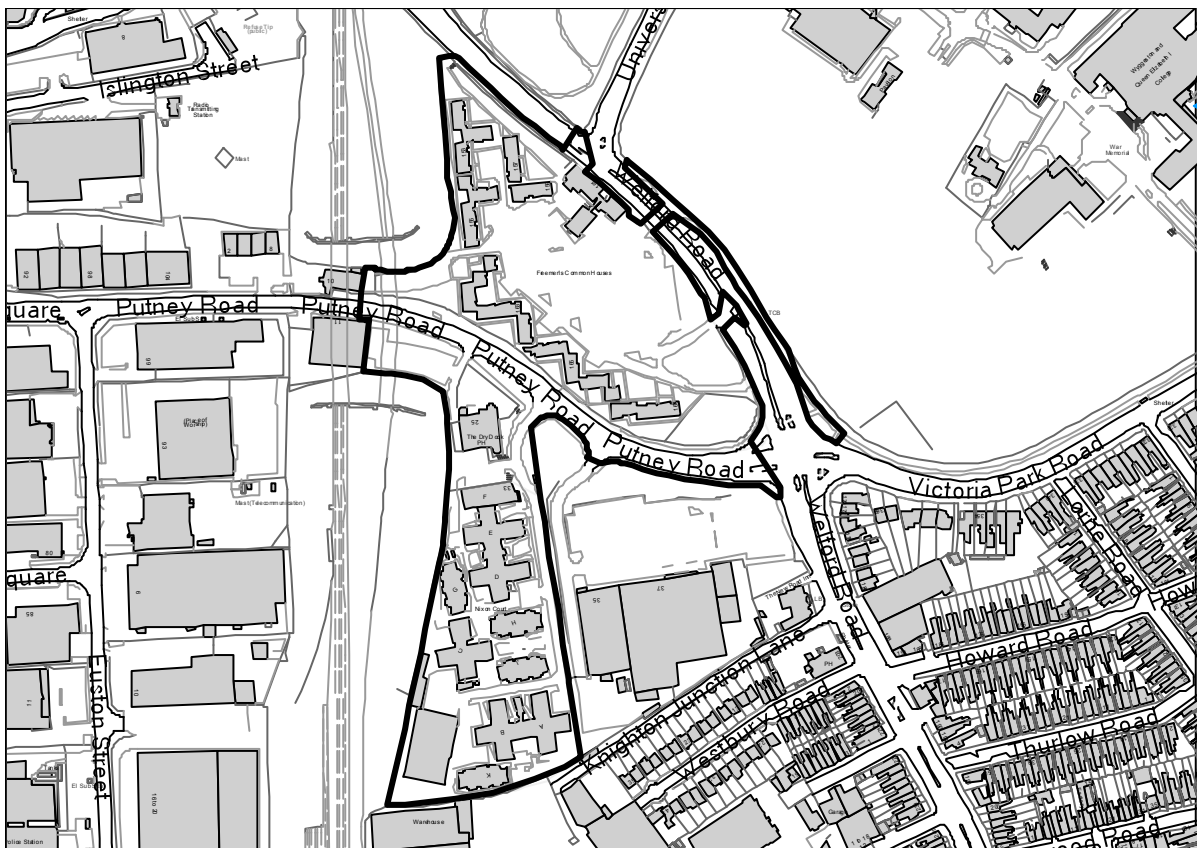


Recommendation: Conditional approval	
20180450	WELFORD ROAD, FREEMENS COMMON AND PUTNEY ROAD, NIXON COURT
Proposal:	DEMOLITION OF BUILDINGS; CONSTRUCTION OF EIGHT BLOCKS OF BETWEEN FOUR AND FOURTEEN STOREYS HIGH TO PROVIDE 1200 STUDENT BED SPACES (SUI GENERIS); FIVE STOREY ACADEMIC BUILDING (CLASS D1); NINE STOREY MULTI-STOREY CAR PARK WITH 550 SPACES (SUI GENERIS); VEHICLE ACCESS FROM PUTNEY ROAD; EXTENSION AND ALTERATIONS TO GRADE II LISTED BUILDING; REMOVAL OF TREES COVERED BY TREE PROTECTION ORDERS (AMENDED PLANS)
Applicant:	UNIVERSITY OF LEICESTER AND EQUITIX
View application and responses	http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20180450
Expiry Date:	15 April 2019
WJJ	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

- This application for Planning Permission has been brought to the Planning Committee as the recommendation is for approval and more than six objections have been received
- The main issues are the impact of the proposal on and for:
 - the principle of building an academic building and multi-storey car park here and increasing the amount of student accommodation in this area
 - the character and appearance of the area
 - the permeability and legibility of the area
 - the impact on the architectural and historic interest of parks and buildings that are Listed or on the Local Heritage Asset Register
 - the use sustainable means of transport
 - function and safety of the highway
 - the amenity of neighbouring dwellings
 - the quality of living environment for future residents
 - wildlife, trees and landscaping
- The application is one part of a scheme for significant development at the Freeman's Common and Nixon Court sites and should be read with the report recommending Listed Building Consent for 20180562.
- Sixty-five objections cover a wide range of issues. They mainly concern whether student accommodation is acceptable here, the appearance of the scheme, the impact on residential amenity, concerns regarding the highway and traffic congestion and modelling issues.
- The application is recommended for Approval subject to conditions and the completion of a S106 Agreement to secure developer contributions totalling £450,000 towards improvements at Saffron Lane Stadium and Victoria Park.

Introduction

The site consists of two main parts. Part lies between Welford Road, Putney Road and the railway. This is known as Freeman's Common. On the far side of Welford Road is Welford Road Cemetery and the playing fields of Wyggeston and Queen Elizabeth I College. It currently contains a surface car park with 315 spaces, three storey blocks of student housing 362 students but which are currently vacant and the Grade II Listed Freeman's Cottages next to the junction of Welford Road and University Road which are used for academic purposes.

The other part lies on the other side of Putney Road from Freeman's Common. It lies between Putney Road, a retail unit (Homebase), Knighton Junction Lane and the railway. This is known as Nixon Court. It currently contains the Dry Dock public house next to Putney Road at the northern end of the site, four, six, seven and eight storey blocks of student housing with 998 bedrooms and, at the southern end of the site next

to Knighton Junction Lane, the University Library store. The Dry Dock public house is no longer in use.

Part of Freeman's Common, near the junction of Welford Road and University Road, is within an Air Quality Management Area.

The railway line, to the west of both Freeman's Common and Nixon Court is classified as a Local Wildlife Site as is the Welford Road Cemetery.

There are a number of heritage assets in and near the site. These are as follows:

- Grade II Listed Freeman's Cottages next to the junction of Welford Road and University Road
- Grade II Listed Welford Road Cemetery
- Grade II Listed Victoria Park
- Across the Victoria Park, Leicester University and Wyggeston and Queen Elizabeth I College sites are a number of listed buildings and buildings on the Local Heritage Asset Register. Of particular note are the Grade I Listed Arch of Remembrance in Victoria Park, the Grade II Star Listed lodges and gate's northeast of the War Memorial, gates and gate piers northwest of the War Memorial onto University Road and the Engineering Building at Leicester University
- The Donkey Public House on the corner of Welford Road and Westbury Road is on the Local Heritage Asset Register. While many of these are not close to the site they are significant for long views
- Not close to the site, but significant for long views, is the Grade II Listed Wheatsheaf Works on Knighton Fields Road East

There are numerous trees around the edge of Freeman's Common which are covered by Tree Preservation Orders. There are also trees within land that forms part of the highway.

With regards to flooding from fluvial sources the site is within Flood Zone 1 with an estimated risk of flooding of below 1 in 1000 years. With regards to flooding from pluvial sources nearly all of the site is within a Critical Drainage Area. Although flooding from pluvial sources is unlikely to take place here the rapid run-off of surface water from this area may result in flooding in neighbouring Hotspots. A small part of the site along the southern edge of Nixon Court near Oakland Road is within a Hotspot where flooding from pluvial sources is reasonably likely.

On the far side of the Welford Road, Putney Road, Victoria Park Road junction is a largely residential area known as Clarendon Park.

Background

The 1884/1888 map indicate both the Freeman's Common and Nixon Court sites were part of a much larger area of common land that ran from the Welford Road to the Aylestone Road; Freeman's Common. During the nineteenth century Freeman's

Common was divided by the railway coming into Leicester from the south and the line leading to Burton-on-Trent.

The 1903/1904 map indicate the Freeman's Common site was used for allotments by that time. The historical maps indicate the site continued to be used for allotments till around the 1950's when the Freeman's Common Trading Estate to the west of the railway line was developed.

The Freeman's Common site was developed under two permissions for student housing; in 1973 with permission 026629 and in 1975 with permission 19750553. Minor alterations have taken place since then.

The library store and the brick clad blocks on Nixon Court were built in the early-mid 1990's under permissions 19920803 and 19930673. Further blocks were added around 2010 in between those blocks under permission 20091626.

In 2017 an opinion was sought from the Council under application 20172188 as to whether an Environmental Impact Assessment (EIA) would be required for a development of the type applied for under the current application. The Council confirmed that an EIA was not required.

Prior Notification has been served on the Council of the intention to demolish the student blocks on the Freeman's Common part of the site (20190178). The Council has approved this subject to conditions to governing the management of demolition and working hours.

The Proposal

The proposal is for a major redevelopment of a large and prominent site within the city which will be visible from a number of viewpoints. The scale of the development is large with the tallest building having fourteen storeys. The design is bold. The scheme will have a significant presence which needs to be carefully assessed against a range of policies.

For the Freeman's Common part of the site the proposal involves:

- the demolition of all the blocks of student residences from the 1970's and the loss of the surface car park of 315 spaces
- the creation of a pedestrian street running across the Freeman's Common part of the site from Putney Road to near the University Road/Welford Road junction
- the creation of a square between the pedestrian street, Freeman's Cottages, the multi-storey car park/communal student facilities and the academic building
- the replacement of existing single storey rear extensions to Freeman's Cottages from the 1990's with a new single storey extension. These changes to the Grade II Listed Freeman's Cottages are also addressed under application for listed building consent – 20180562

- the construction of a nine storey multi-storey car park (MSCP) with 550 spaces with a single storey element housing communal student facilities on the north east side next to the square
- the construction of a five storey academic building
- the construction of five blocks of flats ranging from five to fourteen storeys in height with 740 bedrooms

For the Nixon Court part of the site the proposal involves:

- demolition of the library store and the Dry Dock public house with associated car parking of around twenty-five spaces
- the construction of three blocks of flats ranging from four to thirteen storeys in height. One block will be where the library store is at the southern end of the site and two blocks where the Dry Dock presently is at the northern end of the site next to Putney Road. In total 460 student bed spaces will be provided

In total, across both parts of the site, an extra 838 students will be housed. With 1360 students currently on the site this will come to a total of 2198; an increase of about 62%.

The student residential blocks are designed in a similar style. The academic building and the MSCP contrast with both the student residential blocks and each other in terms of proposed elevational treatment and materials.

Publicity

In April 2018 the application was publicised in accordance with the statutory requirements with site notices, a notice in the Leicester Mercury and letters to neighbouring properties.

In February 2019, following receipt of amended plans, the application was publicised in accordance with the statutory requirements with site notices, a notice in the Leicester Mercury and letters to neighbouring properties.

In March 2019, following receipt of amended plans for the highway adjacent to the site, letters were sent to those who had made representations to inform them of the changes. While relevant to the application these changes to the highway network are not part of the application.

The Academic Building was advertised as being six storeys. It is a five storey building as is clearly shown on the plans.

Policy Considerations

National Planning Policy Framework (NPPF) February 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.

Paragraph 11 contains a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. 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

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The City does not currently have a five year deliverable land supply for housing.

Of particular relevance to this scheme are the following paragraphs.

The first part of Paragraph 82 states - *Planning policies and decisions should recognise and address the specific locational requirements of different sectors.*

Paragraph 91 states - *Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Paragraph 92 states - *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Paragraph 93 states - *Planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration. Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.*

Paragraph 102 states - *Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.*

Paragraph 103 states - *The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.*

Paragraph 117 states - *Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.*

Paragraph 118 states - *Planning policies and decisions should:*

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, 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 (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and*

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

Paragraph 122 states - Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.*

Paragraph 124 states - 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.

Paragraph 124 states - 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 in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 127 states - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where*

crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 192 states - *In determining applications, local planning authorities should take account of:*

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

National Planning Policy for Waste (2014) (NPPW)

Paragraph 8 states - *When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities.*

Other material considerations

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines the statutory duty of local planning authorities to have special regard to the desirability of preserving the setting of listed buildings.

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

Supplementary Planning Document – Green Space

Supplementary Planning Document – Student Housing

Supplementary Planning Document – Tall Buildings

Supplementary Planning Document – Residential Amenity

6C's Design Guide – Highway design guidance

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

Consultations

Historic England (HE)

Freeman's Cottages are an interesting example of unaltered alms houses. They will be retained and the intention is make them a central element to the development. The enhancement and integration of the listed cottages within the scheme is welcomed.

With regard to the impact on the Grade I Listed Arch of Remembrance in Victoria Park, the Grade II Star Listed lodges and gate's northeast of the War Memorial, the gates and gate piers northwest of the War Memorial onto University Road and Engineering Building at Leicester University HE are satisfied that the proposals would not have a negative impact on their setting and would not cause harm to their significance.

They advise that the Council should assess the proposal's impact on the setting of the Grade II Listed Freeman's Cottages and the Grade II Listed Victoria Park Parks and

Gardens. If the Council judges the proposals to cause harm to their significance the Council should consider whether this would be justified or outweighed by public benefit in accordance with paragraphs 132 and 134 of the NPPF.

Lead Local Flood Authority (LLFA)

A Sustainable Drainage System (SuDS) is proposed incorporating the following features: filter drains, rain gardens and tree pits, highway gullies, permeable paving and sub-base, a swale, underground attenuation tanks and an attenuation pond. This will reduce the rate of surface water runoff while providing other benefits such as removing pollutants, providing wildlife habitats and a pleasant appearance. Evidence of consultation with Severn Trent Water (STW) by the agent has been provided. It indicates that STW deem it acceptable for the SuDS from this site to connect into the public surface water sewer network subject to further evidence being provided. Details can be secured by a condition.

Highway Authority

The scheme would result in many highway related benefits.

The scheme provides much improved pedestrian and cycling connections between Nixon Court, Freeman's Common and the University of Leicester campus with the new pedestrian street across the Freeman's Common part of the site and new pedestrian crossings for Putney Road and University Road. This will result in safer and more convenient pedestrian and cycling connections. These are likely to encourage the use of sustainable forms of travel and hence generate considerable health benefits.

The needs of public transport users have been addressed with the addition of an extra inbound bus stop, bus operator friendly laybys and two new bus shelters with real-time passenger information signs.

The scheme would result in the removal of the existing car park access and egress to and from Welford Road. With access and egress onto a dual main road close to two junctions this arrangement is a significant potential source of highway danger and its removal is welcomed. The new access and egress onto Putney Road will be a significant improvement.

The potential negative implications for traffic congestion are minor compared with the benefits this scheme will bring in terms of promoting sustainable forms of transport and highway safety. The management of traffic using the Welford Road, Victoria Park Road and Putney Road junction will be improved with the removal of the right hand lane from Welford Road to Putney Road and updates to the SCOOT urban traffic control system.

The scheme is a significant improvement on the existing situation.

The University operate a University wide Travel Plan that seeks to promote sustainable forms of transport. The operation of the proposed scheme will be incorporated into it through condition.

Network Rail

Network Rail have no objection to the scheme but request a condition be attached covering construction methodology and the programme of works to ensure no harm is caused to the railway.

Waste Management

The University will appoint a contractor to collect waste. Waste will not be collected by the Council. There are no concerns regarding waste collection arrangements.

Neighbourhood and Environmental Services, Noise Team

The proposed scheme does not raise significant noise concerns and offers the opportunity to improve on the current situation. The proposed new flats will be insulated to an acceptable standard to protect residents. Existing residents nearby should be protected from noise at night by restricting hours of construction. These can be secured by condition.

The concerns raised by Biffa have been considered and noise, dust and odour from the Household Waste Recycling Centre (HWRC) should not unreasonably disturb residents.

Neighbourhood and Environmental Services, Land Contamination

The site is potentially contaminated by past uses. In order to ensure contaminants are not mobilised the site must be investigated for the existence of contaminants and cleaned up if they are found. This can be secured by condition.

The Parks Service from Neighbourhood and Environmental Services and the Sports Service from Public Health Services

In total across both parts of the site an extra 838 students will be housed. With 1360 students currently on the site this will come to a total of 2198; an increase of about 62%. These residents are likely to want to make use of recreational facilities in the area such as parks and sports facilities. To provide for their needs a contribution is required for the improvement of recreational facilities at the Saffron Lane Stadium and Victoria Park.

Estates and Building Services, Environmental Consultant

The layout of the development is not the most advantageous in terms of passive solar design. However, bearing in mind the constraints of the site and the benefits of providing features such as the square and pedestrian street from the University Road and Welford Road junction across the site to Putney Road, it is acceptable. Daylighting of the apartments is acceptable.

The proposed thermal performance for the scheme improves upon the Building Regulations.

A combination of energy efficient heating supplied by a gas fired combined heat and power (CHP) plant, plus Solar Photovoltaic (PV) arrays on the roofs of buildings supplying renewable electricity is proposed.

The feasibility and viability of connection to the existing district heating network is evaluated in comparison to construction of a stand-alone on-site heat and hot water network. The report concludes that an on-site heat network supplied by a CHP plant, backed up by gas boilers, is the best option based on capital costs, resilience and carbon emissions. The proposal includes a commitment that the stand-alone heat network and plant rooms will be designed and built so they are capable of future connection to the district heating network via the plant room in Freeman's Cottages.

The statement proposes that:

- approximately 80% of the heat demand of the development will be supplied by the CHP plant,
- approximately 500m² of PVs (~75kW peak output) located across the roofs of Blocks 5, 7 and 8, and
- approximately 300m² of PVs (~45kW peak output) located on the Teaching and Learning Centre.

A plan of the proposed on-site heat and hot water network centre, to be located in the plant room in the multi-storey car park, is provided and demonstrates that the plant room will be capable of accommodating the necessary plant.

These proposals are acceptable subject to the details and implementation of these proposals being secured by condition.

East Leicestershire and Rutland Clinical Commissioning Group (NHS)

No objection

Conservation Advisory Panel (CAP)

The panel were broadly supportive of the scheme as they considered it would result in benefits to the condition of the Grade II Listed Freeman's Cottages and their immediate setting without causing damage to longer views of other heritage assets. The proposed rear extension to the listed building and new landscaping were supported.

The Panel debated the height of the proposed multi-storey carpark and concerns were raised regarding the materials for it and how it would relate to Freeman's Cottages, with questions raised regarding the durability of the metal and whether images submitted captured the likely appearance of the elevational treatment and its visual impact on the listed building from a range of locations. More detail was desired in terms of the treatment in terms of its detailing, pattern, profile and application (the treatment of the elevations has since been altered and further details provided).

They did not object to the scale of the wider development and were keen for it to integrate fully with the wider area. It was noted that the academic building was well-designed, with good detail and proportions.

The Panel sought amendments.

Representations

Sixty-five objections. Some letters supported redevelopment of the site in principle but had concerns about aspects of the scheme proposed.

Principle of use

- Concern that scale and use of the scheme helps to concentrate demographically and socially identical groups within certain parts of the city. The area will have an excessive number of students as a proportion of the area population. There is a tension between the lifestyles of students and the lifestyle of other residents. The Committee should request the latest figure for student concentration in Castle. (This is provided later in this report under Consideration, Principle of Development, Student accommodation.)
- Low cost housing for families may be desirable here.
- Questions are raised as to why the University is proposing this scheme when it is selling the Mary Gee accommodation on Ratcliffe Road.

Appearance

- The scale and mass of the buildings will have a significant negative impact on the skyline and townscape of the city from significant distances. They will harm the setting of heritage assets.
- The proposed buildings do not respect the character and appearance of the area. They do not respect the low rise areas nearby. The buildings are of a type appropriate for a large city centre but not the edge of a suburban residential area. The tall blocks would change the skyline and dominate the area.
- The appearance of the scheme is poor, cold and corporate and the towers are too tall.
- The proposed blocks will reduce the light reaching neighbouring dwellings and overlook them

Highway matters

- An increase in car parking may promote the use of cars and lead to an increase in air pollution and traffic congestion. Air quality decline may be furthered by loss of trees. An increase in vehicle use will contribute to climate change.
- If car parking for staff of Leicester University is decreased then opportunities for staff parking are reduced. However this does not mean they stop driving and parking may be displaced onto streets nearby. Multiple cars often circulate neighbouring area as they struggle to find a parking space. There is space at Brookfield to provide staff parking.
- Traffic in the area may increase and the problems associated with it such as air pollution, noise, traffic congestion, slower bus journeys and lack of space to park on streets.
- Will the pedestrian crossings and the MSCP lead to traffic backing up along Putney Road and Welford Road? Will they cope with the increase in demand? Intensification may lead to more accidents. Traffic idling at the junction and crossings may increase air pollution.

- Traffic using the Welford Road will be slowed. This raises concerns for the rapid response of emergency vehicles; especially for those operating from the Infirmary on Welford Road and Police Station on Euston Road. The junction and roads around the site should be widened and improved. Rat running along minor roads may increase.
- Cycle lanes along the pavement of Putney Road may not give enough space for pedestrians.
- Those using the site may park cars on neighbouring streets if they are not provided with car parking.
- Concern as to who will be eligible to use the multi-storey car park and what impact it may have on parking in the area.
- Concerns are raised regarding the safety of those crossing roads especially given the number of students and staff crossing the Welford Road on the way to and from the main campus on University Road may increase.
- Consideration has not been given how the scheme and especially the multi-storey car park will affect the scheme connecting Putney Road to the Aylestone Road/Saffron Lane junction.
- How will the scheme affect the scheme connecting the Putney Road to the Aylestone Road/Saffron Lane junction that is due to take place?
- The construction period may lead to an extended period of traffic congestion, noise and dust problems.

Following re-publicity further matters have been raised in respect of the latest amended highway proposals:

- Combined effect of traffic with Putney Road scheme will create unacceptable congestion levels and impacts including rat-running through Clarendon Park and increased traffic on Victoria Park Road
- Predicted evening peak congestion levels are unacceptable
- Removing the right turn makes access to the retail and business area and the Putney Road link more difficult
- Concerns over the lack of wide area modelling and modelling methodology in respect of both the application and the Putney Road scheme
- Concerns about wider displacement of traffic and contradiction of the Putney Road scheme objectives
- Small bus laybys are proposed
- As the Putney Road scheme is committed, in the absence of wider modelling information the Freeman's Common scheme should be rejected

Other matters

- Loss of light and privacy for dwellings of residents nearby. It will harm the outlook from dwellings nearby. The scheme may reduce the value of neighbouring properties.
- Will rents be capped to ensure the new accommodation is affordable?
- Concerns are raised that a number of trees will be lost.

- Concern that the loss of trees and the construction of tall buildings may increase the likelihood of dangerous wind conditions arising here. This also raises concerns that cyclists and those with limited mobility may be unreasonably restricted.
- Concern of harm from asbestos during demolition.
- Insufficient time has been given for the public to consider the application given the significance of the scheme and complexity and volume of documentation.

Leicester Civic Society

Save for Freeman's Cottages the poor quality of the existing buildings on the site is noted. New buildings are welcomed. This part of city has many buildings and areas of good quality. Leicester Civic Society has concerns that the design, quality and layout of the proposed scheme are not adequately addressed. The loss of trees is a concern and they question whether the replacement planting will work well and achieve commensurate benefits. Leicester Civic Society object to the scheme.

Biffa

Within the industrial estates and, save for the railway line between them, adjacent the site is the Council owned Household Waste and Recycling Centre (HWRC) on Islington Street. This is operated by Biffa. It was granted planning permission in 1982.

Biffa are concerned that, once the new scheme is occupied, there may be complaints regarding noise, dust and odour. These complaints may affect their ability to carry out their operation. While there has been student accommodation on the site since the 1970's the new development will increase the number of students and they will be housed in blocks that are taller than the existing three storey blocks. As such noise that currently does not affect anyone may reach the upper floors.

The new scheme may also result in a greater desire for car parking in the area. The access road to the HWRC, Islington Street, currently suffers from parking that impedes traffic flow.

Biffa object to the scheme.

Consideration

Principle of development

Site allocation

Although both sites were within the hatched "*Universities Area of Influence*" in the 2006 Local Plan, this policy was replaced by Core Strategy CS01.

The Freeman's Common part of the site was allocated for both residential use (around the edge where the existing student flat blocks are) and community/leisure use in the centre. The community/leisure use policy has not been saved, so that part of the site is not allocated and applications may be determined on their merit. Maximising use of previously developed brownfield land such as this site is a key NPPF objective.

The Nixon Court part of the site, that includes the library store building and the Dry Dock public house, are all within a primarily residential area.

Point 5 in Policy CS01 confirms that Leicester University related development that is “consistent with continuing investment plans” will be supported, where it is “in the interest of education, skills enterprise or economic growth”. The principle of the new academic teaching block and the ancillary associated development (such as the “social space” in the pavilions) are therefore supported in principle.

The contribution of Leicester University to the economy of the city is welcomed and the other benefits of the proposal are significant factors to be considered in the planning balance.

Paragraph 123 of the NPPF stresses how important it is to make optimal use of land including higher densities where there is an existing shortage of land to meet housing needs. This site is one of the few reasonably proximate expansion opportunities for the university to meet operational and student accommodation needs.

Student accommodation

The main policy relating to student accommodation in the Core Strategy (2014) is CS06, which requires that:

‘... Proposals for purpose built student housing will normally be accepted if they meet identified needs, are well designed and managed and can be well integrated with local built form and existing communities within walking distance of the main campuses.’

This is developed in more detail in the Student Housing SPD. This provides more detail to support the criteria set out in Core Strategy Policy CS06. Paragraph 1.16 of the SPD refers to the six criteria against which applications are to be determined:

- A. *The development meets an identified need for the type of accommodation proposed.* The “Student Housing Demand Study” (SHDS) that has been submitted with the application demonstrates that there is future demand for the proposed 838 additional bed spaces. The Council accepts that there is demand for this level of additional purpose built accommodation within the city.
- B. *Development will be encouraged within reasonable walking distance of the two university campuses.* The site is very close to the main University of Leicester campus. To facilitate walking and other sustainable means of travel for residents cycle parking will be provided and an improved route to the University of Leicester campus with a pedestrian street running across the Freeman’s Common part of the site. Maximising the potential capacity of this well located and sustainable site will make a substantial contribution to the provision of student accommodation and reduce pressure for such accommodation in less suitable locations.
- C. *The scale of the development, including height and massing of the buildings, should be designed to not adversely conflict with adjacent properties or the*

general residential environment of the surrounding area. The design of the scheme is good and a significant improvement on the existing development on the Freeman's Common part of the site. This matter is addressed in more detail in other parts of this report.

- D. *When considered with existing nearby student housing provision, the development should not have an unacceptable cumulative impact upon surrounding residential neighbourhoods.* The sites both have existing student accommodation. The nearest residential neighbourhood is on the far side of the large Welford Road, Putney Road, Victoria Park Road junction and is known as Clarendon Park. The site is therefore not located within an existing residential neighbourhood and is therefore unlikely to have a significant impact on any nearby existing residential neighbourhoods. Indeed development of this scale should have a positive impact by reducing the pressure for occupancy of traditional terraced housing and Houses in Multiple Occupation (HMO's).
- E. *The layout, standards and facilities provided in the development ensure a positive living experience. The layout, standards and facilities provided in the development must ensure a positive living experience.* Six different types of accommodation are proposed and a mix of three types is provided within most blocks. This will provide for a range of students needs and affordability. All accommodation is self-catering. The overall size and layout are acceptable for modern student accommodation. The landscaping and grounds will provide a high level of amenity for residents.
- F. *Appropriate management is in place to minimise potential negative impacts from occupants or the development on surrounding properties and neighbourhoods, and to create a positive and safe living environment for students.* In accordance with the Student Housing SPD, a management plan can be secured by condition. An updated travel plan has been provided.

Some objectors have questioned why Leicester University is proposing new student accommodation here when it has announced it is selling its existing Mary Gee student accommodation on Ratcliffe Road. Leicester University have written to neighbours of the Mary Gee student accommodation in the Ratcliffe Road area to inform them. In their letter they state -

'This has been a difficult decision, as Mary Gee has been the home for thousands of students from across the world for generations, and we will be sad to see it go. However, the decision will enable us to concentrate our student accommodation on two main sites: Oadby Student Village and Freeman's Common/Nixon Court. By concentrating facilities at two locations with larger student populations, we can improve the student experience and offer a more diverse range of room types and rents.

We are making considerable investments in our estate over the next decade to improve student and academic facilities as well as public spaces in and around our campus. We aim to use the proceeds from the sale of the Mary

Gee site to reinvest in higher education for the benefit of current and future learners, our staff and visitors.'

Academic building

The economic benefit of the University to the City is recognised, welcomed and supported by policy CS01.

Multi Storey Car Park (MSCP)

Alone a new MSCP can act to promote vehicle use. However if carried out within a wider scheme it can act to rationalise car parking and to reduce the negative impact of vehicle movements by relocating them to a less harmful place. The site currently has a surface car park with 340 spaces and accessed from the Welford Road. 215 additional car parking spaces are proposed so increasing on site staff parking provision from 340 to 555 spaces. This is an increase of around 63%.

In addition to providing parking for those using the proposed academic building the proposed MSCP will provide car parking for those using other University facilities nearby and will enable car parking to be relocated here from the main campus on University Road. It will enable cars to arrive at the car park using main roads such as Putney Road and not roads with high pedestrian movement such as University Road. The management of the MSCP will be incorporated within the existing University wide Travel Plan that seeks to promote sustainable forms of transport.

Summary of the principle of development

A scheme with student housing, a MSCP; and an academic building, on a previously developed site close to the University, is acceptable in principle.

Design

Overview

The current development on the Freeman's Common part of the site makes little positive contribution to this part of the city. Access is through small paths that are not inviting. The existing three storey student blocks are not visually interesting. Freeman's Cottages and most of the three storey student blocks are next to a large surface car park. Due to its size and location near the centre of the site this car park goes a long way to defining the sites character. With a surface car park near the centre of the site and a few paths and buildings surrounding it so legibility is poor. Landscaping appears as space left over around these features; little attempt appears to have been made to design it to achieve any positive purpose. The trees are pleasant and they do provide limited role in screening and a way of filling land around the buildings and surface car park. Within the landscaping, among the trees close to the junction of Welford Road and Putney Road is a small pond that works as part of the surface drainage. While this will have some pollution removing and wildlife benefits I consider its significance is very small and of limited amenity benefit.

In contrast the proposed scheme puts permeability and legibility centre stage in a scheme developed in line with positive urban design practice. It provides a wide pedestrian street running from the University Road and Welford Road Junction to Putney Road. It will draw students living on the Nixon Court part of the site through Freeman's Common towards University Road. Next to this street is a square and around all are interesting buildings in a variety of styles. As such the scheme will much improve the permeability, legibility and cityscape here.

Long views

Given the size and location the scheme is significant for the character and appearance, not only of the area, but of the city.

The site is located on a hill and the buildings will be relatively tall for the city. The tallest is fourteen storeys high. As a comparison the Attenborough Building at the University main campus on University Road is eighteen storeys and The Summit on Eastern Boulevard is twenty two storeys high. As with other tall buildings long views of the scheme are likely to be visible as one travels around the city. These views are likely to be most prominent as one goes up and down the Welford Road. When travelling north along the Welford Road towards the site the tall residential blocks, and especially the fourteen storey tower next to the Putney Road and Welford Road corner, will significantly change the character and appearance of the area. The junction of the Welford Road, Putney Road and Victoria Park Road is large and wide in terms of the vehicular highway but it lacks other landmark features. Likewise, while the Welford Road is a long and significant road leading into the city centre there are few striking landmarks for much of its length when travelling north towards the application site. This scheme will add such a landmark to a location that currently does not have a strong sense of place. I consider that the replacement of unremarkable three storey student blocks and a surface car park with a series of striking blocks in a variety of styles is a significant gain for this part of the city. They will make a valuable contribution to the character and appearance of the area.

When travelling south along the Welford Road the proposed academic building will add an interesting landmark to the top of the hill. It will improve the character and appearance of the area. The other buildings will start to appear as one ascends the hill; being set back from the brow.

Due to the lie of the land the impact of the scheme is less significant when viewed from other directions but wider glimpsed and longer views of the whole development will be gained from other streets and roads in the area including Aylestone Road, and from within Clarendon Park. I consider the design and scale of the development will provide positive presence and visual interest which will signal the location of the important facility the University campus provides.

Heritage Assets

Freeman's Cottages

The proposed scheme will significantly improve the setting of Freeman's Cottages which are Grade II Listed. At present they are next to a surface car park and uninspiring three storey student accommodation blocks.

With the creation of a square to the rear of them and a modern light extension to link them to the square the Cottages will become a central focus within the Freeman's Common Site. This is welcomed as this will help with the appreciation of these historically significant buildings.

The two rear extensions from the 1990's do not make a positive contribution to the function and appearance of the Cottages. The sense of place for the area at the rear of the Cottages is poor with the extensions having a few small windows overlooking the adjacent vehicle parking areas. The replacement of these rear extensions with a modern light extension that will form one side of a square is welcomed. The proposed extension is in a style that markedly contrasts with the Cottages and so will clearly read as a later addition. However due to being single storey and with a light appearance it will be subservient to the scale and appearance of the Cottages. The linking of the Cottages to the square through this extension with a lot of glazing will significantly improve the study and social related functions of the Cottages. Adaptation of the buildings will involve some loss of original character and features but in my view these losses are outweighed by the benefits of bringing the buildings back into a much more productive use.

The railings at the front of the Cottages are pleasant but they are not original and are understood to have been installed when there was less vehicular traffic on the Welford Road and fewer people using the pavement here. The amount of space between the Cottages and the Welford Road vehicle carriageway is tight. The railings reduce this tight space further leaving a narrow pavement. While the railings are pleasant they do not function well in this context. Removing the railings gives the opportunity to widen the pavement. On balance I consider this is more desirable than retaining the railings.

The Cottages already provide a small landmark on the University Road and Welford Road junction. With the MSCP behind and the academic building and student accommodation on each side, all of building styles that are significantly different from the Cottages and each other, I consider the setting of the Cottages will change significantly for the better without undue harm when considered in the context of the benefits of the development. While the Cottages are currently a small landmark next to an uninspiring surface car park and student housing, when read with the proposed buildings, the whole group will be a series of memorable buildings that, when considered along with the new pedestrian street and square, significantly enliven and improve the functioning and legibility of this part of the city.

The Cottages are included in the Historic Building Photographic Survey for the site.

Other heritage assets and archaeology

The tall buildings within the scheme will affect the backdrop to the Grade II Listed Wheatsheaf Works on Knighton Fields Road East when viewed from the south. Along with numerous other buildings they will form part of an interesting cityscape backdrop to the Wheatsheaf Works.

While the tall buildings within the scheme will significantly change views up and down the Welford Road the lie of the land means the buildings will not feature prominently from the following heritage assets: the Welford Road Cemetery (Grade II), Victoria Park: War Memorial (Grade I), Victoria Park: Lodges and Gates N.E. of War Memorial (Grade II Star), other listed buildings on the Leicester University Campus. Accurate Visual Representations (AVRs) have been provided and I am confident the proposed scheme will not significantly affect them, and Historic England have no concerns in this respect either.

As an unusual structure for a public house the Dry Dock is of some social significance. It was included in the Historic Building Photographic Survey for the site. I consider that the Photographic Survey is an appropriate treatment of the Dry Dock and that no further work needs to be undertaken.

This site is located within an area that is likely to have been largely agricultural in nature from the medieval period until the urban expansion of the city that commenced in the later nineteenth century. Little archaeological evidence has been found in this landscape to date. Archaeological evidence from similar landscapes has demonstrated that human activity dating from prehistory to the early post-medieval period can be expected, notably in areas that have seen little or no disturbance through development or quarrying.

An Archaeological Evaluation has been submitted detailing the results of trench investigations. No archaeological deposits were observed. No further archaeological work needs to be undertaken.

Living conditions (*The proposal*)

Six different types of accommodation are proposed and a mix of three types is provided within most blocks. This will provide for a range of student needs and affordability. All accommodation is self-catering. The overall size and layout are acceptable for modern student accommodation. The bedroom and flat sizes are:

- 72 Microflats - 11sqm for the bedroom plus a shared kitchen and bathroom
- 108 Town house bedrooms - 13sqm for the bedroom plus a shared kitchen, bathroom, living rooms/ kitchens
- 74 Standard studio flats - 20sqm for the whole flat
- 534 Cluster flats (Standard en-suite) - 15sqm for the bedroom and bathroom plus a shared kitchen
- 390 Large studio/Two-dios (twin studio) (Premium en-suite) - 29sqm for two residents
- 22 One-bed apartments - 29sqm

In addition to the new pedestrian street and the square next to Freeman's Cottages the scheme includes a series of secondary pedestrian routes, courtyards and gardens between and next to the buildings. These will provide well surveyed and pleasant places for access and recreation. They would be a significant improvement to the spaces around the existing blocks of student flats.

The scheme is close to two busy roads, a railway line and an industrial estate. The industrial estate is on the far side, the west side, of the railway line. Within the industrial estates and, save for the railway line between them, adjacent the site is the Council owned Household Waste and Recycling Centre (HWRC) on Islington Street. This is operated by Biffa. It was granted planning permission in 1982. These are all sources of potentially significant levels of noise that could be harmful to residents of the scheme. Dust and odour are also concerns. The existing flats at Freeman's Common and Nixon Court already co-exist with the neighbouring industrial estate and the HWRC. The levels of noise, dust and odour that residents are likely to experience are well understood.

The proposed academic building and the MSCP lie between the HWRC and many of the student flats. They are likely to reduce the noise experienced by student residents from noise from the HWRC and parts of the industrial estate.

The Noise Rating (NR) Curve is developed by the International Organization for Standardization (ISO 1973) to determine the acceptable indoor environment for hearing preservation, speech communication and annoyance. To provide residents with an acceptable living environment the applicant is proposing that flats have non-opening windows with purge vents and that the flats are insulated against noise. The flats will comply with NR20 which should provide residents with an acceptable living environment. This can be secured by condition.

Dust and odour from the industrial estate has not proved to be of significant concern for residents over the years. I consider it unlikely they will prove a significant problem for those using the proposed scheme. I note concerns that due to students living at greater height than in the current blocks they may be subject to noise that currently does not affect anyone. However I consider the noise insulation measures are likely to provide students with acceptable living conditions.

Residential amenity (neighbouring properties)

Noise

The areas of the new scheme that are most likely to be a source of noise, the square and the communal student facilities, are away from existing dwellings on Victoria Park Road and Welford Road and will be shielded from them by the new student residential blocks. It is unlikely the new scheme will result in unreasonable levels of noise being created that will be harmful to existing residents nearby.

The demolition of the Dry Dock public house removes a potential source of noise.

Although the site is not directly within a residential area it is close to one. I recommend construction hours are limited by condition to ensure existing residents are not subject to unreasonable levels of noise at night.

Waste storage and collection

The University will appoint a contractor to collect waste. Waste will not be collected by the Council. There are no concerns regarding waste collection arrangements.

Highways and Parking

The use of sustainable means of transport

Paragraph 103 of the NPPF states that ‘*Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.*’

The site is very close to the main campus of Leicester University and to bus routes. The redevelopment of this site will promote the use of walking and cycling by providing residential accommodation that is close to facilities that students are likely to wish to use.

The proposed pedestrian street running across the Freeman’s Common site from the Welford Road/University Road junction to Nixon Court together with improved footways, cycle ways and crossing facilities for Welford Road and Putney Road will promote the use of walking and cycling. In the development of the scheme a Healthy Streets Assessment (HAS) was undertaken. This has informed a design balancing junction capacity and the safe movement for cyclists and pedestrians.

The site is well served by bus transport and this will be improved through improving the bus stop facilities on the Welford Road. The bus stop facilities will be improved by provision of bus laybys that are half width and 35m long on both the north and south bound bus stops on Welford Road and this is considered acceptable as they will facilitate the use of bendy-buses and improve the ability of buses to enter the traffic stream. These can be secured by condition as part of a wider condition covering highway improvement works.

MSCP

The proposed 550 space multi-storey car park (MSCP) will replace the existing 360 space surface car park that occupies much of the Freeman’s Common site. It will replace a further 125 spaces from the main Leicester University Campus along University Road. It is also likely to reduce demand for parking on streets nearby by those on Leicester University related business. Management of the car park can be addressed by a Travel Plan condition.

Traffic movement and highway alterations

In terms of highway safety the new access and egress from the Putney Road to the new MSCP will be a significant improvement over the existing access and egress from the Welford Road to the existing surface car park.

Traffic modelling indicates the new Super Crossing for pedestrians crossing the Welford Road can be accommodated.

Four scenarios have been tested by the highway authority to ensure the relationship between the scheme and committed developments (including Putney Road) has been assessed in a structured way assess the individual impact of Putney Road and the cumulative impact of the University scheme and Putney Road.

Traffic modelling indicated that alterations to traffic movements resulting from the development can be satisfactorily assimilated into the highway network during the AM peak. By removing the Welford Road to Putney Road right hand turn by the removal of the right hand turn lane the performance should be an improvement over

the 2018 AM Base + Committed scenario. The removal of the right hand turn will improve the through put of traffic doing different journeys through that junction. It will also create space for footway widening for an existing 1.7m wide pinch point on the north western corner of the junction.

Traffic modelling indicated there is some loss of capacity in the PM Peak. However, the resulting capacity is typical of busy peak hour junctions in the urban area and is considered acceptable. Management of PM peak arrivals and departures through updating the University Travel Plan would help mitigate the PM peak impact. This update can be secured by condition.

While the removal of the right hand turn will reduce the journey options for vehicles, it is unlikely to cause significant problems. Traffic data indicates a relatively small number of vehicles make that journey (60 pcu AM and 106 pcu PM) and there is an alternative route available, via Welford Road and Countinghouse Road, for which the travel time and distance are comparable. The wide area impacts are considered not likely to be significant in respect of background traffic flows and the existing and future conditions on the network. Further modelling is not considered necessary.

The changed access implications for the retail and industrial business are considered unlikely to result in significant increases in time and distance travelled. When considered with the wider network benefits of the Putney Road scheme in overall terms, minimal impacts on existing and future road users are anticipated.

The three sets of signals at Welford Road/University Road, the proposed new traffic signalled crossing and the junction of Welford Road/Victoria Park Road/Putney Road will also benefit from the installation of SCOOT (Split Cycle Offset Optimisation Technique) urban traffic control system. This is a real time adaptive traffic control system for the coordination and control of traffic signals in an urban road network. SCOOT uses data from traffic sensors on street to automatically adjust and optimise traffic signal timings. It has been demonstrated to yield improvements in traffic performance of the order of 15% compared to fixed timing systems. SCOOT is already in use in this area and I recommend that the necessary SCOOT system modifications to optimise performance following completion of the proposed traffic signal and junction modifications are secured by condition

The removal of the right-hand turn will require a Traffic Regulation Order..

Other matters

With student accommodation there is usually a significant spike in traffic movements as students arrive and leave their accommodation at the beginning and end of terms. This will be managed through a Travel Plan condition.

Biffa, who manage the Household Waste Recycling Centre (HWRC) on Islington Street, have raised concerns that parking on that street may interfere with their operation. The Council are examining whether Traffic Regulations Orders should be served and/or amended to restrict parking on Islington Street. The HWRC is served by roads on a modern industrial estate. With appropriate parking management on those roads the operation should not be hindered.

The development would include a new dedicated service yard to the rear of the Teaching and Learning Centre to enable deliveries to be undertaken within a secure environment. Access to the yard would be provided via a gated entry along Putney

Road, adjacent to the MSCP access road. An additional gated access on the perimeter of The Square has also been included to allow occasional access for event logistics. Refuse collection for and fire tender access to the new development is acceptable.

Highway conclusion

While the scheme may contribute to an increase in traffic congestion on the highway network the benefits of this scheme in transport terms alone significantly outweigh the likely harm.

Air quality

The development is unlikely to have a significant adverse impact on air quality. The MSCP will replace the existing surface car park on the site, Leicester University parking on the main campus along University Road and parking that takes place on neighbouring streets. The loss of trees on the site will be mitigated by new landscaping, substantial ecology related mitigation and planting and promotion of a walkable neighbourhood through dense development is welcomed. The provision of electric car charging points within the MSCP is welcomed.

Railway

The site is close to the railway line. I suggest a condition be attached that addresses construction methodology and the programme of works to ensure no harm to the railway is caused.

Wind

Tall buildings can affect wind patterns and are of particular concern for pedestrians and cyclists who may need to pass close to them. A wind study has been undertaken and submitted as part of the application documentation. The findings have been taken into account in the design to minimise the effect of high winds on pedestrians and cyclists.

The study concludes that overall the scheme will not contribute to wind that will cause significant problems for pedestrians and cyclists. Access to some areas of the site may need to be restricted by the University management during particularly windy periods such as the areas between Block 7 and Block 8 within Nixon Court. It is anticipated these areas will not have a high level of use and therefore occasional limitations during particularly windy periods will not cause significant concerns for the function of the scheme, but the University will need to ensure appropriate management of these areas is put in place. I recommend a Wind Impact Management Plan is secured by condition.

Sustainable Energy

Good pedestrian permeability and legibility makes a very significant contribution to the sustainability of a place. Sometimes this can be more important than securing solar gain. Much of the layout of the development is not the most advantageous in terms of passive solar design as it is designed around the pedestrian street running from the University Road and Welford Road junction across the site to Putney Road along with the square and pedestrian routes leading off from it. I consider this a good compromise to make as many people are likely to access new buildings using the street and many

will use it to go from the University Road area to the existing accommodation at Nixon Court.

While solar gain is not maximised the level of daylighting for the apartments will be acceptable. The proposed thermal performance for the scheme improves upon the Building Regulations. The use of an on-site heat and hot water network centre plus PV on the roofs of buildings supplying renewable electricity is acceptable for this scheme, given the viability difficulties of connecting to the district heat network, that energy generation will be efficient, that heating demand will be minimised through an efficient building fabric, and a proportion of the electricity demand will be met from PV panels on flat roof areas. I recommend that details of the on-site heat and hot water network plus Solar Photovoltaic (PV) and energy efficiency measures are secured by condition.

Drainage

The scheme includes a Sustainable Drainage System (SuDS) that will slow the rate of surface water runoff while providing other benefits such as removing pollutants, providing wildlife habitats and a pleasant appearance. The SuDS has been designed as an integrated part of the whole scheme. In particular the rain gardens, swale, and attenuation pond will form part of the landscaping that people will be able to look at and enjoy. The details of this system can be addressed by condition.

Details of foul drainage can be addressed by condition.

Nature conservation, trees and landscaping

There are a number of trees on the Freeman's Common part of the site. Many of these are covered by Tree Preservation Orders (TPOs). 152 of the 191 trees on the site will be removed and 79 of the 152 to be removed are covered by TPOs. Most of these have been assessed as having low amenity value. Seeking to keep the trees and build a scheme around them would have very significant implications for the scale and layout of the scheme. Delivering key benefits of the scheme such as the new pedestrian street and the square may prove difficult. As such the design of the scheme seeks to take the opportunity to comprehensively redevelop the site in a manner that includes landscaping and planting as an integrated part of the scheme. Trees will be replaced at a ratio of two planted for one lost. The opportunity to integrate landscaping and SuDS has been taken.

I consider the proposed landscaping and planting to be a significant improvement over what is currently on the site. While it is unfortunate that trees will be lost I consider that the gain achieved with this comprehensive redevelopment of nearly all the Freeman's Common part of the site, together with extensive S106 Agreement mitigation within Victoria Park nearby, will far outweigh the losses.

Developer Contributions

In total, across both parts of the site, an extra 838 students will be housed. These are likely to seek to make use of existing infrastructure in the area.

CS Policy 19 requires new development to be supported by the required infrastructure. Developer contributions will be used to mitigate the adverse impacts of development and the Council will, where appropriate, seek to secure such measures through planning obligations.

The Council has given due consideration to the provisions of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) (to the extent relevant to the obligations required as set out in this report) and the advice set out at paragraph 204 of the National Planning Policy Framework and considers that the required obligations are:

- I. Necessary to make the development acceptable in planning terms;
- II. Directly related to the development; and,
- III. Fairly and reasonably related in scale and kind to the development.

Student housing requires appropriate provision of Green Space in the area and the Green Space SPD provides guidance as to the type and amount that should be sought.

In accordance with this the University have agreed to enter into a S106 Agreement to secure the following contributions at the Saffron Lane Stadium and Victoria Park:

- £222,000 towards a youth/community activity area, providing parkour facilities, callisthenic frames, dynamic fitness equipment and an associated seating area and the provision of a bandstand for concerts/community events at Victoria Park
- £80,000 towards ecology and landscape creation and improvements to wetland, woodland and grassland meadow areas specifically for biodiversity and habitat creation located within Victoria Park. This will include a programme for the after-care and establishment of these areas for up to a maximum of 30 years to ensure habitat types reach their optimum value for biodiversity
- £148,000 towards improvements to the capacity, quality and adaptability of the track and field sports facilities at Saffron Lane Stadium

This totals £450,000.

Other matters

Due to the size of the scheme, a Skills and Employment Plan is appropriate to ensure local skills and labour are used where possible. This can be secured by condition.

One objector has raised concerns that there may be asbestos in the existing student accommodation. This matter is addressed by the Building Regulations.

One objector has asked whether rents will be capped to ensure the student accommodation is affordable. There is no policy basis for this.

Concerns were raised that insufficient time has been given for the public to consider the application given the significance of the scheme and complexity and volume of documentation. These were made when the first set of plans were publicised around April 2018. Since then the scheme has been fully re-advertised in February 2019 following the receipt of amended plans for the development and those who made representations were informed of revised proposed changes to the highway outside of the application site in March 2019. The publicity carried out for this application complies with and exceeds that required by law.

Conclusion

On the Freeman's Common part of the site the scheme will replace a poorly performing development with one that makes a significantly greater contribution to the quality of the area. With a wide pedestrian street, new quality public spaces and buildings in differing styles the scheme will significantly improve the permeability and legibility of this part of the city and will encourage the use of sustainable forms of transport. It will have a far stronger sense of place with memorable buildings surrounding a square and acting as a landmark on a main road that leads to the city centre. It will provide a much improved setting for the Grade II Listed Freeman's Cottages.

On the Nixon Court site the scheme will replace a library store that is no longer required and a public house that does not make an efficient use of land with student flats that will help meet the housing needs in the city.

As a whole the scheme will encourage the use of sustainable forms of transport and contribute towards the housing needs of the city.

The loss of the trees will enable the significant benefits of the proposed scheme to be achieved and will be mitigated through S106 Agreement contributions and replacement trees. The potential for an increase in traffic congestion is greatly outweighed by the improved pedestrian, cycling and highway arrangements alone and further outweighed by the benefits of the scheme as a whole. The benefits of delivering this scheme far outweigh the negative impacts.

I recommend that this application is APPROVED subject to conditions and the completion of a SECTION 106 AGREEMENT to cover:

- £222,000 towards a youth/community activity area, providing parkour facilities, callisthenic frames, dynamic fitness equipment and an associated seating area and the provision of a bandstand for concerts/community events at Victoria Park
- £80,000 towards ecology and landscape creation and improvements to wetland, woodland and grassland meadow areas specifically for biodiversity and habitat creation located within Victoria Park. This will include a programme for the after-care and establishment of these areas for up to a maximum of 30 years to ensure habitat types reach their optimum value for biodiversity
- £148,000 towards improvements to the capacity, quality and adaptability of the track and field sports facilities at Saffron Lane Stadium

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 student living accommodation (sui generis) shall only be occupied by students enrolled on full-time courses at further and higher education colleges or students working at a medical or educational institution as part of their medical or education course. (To enable the local planning authority to assess the need for contributions to affordable housing and education provision to be provided in accordance with policies CS06 and CS19 of the Core Strategy.)

3. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, the relevant parts of the site to that phase shall be investigated for the presence of land contamination, 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 City Council as local planning authority. The approved remediation scheme shall be implemented and a completion report shall be submitted to and approved 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 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, crops, livestock, 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 policy PS11 of the City of Leicester Local Plan.)
4. Prior to the commencement of above ground construction, or of each phase of the development should it be phased, a landscaping scheme showing the treatment of the parts of the site relevant to that phase, including details of trees and shrubs to be retained and planted, shall be submitted to and approved in writing by the City Council as local planning authority. The approved landscaping scheme for that phase of the development shall be carried out within one year of the first occupation of that phase of the development. For a period of not less than five years from the date of planting all planted material shall be maintained. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
5. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, all existing trees, shrubs and hedges to be retained on the site relevant to that phase shall be protected by fences erected not within the root protection area and in accordance with details first submitted to and approved in writing by the City Council as local planning authority. 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. No trees shall be used as anchorages, nor shall any items whatsoever be affixed to any retained tree. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
6. 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 first been submitted to and approved in writing by the City Council as local planning authority in consultation with the City Council Noise and Pollution Control Team. The methodology must be submitted at least 10 working days before such work commences and approved, in writing, by the City Council as local planning authority in consultation with the City Council Noise and Pollution Control Team and the works shall be carried out in accordance with the approved scheme. The Council, through its 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.
 7. No noise from any plant and/or machinery (excluding construction plant) shall exceed 5dB above the existing background noise level, or 10dB(A) above the existing background noise level if the noise contains distinguishable characteristics (including but not limited to 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. (In the interest of the amenities of nearby occupiers and in accordance with policies PS10 and PS11 of the City of Leicester Local Plan.)
 8. Prior to the occupation of any flat, the noise insulation and ventilation scheme for the block it is in, as detailed in the approved planning application documentation, and in accordance with Noise Rating 20 from ISO 1973 regarding industrial noise ingress, for flats that directly face the industrial units to the south and west of the site and the requirements of BS8233:2014 for all flats regarding environmental noise ingress, shall be installed. The noise insulation and ventilation systems shall be retained thereafter. (To provide an acceptable level of amenity for residents in accordance with policy PS10 of the City of Leicester Local Plan.)
 9. Prior to the commencement of below ground construction full design details of on-site installations to provide the on-site heat and hot water network for the whole development, supplied by a combined heat and power plant and PV panels, along with energy efficiency measures, shall be submitted to and approved in writing by the City Council as local planning authority. No part of the development, or each phase of the development should it be phased, shall be occupied until evidence, demonstrating satisfactory operation of the approved scheme including on-site installation for that phase, has been submitted to and approved in writing by the City Council. (In the interests of securing reduced greenhouse gas emissions and energy efficiency in accordance with Policy CS2 of the Core Strategy).

10. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, details of drainage, and especially foul drainage, relevant to that phase shall be submitted to and approved in writing by the City Council as local planning authority. The use of any building within that phase shall not commence until the drainage relevant to that phase 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).
11. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, full details of the Sustainable Drainage System (SuDS) relevant to that phase together with implementation, long term maintenance and management of the system shall be submitted to and approved in writing by the City Council as local planning authority. The use of any building within that phase shall not commence until the system relevant to that phase 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. Notwithstanding the details indicated on drawing no. 65217-CUR-00-XX-DR-TP-06100_Rev B_P03 no below ground construction shall commence until a detailed scheme for the off-site access and highway improvement works has been submitted to and approved in writing by the City Council as local planning authority. The multi-storey car park shall not be brought into use until all of the approved access and off-site highway works have been constructed in accordance with the approved details. Prior to first occupation of the student accommodation all of the off-site pedestrian and cycling works shall be constructed in accordance with the approved details. (To ensure a satisfactory means of access to the highway, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
13. The multi-storey car park shall not be brought into use until a scheme for the necessary modification and replacement of the traffic signal equipment at University Road and Putney Road junctions, to combine with the new proposed Toucan crossings on Welford Road, for direct linking of signals and including modifications to the SCOOT traffic control system, has been submitted to and approved in writing by the City Council as local planning authority. The multi-storey car park shall not be brought into use until the scheme has been implemented in full. (To ensure a satisfactory means of access to the highway and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3)
14. Prior to the commencement of use, or of each phase of the development should it be phased, the proposed on-site disabled car parking, cycle parking, servicing,

loading, unloading, turning and waiting areas relevant to that phase of development shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan. They shall be retained thereafter available for that specific use. (In the interests of highway safety, and in accordance with policies AM01, AM02 and AM12 of the City of Leicester Local Plan and Core Strategy policy CS3)

15. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, a Construction Method Statement, with particular consideration being given to the highway, relevant to that phase shall be submitted to and approved in writing by the City Council as local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the 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 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) the proposed phasing of development and highway works (ix) the temporary access arrangement to the construction site. (To ensure the satisfactory development of the site, and in accordance with policies AM01 & UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
16. Prior to the commencement of below ground construction, or of each phase of the development should it be phased, a Construction Method Statement, with particular consideration being given to the railway, relevant to that phase shall be submitted to and approved in writing by the City Council as local planning authority. The approved Statement shall be adhered to throughout the construction period. (To ensure the satisfactory development of the site, and in accordance with policies AM01 & UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
17. Prior to the commencement of use, or of each phase of the development should it be phased, the University Travel Plan (reference B065217-FC-CUR-Y-RP-XX-001-V0.7-FinalTravelPlanAddendum) shall be updated in a manner relevant to that phase and submitted to and approved in writing by the City Council as local planning authority. The University Travel Plan, as updated and approved, shall be carried out thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy)
18. Prior to the commencement of use, or of each phase of the development should it be phased, secure and covered cycle parking shall be provided for that phase in accordance with the approved plans. It shall be retained thereafter. (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)

19. Prior to the commencement of use, or of each phase of the development should it be phased, the following works relevant to that phase shall first be completed in accordance with details first submitted to and approved in writing by the City Council as local planning authority: (a) reinstatement of any redundant footway crossings; (b) reinstatement of temporary accesses built during the construction period and (c) reinstatement of any damaged or altered areas of footway or other highway. (To ensure a satisfactory means of access to the highway, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3)
20. Prior to the commencement of use, or of each phase of the development should it be phased, dropped kerbs and ramps, suitable for wheelchairs and prams, and relevant to that phase of development, shall be provided in the footways at all major pedestrian crossing points, at road junctions, and at footway crossings, in accordance with details first submitted to and approved in writing by the City Council as local planning authority. (For the safety and convenience of pedestrians including disabled people and pram and wheelchair users and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
21. Prior to the first occupation, or of each phase of the development should it be phased, a Wind Impact Management Plan, with particular consideration being given to the impact of wind on pedestrians and cyclists, relevant to that phase shall be submitted to and approved in writing by the City Council as local planning authority. The approved Plan shall be implemented in full prior to first occupation or of each phase of the development should it be phased, and adhered to at all times. (To ensure the satisfactory development of the site, and in accordance with policies AM01 & UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
22. All development, or of each phase of the development should it be phased, shall be carried out in accordance with a training and employment statement relevant to that phase and first submitted to and approved in writing by the City Council as local planning authority. (To promote local employment opportunities and the local economy in accordance with Policy CS10 of the Core Strategy.)
23. No flat shall be occupied, or no flat occupied in each phase of the development should it be phased, until a management plan for the long term management of the student accommodation and site and relevant to that phase of development has first been submitted to and approved in writing by the City Council as local planning authority. The student accommodation and site shall be managed in accordance with the approved management plan at all times. (To ensure the site is managed in a way that does not cause harm and in accordance with policy CS06 in the Core Strategy)
24. This consent shall relate solely to the submitted and amended plans as detailed on the Approved Plans Drawing List (dated 15th of March 2019) unless otherwise submitted to and approved in writing by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. This planning permission should be read in conjunction with the corresponding Listed Building Consent 20180560.
2. Please note this permission is subject to a S106 Agreement that secures a developer contribution towards the improvement of Saffron Lane Stadium and Victoria Park.
3. It is unlikely that any construction or demolition work will be agreed outside of the hours detailed in the condition above unless the City Council Noise and Pollution Control Team is satisfied that:
 - a) the work will not be detrimental to occupiers of neighbouring properties or
 - b) the developer is able to demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.
4. 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

5. With regards to the requirement to update the Travel Plan as recommended in this report the applicant should seek advice from Bal Minhas (Leicester City Council's Travel Plan Officer via telephone 0116 4542849).
6. 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 £5,000, but this cost may rise depending on the complexity. The Applicant is advised to contact Ed Kocik in the Traffic Management section, tel. 0116 4543714 to discuss the requirements to enable the TRO to be processed.

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_AM11 | Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01. |
| 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_CS10 The Council will seek to ensure that Leicester has a thriving and diverse business community that attracts jobs and investment to the City. The policy sets out proposals to achieve this objective.
- 2014_CS11 The Council supports a hierarchy of retail centres in Leicester. The policy sets out measures to protect and enhance retail centres as the most sustainable location for retail development.
- 2014_CS12 In recognition of the City Centre's role in the City's economy and wider regeneration, the policy sets out strategies and measures to promote its growth as a sub-regional shopping, leisure, historic and cultural destination, and the most accessible and sustainable location for main town centre uses.
- 2014_CS13 The Council will seek to maintain and enhance the quality of the green network so that residents and visitors have easy access to good quality green space, sport and recreation provision that meets the needs of local people.
- 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.