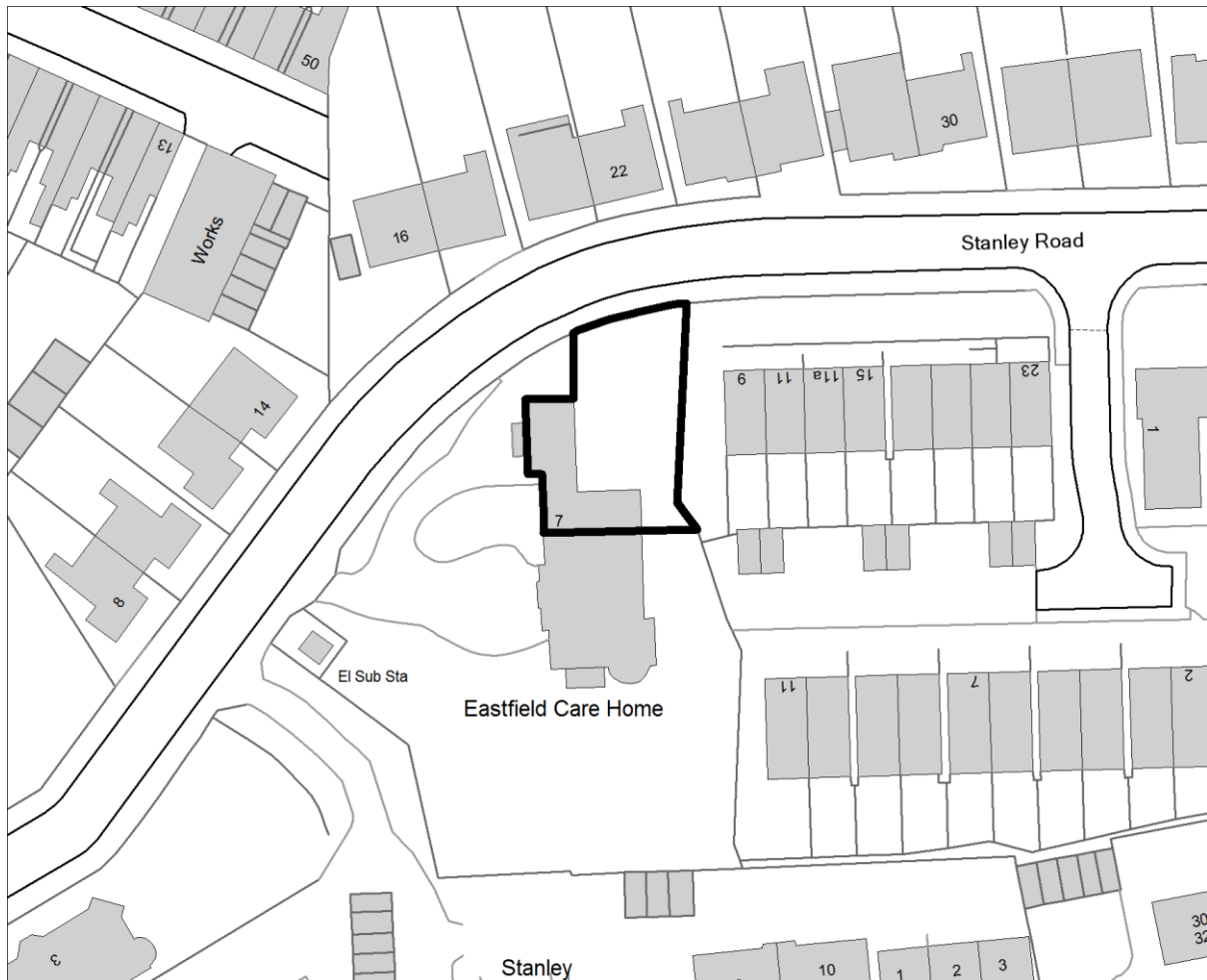


Recommendation: Conditional approval	
20192435	7A Stanley Road
Proposal:	Change of use from care home (Class C2) to seven flats (5 x 1 bed, 2 x studio) (Class C3); Installation of boundary fence; Vehicular access (Amended plans received 23/4/2020)
Applicant:	Mr L Patel
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20192435
Expiry Date:	29 May 2020
ACB	WARD: Stoneygate



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Summary

- The application is being reported to committee due to the number of objections received
- 8 objections have been received on the grounds of the impact on the highway and they type of accommodation proposed.
- The main issues in this case are the principle of the proposed development; the integrity of the listed building; the character and appearance of the area; the

amenity and privacy of neighbouring occupiers; residential quality; the impact upon trees and sustainable drainage.

- The application is recommended for approval

The Site

The property was originally built as Eastfield Hall. It is a two and three storey grade II listed building. The building has been separated into two separate addresses. The original building, dating from 1844, has been attributed the address 7 Stanley Road, whilst a later wing on the north side of the original building has been attributed the address 7A Stanley Road. This application relates to the part now known as 7A Stanley Road.

The building was listed in March 2004. The listing describes the building as a large suburban house dating from 1844 with additions dating from 1876, 1888 and 1904. The listing concludes that *“This is a good quality suburban villa which has an interesting evolution from 1844 to 1904. It was built in 4 stages and 3 have left characteristic features both inside and out. The result is a large house of quality and character with many internal features surviving. It has been in institutional use since the war and the large wing added in the 1950s is not of special architectural interest”*.

There is a cast iron lamp standard with hexagonal lantern and ornamental domed cresting to the left of the front door of the part of the building which now forms 7 Stanley Road. This is also part of the listing.

The 1950s wing referred-to has since been demolished, and residential development now known as Barradale Court has been constructed in its place. Eastfield Hall was most recently used as a residential nursing home (Class C2). 7 Stanley Road is now in use as a private dwellinghouse whilst the application site was converted into 12 self-contained flats without planning permission. These are currently vacant.

The site is within the Stoneygate Conservation Area. There are a line of trees facing Stanley Road that are covered by a Tree Preservation Order.

The Stoneygate Conservation Area is subject to an Article 4 Direction that controls development that would otherwise be permitted under Classes A-H of Part 1 and Classes A & C of Part 2, as well as development under other Parts, of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015, but only where the development would front a highway, waterway or open space. The order does not apply to the site because of its listing.

The site is surrounded by residential uses being a mix of houses and flats.

Background

In 1951 planning permission was granted for the erection of a three storey extension to Eastfield to provide additional hostel accommodation (76184).

In 1963 planning permission was granted for the provision of a fire escape to Eastfield Domestic Science College Hostel (001920).

In 2005 listed building consent was granted for the demolition of the 1951 accommodation block subject to a condition requiring the demolition not to be implemented until a planning application for the redevelopment of the affected part of the site had been approved (20041870).

Also in 2005, listed building consent was granted for the demolition of a part of the 1951 development linking the historic building to the accommodation block, subject to a condition requiring details of the reinstatement of the affected parts of the historic building and the accommodation block to be approved (20051869).

In 2006 planning permission was granted for a three storey block of seven self-contained flats (7 x 2 Bed) and seventeen houses (17 x 3 Bed) with associated parking and landscaping, and works to and removal of 2 TPO trees (20061565). This scheme was superseded by that the subject of application 20080217 (*see below*).

In 2007 conservation area consent was granted for the demolition of the 1951 accommodation block subject to a condition requiring the demolition not to be implemented until contracts were in place for the construction of the development approved by planning permission 20061565 (20071146).

In 2008 planning permission was granted for eighteen townhouses (18 x 3 Bed), six flats (6 x 2 Bed), a new vehicular access, parking and landscaping (20080217). This is the Barradale Court development.

There were subsequent applications for a non-material amendment to (20100477) and discharge conditions of (20100930) planning permission 20080217. These were approved.

In 2013 planning permission was granted for a change of use from halls of residence (no use class) to a residential nursing home (9 beds) (Class C2) (20130909).

Applications 20171649 and 20171650 for the change of use from a care home (Class C2) to a house (Class C3) (1 x 4 bedroom house) were approved for 7 Stanley Road (the latter reference relates to the listed building consent).

In 2017 planning application was refused for retrospective application for change of use from care home (Class C2) to 12 flats (9 x studio flats and 3 x 1 bedroom flats) (Class C3) (20171973) and the associated listed buildings consent for retrospective application for works to listed building to facilitate change of use from care home (Class C2) to 12 flats (9 x studio flats and 3 x 1 bedroom flats) (Class C3) (20171974) was also refused.

Planning applications 20180252 and 2018253 for the construction of a garage at rear of 7 Stanley Road were withdrawn (the latter application being the listed building consent).

In April 2019 planning application 20190270 and listed building consent application 20190721 for the change of use from a care home (Class C2) to 8 flats (5 x studio flats and 3 x one bedroom flats) (Class C3) were refused for the following reasons;

1. *The proposal would, by reason of (i) its harmful sub-division of space within the listed building, (ii) harmful removal of historic fabric from within the listed building and, (iii) introduction of harmful fabric into the listed building, would fail to retain its distinctive characteristics, and would not preserve the special interest, of this grade II listed building, contrary to paragraph 195 of the NPPF 2019, Policies CS08 and CS18 of the Leicester Core Strategy (2014).*

2. *The proposal, by reason of a cramped and over-intensive conversion of the available space and inadequate outlook from Flat 3, would not secure a satisfactorily living environment for all occupiers of the development, contrary to paragraph 127 of the NPPF 2019, Policy CS03 of the Leicester Core Strategy (2014) and saved Policy H07 of the Local Plan (2006).*
3. *The proposed cycle parking, by reason of its location, would have a detrimental impact on trees subject to a tree preservation order resulting in harm to the amenity value of the landscape character of the site contrary to paragraph 127 of the NPPF 2019, Core Strategy policy CS03 and saved policy UD06 of the City of Leicester Local Plan.*

Following refusal of these applications the site was sold to new owners who have been in pre application discussions with the Council over what could be done with the property. The application is a result of these discussions.

An accompanying application for listed building consent (20192436) for the works required to the building is also under consideration.

The Proposal

The application is for the change of use of 7a Stanley Road from a care home (Class C2) to 7 self-contained flats (5 x 1 bed, 2 x studio) (Class C3).

Flats 1, 2 and 3 would be on the ground floor. Flats 4 and 5 would be on the first floor and flats 6 and 7 would be on the second floor.

Amended plans have been received that show that the hardstanding to the rear would be replaced with gravel and that a parking area for 4 cars would be provided. Further a wall that has been constructed along the side of the building without consent would be demolished. The existing boundary fencing would be removed and replaced with metal fencing that would match the existing gates to number 7. A new metal gate would be installed to create a vehicle access to 7a and the gate would be set back 5 metres from the pavement. A wooden bin and cycle store would be provided on the boundary between 7 and 7a.

Policy Considerations

National Planning Policy Framework (NPPF) 2019

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

Paragraph 11 contains a presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with the development plan without delay. Paragraph 11 goes on to say that where the development plan is absent, silent or relevant policies are out of date, this means granting planning permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing

the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.

Leicester City Council does not have a five-year housing land supply and therefore the housing policies are out of date.

Paragraph 108 states that development proposals should take up appropriate opportunities to promote sustainable transport modes; ensure safe and suitable access can be achieved for all users and; any significant impact (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable.

Paragraph 109 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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

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

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

Section 16 places and emphasis on the desirability to sustain and enhance significance of Heritage Assets. Paragraph 184 states that 'these assets (heritage assets) are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'

Paragraph 192 requires local planning authorities to take into account the following:

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

Paragraph 196 states that where development proposals of less than substantial harm to the significance of a designated Heritage Asset, this should be weighed against the wider public benefits of the proposal.

Paragraph 200 requires local planning authorities to look for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Development Plan policies

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

Most relevant Core strategy policies are CS3, CS8 and CS18 and Local plan policies are H07 and PS10.

Supplementary Planning Documents (SPD)

Residential Amenity SPD
Stoneygate Conservation Area Character Appraisal

Consultations

Waste Management – Details of the bin storage arrangements appear to be acceptable. No objections.

Private Sector Housing – Raised concerns with the layout of some of the flats.

Trees and Woodlands – No objections subject to conditions requiring no digging in root protection areas and these areas to be protected.

Highways – The proposed vehicle access is not wide enough to allow two cars to pass each other. The proposed 4 spaces would not meet the vehicle parking standards and no details of the cycle storage were provided. Following the amended plans being received highways have confirmed that they have no objections to the application.

Noise and Pollution Control – No objections subject to the provision of an insulation scheme to protect the flats and the adjoining dwelling from noise which can be secured by condition.

Local Lead Flood Authority – Requested measures to reduce the level of hardstanding and its replacement with permeable surfaces to reduce surface water runoff.

Representations

8 objections have been received. The grounds of objection are:

- The vehicle access is on a bend which would restrict visibility of oncoming cars especially considering the level of on street parking in the area.
- Four parking spaces would be inadequate for the 7 flats.
- Concerns over who will deal with bins.
- Concerns over the future users of the property given the recent unauthorised use for short term lets.
- Proposal does not fit with the historic nature of the building.
- Future maintenance of the building.

- Wall was built without consent which does not inspire confidence in the owners understanding of the building.
- Proposed access is too small for emergency vehicles.
- Impact on pedestrians due to lack of visibility.

Stoneygate Conservation Area Society raised concerns as to a lack of information as to how the lost internal features from the unauthorised conversion will be reinstated but were broadly supportive of the proposal.

Consideration

The main issues in this case are the principle of the proposed development; the integrity of the listed building; the character & appearance of the conservation area; the amenity and privacy of neighbouring occupiers; residential quality; access and parking; the impact upon trees; and sustainable drainage.

Principle of development

Policy CS06 of the Leicester Core Strategy sets out the housing policies for the city. Whilst seeking to meet the needs of specific groups including elderly people the policy does not resist the loss of care home facilities. The policy further seeks to meet the city's housing requirements through small housing infill and conversion schemes to support the development of sustainable communities and seeks to secure an appropriate mix of housing to meet the city's requirements.

Policy CS08 of the Leicester Core Strategy seeks to deliver 3,350 dwellings in the City's suburbs over the plan period. It goes on to state that in areas of high architectural quality or significant local distinctiveness, such as in Stoneygate Conservation Area, the Council will seek to ensure that the distinctive characteristics of existing properties are retained and that any new development is sympathetic to its specific location.

Given these policies I consider that there is no objection to the loss of the care home and that a sensitive conversion of the building to flats within the existing suburban neighbourhood would be in accordance with policies CS06 and CS08 of the Leicester Core Strategy.

Impact on listed building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest. Policy CS18 of the Leicester Core Strategy (2014) commits the Council to protect and seek opportunities to enhance the historic environment including the character and setting of designated heritage assets.

The unauthorised conversion of the building to 12 flats has resulted in significant loss of a number of historic features within the building. The proposed conversion to 7 flats seeks to rectify much of the loss. The proposed flat 1 would be located in the former garage to the property and its design as a studio flat would recreate the

singular space that this area once was. Flat 2 would result in two original doors no longer being in use however these would remain in place and be locked shut. Flat 3 does not have any impact on historic features and a wall that is proposed to be removed is not an original feature. Flat 4 would be located in the former billiards room on the first floor. This area has suffered from the loss of distinctive radiator covers and columns and screens. The submitted plans show that these would be reinstated, however no details have been submitted as to how this would be achieved. The applicants have advised that they are seeking to establish the principle of the layout at this stage and I therefore consider that the finer detail of how the historic features would be reinstated can be dealt with through a condition. Flat 4 would also bring a fireplace that is currently in a corridor back into a habitable room. Flat 5 would result in a new opening being created through an original wall, however this could be reversed in the future if necessary. Flat 6 would be on the second floor and would remove an unauthorised opening from the corridor. Flat 7 would also be on the second floor and would alter a quirky bathroom layout created through the unauthorised flat.

In all of the flats any secondary UPVC glazing that was installed through the unauthorised conversion would also be removed. On the outside of the building redundant pipework would be removed, whilst it is also proposed to replace unauthorised plastic pipework with cast iron pipework to match the originals. Again, full details of how this will be achieved and any resulting damage repaired have not been provided, however I consider that this can be secured by condition.

I consider that the proposal will enable a sensitive re-use of the high quality building and would reinstate the features lost in the unauthorised conversion. I therefore consider that the proposal is in accordance with policy CS18 of the Leicester Core Strategy.

Impact on the conservation area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. As noted above, Policy CS18 of the Leicester Core Strategy commits the Council to protect and seek opportunities to enhance the historic environment, and to support the sensitive reuse of high-quality buildings and spaces.

The Stoneygate Conservation Area Character Appraisal acknowledges the pressure for change generated by the sale of former student halls of residence (of which the site is one) and other large buildings (paragraphs 4.67 and 4.68). At Appendix 3, the document sets out some management proposals for the area including the use of [planning] powers to encourage good design.

The proposal would involve the removal of some plastic pipes that were installed with the unauthorised flats and would therefore have some positive impact on the appearance of the conservation area.

The proposal also involves the removal of an unauthorised set of gates and a wall and the installation of replacement boundary treatment in the form of metal fencing which would match the boundary treatment currently in place at 7 Stanley Road. The

proposed bin and cycle store would be located to the rear of the site and would be constructed from timber. I therefore consider that the proposal would enhance the character and appearance of the Stoneygate Conservation Area and be in accordance with policy CS18 of the Leicester Core Strategy.

Living conditions (The proposal)

Policy CS03 of the Leicester Core Strategy (2014) requires proposals to create buildings and spaces that are fit for purpose and meet the highest standards of accessibility and inclusion. Policy CS06 seeks to ensure that all new housing units are, where feasible, designed to 'Lifetime Homes' standards. The amenity factors set out at saved Policy PS10 of the Local Plan (2006) apply to the future occupiers of proposed development as well as to the occupiers of existing neighbouring property. Saved Policy H07 states that planning permission for the conversion of existing buildings to flats will be granted provided that the proposal is satisfactory in respect of, *inter alia*, the creation of a satisfactory living environment and the provision where practicable of garden or communal open space.

Appendix E of the Council's Residential Amenity SPD (2008) recommends amenity space provision of 1.5 square metres per flat for one-bedroom flats.

The City Council has recently adopted informal guidance on achieving well designed homes. Page 9 of the guidance states the following;

Although there are other material considerations, it is **unlikely that planning permission would be given for housing that does not provide a good quality of accommodation**. This is in line with the existing planning policy context set out in Appendix 4.

Whilst we move towards the adoption of new local plan policies, **the importance of good quality accommodation proposed in planning applications will be measured against the following criteria**. They combine to give an indication of the level of quality and residential amenity of the scheme:

1. The number of small units proposed as a proportion of the development
2. The nature of the mix and nature of units e.g. numbers of bedrooms, tenure (social, affordable, intermediate), type (ownership, rent, co-operative), occupancy (student, family, old persons)
3. Whether or not a unit layout provides enough space for day to day living for the proposed occupants resulting in an unacceptable impact on residential amenity
 - the degree to which some or all of the units are particularly small bearing in mind the context of the NDSS
 - The overall layout, in terms of the access to the property
 - Circulation inside dwellings, including the extent of compliance with national accessibility standards
 - Access to both internal and external shared amenity areas, this will be particularly important in larger schemes and those with significant communal areas
 - Adequate provision of and access to both bin stores and bike stores
 - The availability and functionality of on-site communal space and provision of balconies or other available external space which might mitigate the amenity impacts
4. The quality of proposed privacy, light and outlook of each unit

5. The proposed management arrangements
6. The availability of nearby amenities such as parks/other public spaces and day to day facilities
7. Sustainability of location in terms of transport (promote the use of public transport, cycling and walking and to secure provision of adequate parking)

A schedule of the proposed accommodation was provided in the Design and Access statement and is reproduced below;

Unit No	Level	Type	No of Persons	Accommodation	Area sq. m.
1	Ground	Studio	1 person	Combined bedroom/kitchen/living area En- suite bathroom	30.89
2	Ground	Flat	1 person	1X single bedroom Kitchen/Living, Room; Bathroom	30.50
3	Ground	Studio	1 person	Combined bedroom/kitchen/living area En- suite bathroom	21.88
4	First	Flat	2 persons	1 X double bedroom Kitchen/Living, Room; Bathroom	82.30
5	First	Flat	2 persons	1X double bedroom; kitchen; lounge; Bathroom	42.40
6	Second	Flat	1 person	1X single bedroom Kitchen/Living, Room; Bathroom	43.58
7	Second	Flat	1 person	1X single bedroom Kitchen/Living, Room; Bathroom	32.65

Of the flats proposed the only significantly small flat is Flat 3. This is located in a wing of the building that is separated by the rest of it by changes in levels and could not be increased in size without the provision of an extension which would compromise other elements of the building.

In terms of the mix of units it would be difficult given the constraints of the building to provide anything other than one bedroom or studio flats. I note the objections from residents relating to the previous unauthorised use for short term lettings and the applicants have indicated that this will not be the case. I consider that a scheme for the management of the flats would be required given the lack of detail on this element in the application.

In terms of day to day living space, I consider that all of the units have enough space for the occupant requirements in the context of the scheme and informal guidance.

Furniture layouts have not been provided however, there appears to be enough space for a reasonable amount of furniture to be placed even in the studio units.

In terms of amenity areas, the site has an outside space of 450 square metres which although it would also be used for car parking and the cycle and bin store would significantly exceed the requirement of 10.5 square metres. I therefore consider that the site does have sufficient outdoor amenity space for the number of units proposed.

Details of a bin and bike store have been provided that appear to be sufficient for the needs of the residents. I attach a condition to require them to be installed and retained.

In terms of light and outlook Flat 1 would have high level windows to the front and rear. This flat was proposed to have 2 new windows to the side elevation, however it was considered that these would have involved too much intrusion into the historic fabric of the building and amended plans have been received showing that these will not be installed. Whilst the outlook for occupiers of this unit will not be ideal, I consider that the benefits of reuse of the building outweigh any harm to future occupiers of this flat. The rest of the flats all provide a good level of light and outlook.

No details of the management arrangements for the building have been submitted and I attach a condition to require a scheme to be submitted.

The Noise and Pollution Control Team have raised concern about noise transfer between the existing house at 7 Stanley Road as there appears to be some overlap between the house and the proposed flats and they recommend a sound insulation scheme. I therefore attach a condition to require this.

I therefore consider that subject to conditions the development would provide a good standard of residential amenity for the future occupiers and would not be contrary to saved policies H07 and PS10 of the City of Leicester Local Plan.

Residential amenity (neighbouring properties)

Policy CS03 of the Leicester Core Strategy states that development must respond positively to the surroundings and be appropriate to the local setting and context. Saved Policy PS10 of the Local Plan (2006) sets out a number of amenity factors to be taken into account when determining planning applications, including the visual quality of the area, privacy, and the ability of the area to assimilate development.

Section 3 of the Council's Residential Amenity SPD (2008) includes privacy and outlook standards. These standards call for 15 metres between a principal room window and a blank wall and 21 metres between facing principal room windows.

The nearest residential properties are to the east of the site on Barradale Court and opposite on Stanley Road. The proposal does not involve the construction of any new buildings or the installation of new windows and I therefore do not consider that there would be any adverse impact in terms of loss of privacy or loss of light and outlook to these properties.

Some objectors have raised concerns over the potential short term let use of the property as it was used for in the unauthorised conversion. The application is for residential flats and although they are unlikely to be able to be sold to individuals the applicant has indicated that they will be rented on a longer term basis. Details of the rental arrangements could be included in the management plan for the building.

I therefore consider that the proposal is in accordance with policy CS03 of the Leicester Core Strategy and would not be contrary to policy PS10 of the City of Leicester Local Plan.

Highways and Parking

Policy CS15 of the Leicester Core Strategy (2014) seeks high quality cycle parking to encourage a modal shift away from the car. Saved Policies AM01 and AM02 of the Local Plan (2006) state that planning permission for development will only be granted where the needs of pedestrians, people with disabilities and cyclists have been successfully incorporated into the design. Policy AM12 gives effect to the Council's published parking standards which are in Appendix 1 of the City of Leicester Local Plan.

Stanley Road does not have any parking restrictions and is within walking distance of the city centre. As such it is used for commuter parking in the daytime. The site is on a bend in the road and objectors have raised concerns that vehicles leaving the site will not be able to see oncoming vehicles or pedestrians. The proposed plans show that the existing unauthorised access gates would be removed and replaced with a metal gate which would be set back from the footpath by 5 metres, this would also have metal fencing around it with visibility through the posts. At present there is no dropped kerb to the proposed access. The plans show that a dropped kerb would be installed and I therefore attach a condition in relation to the street works being satisfactory.

The parking standards in Appendix 1 of the Local Plan require 1 parking space per flat. The proposal provides 4 parking spaces so there is a shortfall of three spaces. In this case, I consider that the site is within walking distance of London Road which is a well-served bus route and the site is therefore in a sustainable location where a reduced level of parking is considered to be acceptable.

A cycle store for 8 bicycles would be located to the rear of the site. The details of this appear to be acceptable and I attach a condition to require it to be installed before occupation.

A travel pack for the occupiers of the development has been provided and is considered to be acceptable. I therefore recommend a condition to require it to be provided to the new occupiers.

I therefore consider that subject to the conditions above the proposal would not result in significant harm to highway safety to justify refusal and that the proposal is in accordance with policy CS15 of the Leicester Core Strategy and is not contrary to saved policy AM12 of the City of Leicester Local Plan.

Drainage

Policy CS02 of the Leicester Core Strategy (2014) states that development should aim to limit surface water run-off by attenuation within the site.

The site is within a critical drainage area. The LLFA suggested a number of measures that could be included to reduce surface water runoff and the amended plans include a proposal to remove the impermeable tarmac from the rear yard and install permeable pea gravel. I therefore consider that this will meet the requirement to reduce water runoff and that subject to a condition requiring the installation the proposal it is in accordance with policy CS2 of the Leicester Core Strategy.

Trees

Saved Local Plan Policy UD06 states that planning permission will not be granted for development that impinges on landscape features of amenity value unless (a) the removal would be in the interests of good landscape maintenance or (b) the desirability of the development outweighs the amenity value of the landscape feature.

The trees on the boundary of the site with Stanley Road, which are a mix of lime, Scots pine, Yew and Sycamore trees, are covered by a Tree Preservation Order. An arboricultural impact assessment has been submitted with the application which states that the proposal will not require any trees to be felled. The assessment further states that the excavations to install the fence posts will require little intervention and as these areas are already covered by hard standing further work is unlikely to damage the trees. The assessment does state that this work should be carried out using hand tools only. The same recommendations apply to the necessary works to improve the vehicle access.

The Trees and Woodlands officer has advised that the findings of the assessment are acceptable and I therefore consider that subject to conditions relating to the use of no dig methods and protecting root protection areas, the proposal would not harm the protected trees and would not be contrary to saved policy UD06 of the City of Leicester Local Plan.

Conclusion

In conclusion I consider that the proposal has overcome the reasons for the refusal of the previous application and would provide a sensitive reuse of the Grade II listed building while providing a good standard of accommodation. I therefore consider that the proposal is in accordance with planning policy.

I recommend that this application is APPROVED subject to the following conditions.

CONDITIONS

1. START WITHIN THREE YEARS

2. Prior to the first occupation of any flat, an insulation scheme to prevent the transmission of noise to, between the flats and adjoining property 7 Stanley Road shall be carried out in accordance with the written details which shall first have been submitted to and approved by the City Council as local planning authority. (In the interests of the future occupiers of the development and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan)
3. No flat shall be occupied until a Management Plan for all residents (to include the control of future maintenance of the building and the external amenity areas and details of the rental arrangements for the building) has been implemented in accordance with details first submitted to and approved in writing by the local planning authority. (In the interests of the amenity of neighbouring residents, the wellbeing of residents of this scheme and the protection of the heritage asset and in accordance with policy CS18 of the Leicester Core Strategy.)
4. No part of the development shall be occupied until secure and covered cycle parking has been provided and retained thereafter, in accordance with written show on drawing number KMC-1508-12 rev PP-2 received by the City Council as local planning authority on 27 March 2020. (In the interests of the satisfactory development of the site and in accordance with policies AM02 and H07 of the City of Leicester Local Plan).
5. Prior to the first occupation of each unit, the occupiers of each of the dwellings shall be provided with the 'Residents Travel Pack' as submitted to the City Council as local planning authority on 11 March 2020. (In the interest of promoting sustainable development, and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy)
6. Before the occupation of any part of the development, all parking areas shall be surfaced and marked out in accordance with details shown on approved plan KMC-1508-10 rev PP2, and shall be retained for parking and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner, and in accordance with saved policy AM12 of the City of Leicester Local Plan and Core Strategy policy CS3.)
7. No part of the development shall be occupied until the sight lines on each side of each vehicular access have been provided as shown on approved plan KMC-1508-10 rev PP2, and they shall be retained thereafter. (In the interests of the safety of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
8. No part of the development shall be occupied until the Sustainable Drainage System (SuDS) involving the removal of the tarmac in the rear yard and installation of pea gravel for the site has been completed in accordance with the approved details and the development shall be retained as such. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy.)

9. All trees on the site subject to a Tree Preservation Order shall be protected from damage during building operations, in accordance with the written details which shall first have been submitted to and approved by the City Council as local planning authority. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
10. Works required to construct the access to the parking area for the site shall be carried out with the use of hand tools only (In the interests of amenity of the protected trees, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
11. This consent shall relate solely to the amended plans ref. no. KMC-1508-1-11 rev PP2 received by the City Council as local planning authority on 23 April 2020 (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and pre-application). The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2019 is considered to be a positive outcome of these discussions.
2. You are advised that this planning permission cannot be implemented unless and until you have received the necessary corresponding Listed Building Consent.

Policies relating to this recommendation

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.
2014_CS02	Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
2014_CS03	The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.

- 2014_CS06 The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
- 2014_CS08 Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
- 2014_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.
- 2014_CS18 The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.