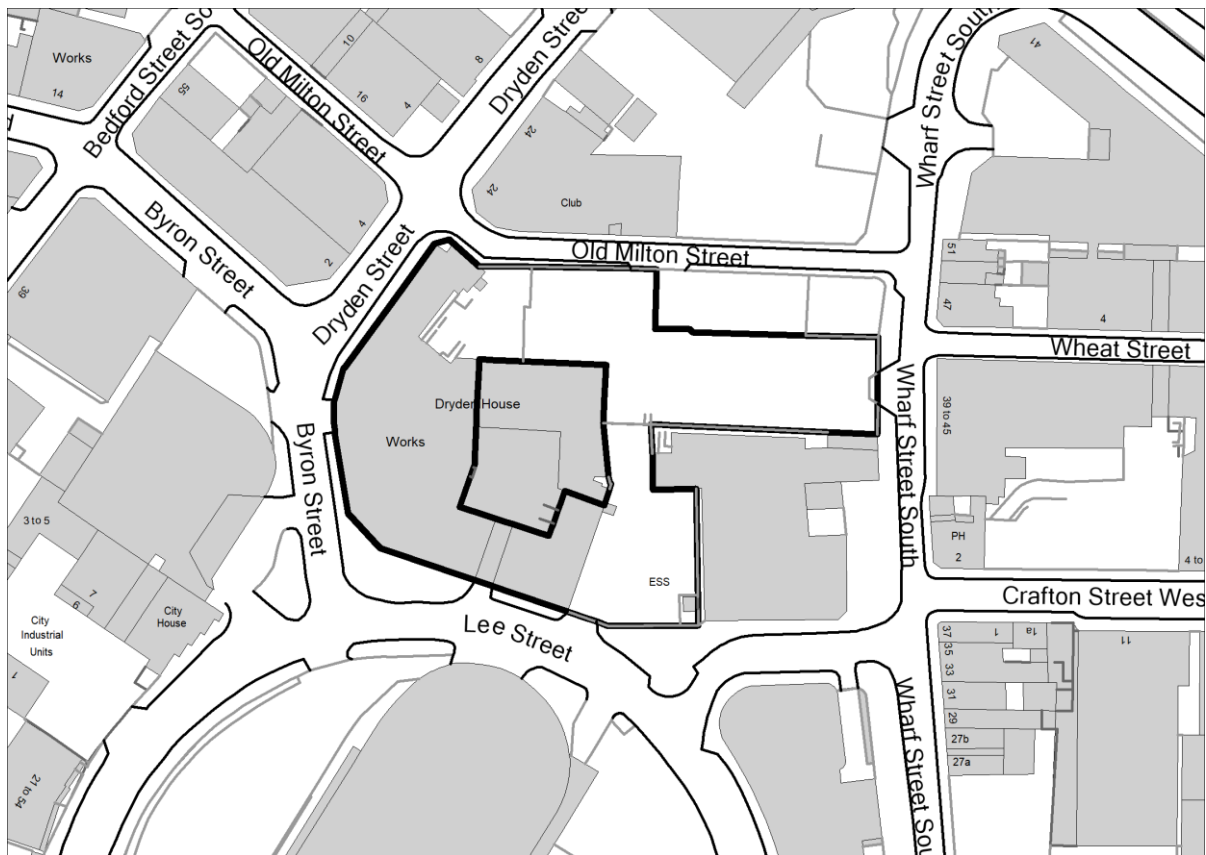


Recommendation: Conditional approval	
20200942	Fleet Street, Fleet House
Proposal:	Part demolition and conversion of Fleet House; construction of four storey extension to Fleet House fronting Byron Street; construction of five 5 - 6.5 storey buildings comprising 351 flats (120 x Studio, 211 x 1 bed, 20 x 2 bed) (Class C3); communal ancillary facilities to include residents gym; indoor amenity space; outdoor landscaped amenity space; pedestrian access (amended plans)
Applicant:	Lee Contracts
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20200942
Expiry Date:	28 January 2021
PK	WARD: Castle



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Summary

- Application brought to committee at the request of Councillor Kitterick to consider the quality of the living accommodation
- Councillor Kitterick objects to the proposals on the grounds of the size of the units. The Victorian Society have expressed some concerns about details of the design.

- Main issues to consider are conservation and heritage, urban design, residential amenity, landscaping, amenity, access housing, archaeology, highways and drainage.
- Application recommended for approval.

The Site

The application relates to a two, three and four storey building located on a site which wraps around the corner of Fleet Street, Byron Street and Dryden Street, with Old Milton Street to the rear and is known as Fleet House. The buildings occupy a large section of the site on the corner of Fleet Street/Byron Street and Dryden Street extending outwards to the site boundaries. Fleet House has been on the Local Heritage Asset Register since 1994, as a mechanism for the Council to raise attention to its heritage significance. Since the 9th November 2016, the building has also been made subject to an Article 4 direction, with the addition of planning controls over demolition and alterations. The site includes a car park to the north and east facing Old Milton Street and Wharf Street South and the rear section of the Fleet House buildings.

There is a vehicular entrance on Fleet Street and one on Old Milton Street. The car parks are in operation offering general private parking, but the buildings of Fleet House are vacant and have been for some time. The Article 4 direction covers the locally listed buildings only and does not include the car parks. To the south is a section of hedge which bounds the car park. There is also an electricity substation which is outside the site at the south-east corner.

The site is within the St George's North Regeneration Area. The site is located in a Critical Drainage Area, within 250 metres of a known polluting use and within an archaeological alert area.

Beyond the substation is 80 Wharf Street South which is a two storey building located on the corner of Fleet Street and Wharf Street South. The building has been in use as an entertainment venue and that site also contains a three storey building which fronts Wharf Street South which is on the Local List. The Article 4 direction also applies to this building in terms of painting and demolition.

The wider area contains a mix of buildings. To the north on Dryden Street at the rear of the site is a single storey building in use as a music venue known as the Dryden Street Local. The remainder of Old Milton Street is bounded by a 2 metre brick wall with parking behind.

To the east on Wharf Street South are a mix of buildings ranging from two, three and four storeys containing residential and commercial uses. The four-storey building at 4-18 Wharf Street South, Gilbros Business Centre is also on the local list.

To the south is Lee Circle a seven-storey multi-storey car park which is also on the local list. There is also a five-storey former telephone exchange building at 40 Wharf Street South which extends up to the corner of Fleet Street.

To the west is a single storey building located on the corner of Byron Street and Lee Street in use as a car hire facility. On the corner of Dryden Street / Jubilee Road and Old Milton Street are two storey brick buildings in use as commercial properties.

Background

The building is currently vacant but Fleet House appears to have been used as offices for British Steam Specialties Limited (BSS) who were one of the original occupiers and over time took over more of the site. The remaining buildings may have been used for industrial purposes in connection with BSS.

Prior notification application 20160424 for the change of use from offices (Class B1(a)) to 155 flats (Class C3) was determined and a decision was issued that prior approval was required and granted subject to conditions in April 2016. The conditions attached required the development to commence by 27th April 2019, contamination risk to be dealt with if identified, the reinstatement of redundant footway crossings and the provision of cycle parking and travel packs. This permission has not been implemented.

Planning application 20172357 for the demolition of buildings on the site was refused in April 2018 for the following reasons:

1. The proposal would result in the loss of a large complex of primarily late Victorian two, three and four storey buildings included on the Council's adopted Heritage Asset Register. Their loss is not considered acceptable due to the positive contribution they make to the street scene and character of the area by providing a focal corner landmark on Fleet Street, Byron Street and Dryden Street. The proposal is therefore contrary to Policy CS18 of the Core Strategy and paragraphs 131, 132 and 135 of the National Planning Policy Framework.
2. The demolition of the primarily late Victorian two, three and four storey buildings from the application site would result in the loss of a large collection of buildings which make a positive contribution to the areas built form and following their removal a large cleared vacant site would be detrimental to the character and appearance of the area contrary to Policies CS03 and CS18 of the Core Strategy and paragraphs 131, 132 and 135 of the (2018) National Planning Policy Framework.

Most recently this site came forward for redevelopment under two separate planning applications, dividing the site in two. The details of those applications are outlined below:

Application 20172678 for: Demolition of buildings; construction of 8 and 11 storey building comprising 227 flats (111 x 1 bed; 89 x 2 bed; 27 x studios) (Class C3); ancillary uses comprising: communal facilities; 71 sqm of storage use (Class B8) and crèche (Class D1); landscaping amenity space; new vehicle and pedestrian access.

Application 20172677 for: Demolition of buildings; construction of 10 and 11 storey building comprising 210 flats (74 x 1 bed; 136 x 2 bed) (Class C3); ancillary communal ancillary facilities; 238 sqm of flexible space to be used for a range of uses (Class A1, A2, A3, A4, A5, B1a); 163 sqm of leisure (gym) use (Class D2); landscaping amenity space; new vehicle and pedestrian access.

Both applications were refused for the following reasons:

1. The proposal would result in the loss of a large complex of primarily late Victorian two, three and four storey buildings included on the Council's adopted Heritage Asset Register. Their loss is not considered acceptable due to the positive contribution they make to the street scene and character of the area by providing a focal corner landmark on Fleet Street, Byron Street and Dryden Street. The proposal is therefore contrary to Policy CS18 of the Core Strategy and paragraphs 185,187,189,197 and 198 of the National Planning Policy Framework.
2. The proposal fails to appropriately consider and respond to the local context and to the immediate surroundings of the site. The proposal is not justified in townscape terms and would not contribute positively to the area's character and appearance in terms of scale, height, urban form, massing and appearance and having a negative influence on the potential for appropriately managing the future growth of the area. As such the proposed building will be harmful to the character and appearance of the area and the proposal is contrary to policies CS03 and CS18 in the Core Strategy and to the relevant provisions of the NPPF; in particular paragraphs 122, 124, 126, 127,128 and 130.
3. The proposed development would by reason of its design and layout result in a poor standard of living environment for future occupants due to the internal layout and positioning and size of fenestration of some units and the placing of fins to principal room windows and the lack of sufficient external amenity space. This is exacerbated by the number and density of the units and the layout and scale of the development. The proposal is therefore contrary to Policy H07 and PS10 of the City of Leicester Local Plan and Policy CS03 of the Core Strategy.
4. The proposed development would by reason of its location and excessive height have an adverse effect on the Local Heritage Asset 80 Wharf Street South. The proposal is therefore contrary to Policy CS18 of the Core Strategy and paragraphs 185,187,189,197 and 198 of the National Planning Policy Framework.

Application 20172678 was refused for an additional reason:

The application does not appropriately address the severance of the locally listed building which would result in harm to its appearance. The proposal is therefore contrary to Policy CS18 of the Core Strategy and paragraphs 185,187,189,197 and 198 of the National Planning Policy Framework.

Prior notification application 20190449 for notification of a proposed change of use from offices (Class B1) to 155 flats (Class C3) was granted conditional approval. This permission has not been implemented.

Following the refusal of application 29172677 and 20172678, the applicant has engaged in pre-application discussions with the Local Planning Authority which has led to the submission of this application.

The Proposal

The proposal is for a redevelopment of the site to provide a wholly residential scheme with 351 units. The development would comprise of residential blocks that are arranged around the site facing Lee Circle, Fleet Street, Byron Street, Dryden Street, Old Milton Street and Wharf Street South. The central space would be used as a courtyard with shared open space for the occupiers. The development is aiming to be a car free development with no provision of vehicle parking.

In terms of built form, the development would entail the retention of Fleet House fronting Fleet Street in full. Fleet House would be converted into residential flats with communal facilities within the lower ground floor level. Fronting Byron Street the later additions to Fleet House would be retained and a three-storey upward extension is proposed to provide a 6 storey residential block in total. This residential block would extend up to and wrap around onto Old Milton Street. The rear of Fleet House and the building on the corner of Dryden Street and Old Milton Street would be demolished to accommodate this part of the development.

Three 6 storey residential blocks would be constructed on Old Milton Street and a residential building with an 'L' shaped footprint would have a frontage on both Old Milton Street and Wharf Street South. A 5 and 6 storey building would be constructed to the east of Fleet House on Lee Circle.

Residential accommodation is broken down in the below table for ease.

Block A – Lee Circle – 6 Storeys	Studio	33	25-31 sqm
	One Bedroom	9	37-42sqm
	Two Bedroom	1	53sqm
	Total	43	

Block B – Fleet House – 3 Storeys	Studio	5	27-30sqm
	One Bedroom	16	37-47sqm
	Two Bedroom	9	54-75sqm
	Total	30	

Block C – Bryon Street, Dryden Street and Old Milton Street	Studio	36	25-30sqm
	One Bedroom	58	37-49sqm
	Two Bedroom	10	47-64sqm
	Total	104	

Block A1 – Old	Studio	4	33sqm
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Milton Street – 6 Storeys	One Bedroom	19	37-46sqm
	Two Bedroom	0	
	Total	23	

Block B1 – Old Milton Street – 6 Storeys	Studio	20	25-38sqm
	One Bedroom	50	37-45sqm
	Two Bedroom	0	
	Total	70	

Block C1 – Old Milton Street – 5 and 6 Storeys	Studio	4	33sqm
	One Bedroom	19	37-46sqm
	Two Bedroom	0	
	Total	23	

Block D1 – Old Milton Street & Wharf Street South – 5 and 6 storeys	Studio	18	25-27sqm
	One Bedroom	40	37-40sqm
	Two Bedroom	0	
	Total	58	

Some of the ground floor units would provide private amenity spaces, especially the rear units facing into the courtyard at lower ground level. Other units would benefit from balconies and the flats at the top levels of the new blocks would also have private balconies as those floors are set back from the edges of the elevation. All of the units would benefit from the use of the central communal area which would be accessed from all of the buildings. Although it is noted that there are land level changes across the site, the plans include ramps and steps for ease of access to these spaces.

Communal facilities at the site would comprise of the following per block:

Block	Facility	Floor Level
Block A – Lee Circle	Cycle Store	Upper Ground
	Bin Store	Upper Ground
Block B – Fleet House	Laundry Room	Lower Ground
	Gym	Lower Ground
	Bin Store	Lower Ground
	Communal Room	Lower Ground
Block C - Bryon Street, Dryden Street and Old Milton Street	Cycle Store	Lower Ground
Block A1 – Old Milton Street	Bin Store	Lower Ground Floor
	Cycle Store	Lower Ground Floor
Block B1 – Old Milton Street	Bin Store	Lower Ground Floor
	Cycle Store	Lower Ground Floor
	Gym	Lower Ground Floor
Block C1 – Old Milton Street	Bin Store	Lower Ground Floor
	Cycle Store	Lower Ground Floor
Block D1 – Old Milton Street & Wharf Street	Bin Store	Upper Ground Floor
	Cycle Store	Upper Ground Floor

South	Gym	Upper Ground Floor
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The application has been submitted with the following supporting information:

Air Quality Assessment
 Accurate Visual Representations
 Archaeology Report & Desk Based Assessment
 Building for Life Assessment
 Design & Assessment
 Drainage Strategy & Appendices
 Ecology Assessment
 Financial & Viability Assessment
 Flood Risk Assessment
 Ground Investigation Report
 Heritage Statement
 Historic Building Record 1 and 2
 Noise impact Assessment
 Planning Energy Statement
 Planning Statement with Affordable Housing Statement
 Residential Travel Plan
 Transport Assessment
 Visuals
 Accommodation Schedules

During the course of the application the plans have been amended following ongoing discussions between the applicant and Officers.

Amended plans have sought to improve the overall design of the development by amending the layout of Block C within the rear courtyard from a 'U' shaped block to a single block and alterations to the height of Block A to increase the visibility of the side gable of Fleet House which have resulted in a reduction of the number of units from 359 to 351.

Additional cycle capacity has been provided within the development.

Other alterations relate to the relocation of bin and cycle stores in each building, provision of a foyer/reception area in some of the buildings, alterations to the entrances of each block and also further considerations to the landscaping around the buildings.

During the course of the application it has also been necessary to require the submission of amended and/or additional supporting information as detailed below:

Revised Planning Energy Statement
 Sun path Diagrams
 Revised Drainage Strategy
 Updated Ecology Survey
 Cleaning & Repair Method of Works for Fleet House
 Elevation Analysis
 Schedule of Accommodation
 Schedule of Materials
 Additional Plans for each Elevation 1:20 Sections for Detailing

Phasing Plan for Construction
Fleet House Management Strategy
Revised Accurate Visual Representations

Policy Considerations

National Planning Policy Framework (NPPF) 2019

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

At the heart of the Framework is a presumption in favour of sustainable development. It suggests that in decision-taking, this means:
approving development proposals that accord with the development plan without delay; or

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:

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 the policies in this Framework taken as a whole.

The NPPF also states:

Paragraph 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 59 - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing

requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 80 - requires great weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 86 - Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

Paragraph 87 - When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

Paragraph 102 - 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.

Paragraph 104 states that planning policies should support an appropriate mix of uses across an area and within larger sites to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities.

Paragraph 105 - If setting local parking standards for residential and non-residential development, policies should take into account:

- a) the accessibility of the development;
- b) the type, mix and use of development;
- c) the availability of and opportunities for public transport;
- d) local car ownership levels; and

e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

Paragraph 106 - Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport. In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 111 - All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Paragraph 117 - 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 122 is concerned with achieving appropriate densities. It states that planning 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 and attractive healthy places

Paragraph 124 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work 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 126 of the NPPF suggests that to provide maximum clarity about design expectation at an early stage, plans or supplementary planning documents should

use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.

Paragraph 127 - 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 users, and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience.

Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussions between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by the proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

Paragraph 130 states planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision maker as a valid reason to object to the development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to a permitted scheme.

Paragraph 150 states that new development should be planned in ways that:

- a) Avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through

suitable adaptation measures, including through the planning of green infrastructure; and

- b) Can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

Paragraph 175 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles in terms of habitats and biodiversity:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Section 16 places and emphasis on the desirability to sustain and enhance significance of Heritage Assets. Paragraph 180 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Paragraph 182 states: Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them

as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Paragraph 185 states that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of the place.

Paragraph 187 details how local authorities should maintain or have access to a historic environment record. This up to date information will be used to:

- assess the significance of heritage assets and the contribution they make to their environment; and
- predict the likelihood that currently unidentified assets, particularly sites of historic and archaeological interest, will be discovered in the future.

Paragraph 189 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk based assessment and where necessary a field evaluation.

Paragraph 190 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

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 193 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 197 states that the effect of an application on the significance of a non – designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non – designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 198 Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

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.

Other planning and material considerations

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

Section 72 (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 or enhancing the character and appearance of conservation areas.

St George's Conservation Area Character Appraisal and 2010 Addendum

Supplementary Planning Document – Residential Amenity

Supplementary Planning Document – Green Space

Supplementary Planning Document – Affordable Housing

Leicester Local Heritage Asset Register (2016)

City of Leicester Local Plan Appendix One– Vehicle Parking Standards

Consultations

Pollution – Noise

In order for me to comment on the suitability of proposed noise mitigation scheme it is crucial that all noise sources with the potential to negatively impact the site have been carefully considered. I would be comfortable for the applicant to repurpose acoustic data from the previous noise assessments.

A condition to secure this information would be accepted.

Air Quality

The Air Quality Assessment identified a potential for dust pollution to take place during a construction phase, therefore a list of mitigating measures was drawn to be implemented. Those mitigating measures can be found in chapter 7.0 of the document.

The assessment did not identify any mitigating measures that have to be implemented after the Operational Phase, but it is my recommendation that Travel Packs should be made available for each unit. The mitigation measures and Travel Packs should be secured by way of condition.

Pollution – Land

No objection subject to a contaminated land condition being attached.

Waste Management

The proposal appears to have sufficient space for the storage of 29 x 1100 litre bins and 17 x 1100 litre bins for recycling.

The bin stores are shown within each building, some at ground floor level and some at basement level. Following the submission of a management plan it has been clarified that the Management of the site would bring bins to surface level and put them back which is acceptable. Further details required as part of a management plan condition.

Education Authority

Comment that the area already faces a deficit of primary and secondary school places. They therefore request the following financial contributions:

Primary places - £2,339.29

Secondary places -£1,355.18

Total contribution required: £3,694.46

Highway Authority

Site access, servicing and deliveries:

The existing site benefits from a number of vehicle accesses in the form of footway crossings off Fleet Street, Byron Street, Old Milton Street and Wharf Street South. As the proposals do not propose any vehicle access into the site all existing footway crossings will need reinstating to full footway construction, for the convenience and safety of pedestrians. The applicant will be required to enter into a S184 agreement

with the Highway Authority to undertake the works within the footway, and the associated costs will need to be borne by the applicant.

Blocks A1 to D1 have bin stores which are accessed off Old Milton Street. The carriageway kerb to kerb on Old Milton Street is narrow, so a refuse vehicle stopping to collect the bins would block access for an extended period whilst bins are being emptied and returned to the bin stores. Whilst this would only happen infrequently and Old Milton Street is very lightly trafficked, it does not take away the possibility of a refuse vehicle blocking the road and vehicles queuing behind for a considerable length of time.

Vehicle parking:

The policy requirement for parking provision as part of development is set out in the Vehicle Parking Standards contained at Appendix 1 of the City of Leicester saved Local Plan Policies. This identifies the development as being located within Zone 2, and as such would require 1 space per dwelling. This equates to 359 spaces. However the policy also states that in the Central Commercial Zone and adjoining areas (Zones 2 & 3), reduced levels of on-site parking will be permitted with factory conversions or for other change of uses, in line with the criteria in Policy AM 13, although Policy AM13 is not a saved policy.

The site is just outside of the CCZ and close to city centre bus stations and public transport stops on Charles Street, Belgrave Gate and Humberstone Gate. As such potential residents of the development would not need to be reliant on a private car to be able to travel or access local facilities. Encouraging the use of sustainable travel amongst residents would be supported by the implementation of a Travel Plan for the development and appointment of a Travel Plan Coordinator.

The streets surrounding the site are controlled by traffic regulation order and as such illegal or irresponsible parking should not be an issue given the controls already in place. Whilst the zero-parking provision would be a significant shortfall against policy requirement, given the sustainable location, ability to purchase parking space close to the site and highway controls in place and proposed Travel Plan, a zero parking is acceptable in this location.

Traffic impact:

As there is no car parking provision as part of the proposals, the Highway Authority accepts that the potential vehicle trip generation for the site is low. Furthermore, the redevelopment of the site from industrial/commercial buildings would remove large vehicle trips to the site, with the exception of refuse and delivery vehicles, although these are expected to be smaller vans more associated with residential deliveries. The existing pay and display car parks would also cease to operate with the redevelopment of the site, which would also remove some car trips from the surrounding streets, although some of these vehicle trips may simply transfer over to the NCP car park as it is the same daily tariff. Therefore, the Transport Assessment has not undertaken any capacity assessments of the surrounding network, which is acceptable.

Total person trip generation for the proposed development has been provided in Table 1 of the response note. The generation presented shows that the development

has the potential to generate approximately 37% of all trips from the development on foot or by cycle (including public transport trips which would require residents walking to nearby public transport facilities). The development is proposed as a car-free development; however the Transport Consultant has explained that vehicle trips have been presented for completeness, and that residents may make use of parking spaces available at the Lee Circle car park.

Construction traffic management:

The main access routes for construction vehicles to the site would be via Belgrave Gate, Humberstone Gate or by turning off St. Matthews Way and onto Wharf Street South. Heavy vehicles should be signed to the site to avoid large vehicles routing through the city centre.

The site is opposite one of the main accesses for the Lee Circle car park which is a busy commuter car park, and there are residential and commercial buildings around Lee Circle that would require access for servicing and deliveries to be maintained.

The construction of the site should minimise impact on the operation of the highway where possible. Furthermore, due to the width of Old Milton Street, it may be necessary to close the road during construction in order to adequately protect users on the highway, in particular pedestrians. A temporary Traffic Regulation Order would be required for this, which would require an application to be made to the Highway Authority. Early engagement of this would be required is encouraged.

Given the comments above, a Construction Management plan should be submitted and approved prior to demolition or construction works starting on site with slight amendment to include for a coordinator to be appointed on the developer's side.

Pedestrians and cyclists:

The footway fronting the development on Old Milton Street is very narrow, around 0.9m. It has been acknowledged that it would now be difficult to incorporate widening of the existing footway along Old Milton Street. To maximise the width available for pedestrians using the footway along Old Milton Street, that the footway surface should be provided to match the materials being used for the landscaping within the site. The existing highway boundary can be demarcated in a contrasting detail, which can be agreed through submission of plans; a condition is recommended in this respect.

The walking route towards Haymarket bus station would be a major draw for pedestrian movements. Currently there are no pedestrian crossing facilities across Fleet Street, and the junction of Byron Street and Lee Street is large. There are limited locations where a pedestrian crossing point can be provided, due to the car park entrances. The most appropriate location for a pedestrian crossing is to the west of the junction of Lee Street, between the development site and the car rental site. The footway across the car rental access will also require building out to accommodate pedestrian desire lines, and the footway surface improved to where the footway has been resurfaced previously in front of Crecy Court. A condition is recommended for the provision of such a pedestrian crossing point.

The policy requirement for cycle parking provision is 1 space per 2 bed spaces and 1 space per 20 bed spaces for visitors. Amended plans show 352 cycle spaces which is just short of the policy requirement. On the basis of the variety of sustainable travel options in the vicinity of the site including the high propensity for pedestrian travel, it is not anticipated that a cycle space for every dwelling will be necessary. Therefore the level of provision, which equates to over a space for every other dwelling, is considered acceptable, on the basis that other opportunities for sustainable travel will be attractive and can be maximised through a Travel Pack condition.

The Highway Authority are currently installing a number of cycle hubs around the City which will enable people to hire cycles for their journeys. This would benefit residents who may not wish to own a bike but would be able to pick up a cycle near to the site to make short journeys as an alternative to using a car. It is suggested that a contribution towards a cycle hub close to the development site is secured in lieu of cycle parking provision within the site, and I have sought a figure to be put forward in a s106 agreement.

Better Buildings

Passive Solar Design

Whilst all living spaces have windows attached, I am concerned that the dimensions of the living areas in a number of the flats will not provide sufficient daylighting which would lead to excessive usage of artificial lighting. As such I would like to see further confirmation from the developer that all of the flats will receive sufficient daylighting.

Building Fabric and Airtightness

The proposed u-values for the new build portion of the development meet or exceed the value for the notional building in all cases, which represents a good approach to fabric efficiency. No details of u-values for the retained buildings have been provided, which are required to make a recommendation.

Heating, Cooling, Ventilation and Lighting Energy Efficiency

The development is proposing to use air-source heat pumps for hot water, fit all low energy lighting and use natural ventilation, all of which are satisfactory as measures. However, no information has been provided about the proposed heating systems for either the new or existing buildings, or the nature of the controls to be fitted.

Renewable / Low Carbon Energy Supply

Although the use of heat pumps for hot water has been proposed, no consideration appears to have been given to other renewable or low carbon energy technologies, such as solar PV panels. I would like to see consideration from the developer of these measures.

Construction Materials and Waste Management

A Site Waste Management Plan is proposed for the development to monitor, sort and recycle construction waste, alongside measures to utilise sustainable materials. I would encourage the applicant to set a specific target to recycle a high percentage of demolition and construction waste.

In conclusion, I am pleased to see that the new build portions of the development is proposed to achieve a reduction of 9.63% over building regulations. Following the submission of additional details, I suggest a condition to secure further details of on-site installation.

Lead Local Flooding Authority (LLFA)

The development is located with Flood Zone 1 and does not reside within a known flooding Hotspot and subsequently is considered at low risk from fluvial flooding. However, the site is within a Critical Drainage Area (CDA), meaning measures to limit surface water run-off will be required.

The development is considered Brownfield and to comply with *Leicester City Council's Core Strategy, 2014 - Policy 2*, a 50% reduction of current surface water runoff/discharge rates is required. The development should aim to achieve Greenfield runoff rate of 5l/s/ha, where practically possible. It is proposed that a 50% betterment on the existing surface water runoff rate is to be included.

A Flood Risk Assessment (FRA) has been provided as part of the application. This evaluates the risk from all sources of flooding and concludes that the site is at low flood risk. The plans show dwellings on the "lower ground floor", this should be clarified whether these dwellings are at basement level or not. All proposed developments with basement level dwellings must complete a resident's flood pack, to ensure the safety of residents in the event of a pluvial (surface water) and or fluvial (river) flooding. It should contain a flood plan and it is recommended that residents sign up to the Met Office severe weather warnings email alert service.

The applicant has outlined that surface water runoff will be managed through discharge into the public sewer. Where surface water is proposed to discharge into a combined or foul sewer, justification for the connection will need to be provided. Any connection into the Severn Trent Water (STW) surface water sewer needs to be confirmed, showing the location of any proposed connections and correspondence with STW.

Following the submission of further clarification on the basement units, LLFA consider it appropriate to secure additional detail using suitable conditions.

Conservation Advisory Panel (CAP) – 22nd July 2020

The members unanimously supported the retention of the Locally Listed Fleet House and the principle of the development. The scale and massing were broadly supported, considered as appropriate for its context. The legibly modern design of the scheme was welcomed, allowing Fleet House to retain its architectural distinction and prominence.

Whilst the material palette and elevation treatments were broadly supported, the red brick blocks flanking Fleet House (Block A and C) were considered as overly prominent, of poor relationship to the existing building. The criticism was in relation to their design as read against the gables of the retained building. The members concluded that the junction between the new and the old needs to be improved and

rationalised, preferably by a stepped-back massing, reconsidered alignment and an addition of a gap between Fleet House and Block A, to allow the ghost sign to be visible.

The elevation treatment and definition of Block D1 were criticised, creating a poor relationship with the Locally Listed 80 Wharf Street South. The members suggested that the horizontal alignment with the asset should be improved, whilst more definition added to the blank side gable of the grey brick block fronting onto Old Milton Street. The dominant height of the ground floor of the Locally Listed Building should be taken as a reference point for the detailing of the new build.

The Panel recommended seeking amendments.

Conservation Advisory Panel (CAP) – 21st October 2020

The Panel found it difficult to decipher the totality of amendments introduced since the last iteration of the scheme. Members noted that some concerns initially raised were not adequately addressed, including the relationship between the existing building and the adjacent new buildings, including position, massing and elevation definition (lack of fenestration in particular). The altered elevation treatment of the block abutting the Locally Listed 80 Wharf Street South was appreciated, considered an improvement.

The Panel agreed that more information, clarification and amended visuals would be useful to provide more comprehensive and conclusive comments of the scheme as revised.

Open Space Parks

The proposed residential development, within the Castle ward, will result in a net increase in the number of residents within an area which already exhibits a deficiency in green space. Opportunities to create new open space to address the needs of the new residents are severely limited and therefore we will be looking to make quality improvements to existing green space provision to minimise the impact of this development.

Based on the formula from the Green Space SPD a contribution of £334,190 is required for this application.

The contribution will be used towards the provision of new open space within the vicinity of Lee Circle, and a contribution for outdoor sport to be used for either improvement works to Saffron Lane Athletics Stadium (to augment other improvement works or new lighting or upgrade/replace track) and/or a contribution towards a new basketball court at Victoria Park.

Representations

Councillor Kitterick objects on the grounds of a poor standard of living. Concerns have been raised on the size of units in Blocks a, B1 and C. Cllr Kitterick advises that many units are below Nationally Described Space Standards.

Councillor Kitterick also requested that the application decision should be considered by the Committee given the wider issues around standards of living accommodation.

The Leicester Group of the Victorian Society have also commented on the application. They have advised that generally they support the redevelopment of the site with the retention of Fleet House; however, they consider the siting of flat roof buildings immediately adjacent to Fleet House sit awkwardly against the gables of the original building. They also consider Block A should be set back further to increase visibility of the ghost sign on the gable of Fleet House. Other minor criticisms of the application relate to the design of Block D1 and the elevation adjacent to 80 Wharf Street South.

Consideration

Principle of Development

The Strategic Regeneration Area is the focus of major redevelopment. The St. George's Residential and Working Community and the City Centre have the potential for mixed use housing led redevelopment. Residential uses are acceptable in this location. New development should be comprehensive and co-ordinated, with high quality, well designed residential neighbourhoods that provide mixed uses and spaces. Core Strategy Policies CS03 relating to design and CS04 relating to Strategic Regeneration Area are all applicable to the application.

Both Core Strategy Policies CS04 (SRA) & Policy CS18 (Historic Environment) require the protection and enhancement of Heritage Assets. "Within the regeneration areas, particular importance will be given to the integration of the historic environment with new development, through encouraging heritage led regeneration". Fleet House is a locally listed building. Lee Circle Car Park opposite the application site, 80 Wharf Street south which is to the east and south of the development site and 4-18 Wharf Street South to the east are all locally listed too.

The proposal would make a significant contribution to the City Council's 5-year housing land supply.

In consideration of the above policy context the proposal is acceptable in principle subject to considerations on design, conservation/heritage, residential quality, residential amenity, archaeology, sustainability, nature conservation and landscaping, highways, flood risk and drainage, land contamination, waste management and developer contributions.

Conservation and Heritage

Fleet House is a good example of eclectic late Victorian industrial architecture, with a notably sympathetic inter-war extension. The well-proportioned building has a relatively simple structure, embellished with ornate detailing, such as a series of dentilled brick courses and stone arches.

Although the later extensions are of limited historical or architectural interest, they do display a sympathetic approach to the older structures, being subservient in scale and generally light weight forms. For example, the recessed glazed entrance feature, behind the main entrance to the building, allows the ornate arched opening and original metal gates to dominate in the key views. The original plans for the building reveal a simple internal arrangement for large workshop rooms that has not been dramatically degraded in the decades that followed. There has been some loss of historic material, such as the replacement windows, but these are reversible. The primary windows are still in timber and match the proportions of the original ones.

In regeneration sites featuring extant built heritage, development proposals should involve the sympathetic re-use of historic buildings, which add to the 'sense of place' and character of the area. This is supported by both national and local planning policies, the key policies of which are mentioned above.

The proposal to include the retention of Fleet House is welcomed. Furthermore, the retention of the later extensions to Fleet House to the west and north fronting Byron and Dryden Street is also welcomed. The loss of the rear portion of Fleet House is considered acceptable in consideration of the wider benefits of the redevelopment.

The applicant has submitted a programme of improvements/repairs to Fleet House which is acceptable in terms of identifying the extent of repairs required; however this lacks some details around replacement windows, specific materials and any alterations to Fleet House such as the removal of the steps from the doorways to accommodate a ramp and bin store access. Notwithstanding the submitted document, I consider it reasonable to attach a condition for details of alterations and/or improvement works to Fleet House in the form of plans and to include full materials schedule to be submitted for approval. I consider this information is required prior to any development carried out on site, including works of demolition.

The use of the site as residential is acceptable in terms of its impact on the heritage asset. The layout of the buildings around the site is accepted as being the most suitable for a site of this size. The provision of flat roof buildings is also acceptable in heritage terms with the top storey of all the blocks being set-back to minimise any significant visual overbearing. The amendments have resulted in the painted side gable of Fleet House being more prominent from the street level. Whilst not wholly visible, this is a significant and welcomed improvement that would overcome initial concerns over the impact of Block A on Fleet House.

The amended plans resulted in Block D1 on Wharf Street South following the building line of the adjacent listed building. The front elevation of this building is markedly different in terms of its appearance, massing and elevation detail to the listed building; however, a contrasting-built form would be most appropriate in this location. The Conservation Advisory Panel appreciated the set of amendments to the front elevation Block D1 but sought further information on materials and updated visuals that have now been submitted. These amendments provide the additional detail sought and highlight how the Wharf Street South elevation of Block D1 has taken cues from the adjacent heritage asset with the use of vertical and horizontal proportions; exaggerated brick work in the vertical part of the entrance to Block D1; use of arch detailing to the top storey and; brick detailing adjacent to windows. On

the basis of the revised details combined with the updated AVR's I consider the proposal would have an acceptable impact in heritage terms. Conditions to secure materials are discussed in detail further in the report.

The proposal represents a significant redevelopment of the site that includes the retention and re-use of Fleet House. The amendments have to a significant degree improved the relationship between existing and proposed built form that would have less than substantial harm on the heritage assets both within and adjacent to the site. The proposed development therefore is in accordance with Core Strategy policies CS03 and CS18 and paragraphs 192, 193, 197 and 198 of the NPPF.

Archaeology

The site is located in an area with known archaeological activity and finds and is bisected by the town's Roman and medieval defences. Part of the site falls within the Roman walled area. Within the immediate vicinity Roman buildings and activity has been found, with evidence recovered from St Peters Lane less than 15m south of the site found beneath the defences. In light of this context it is considered reasonable and necessary to attach a condition for a written scheme of investigation to be submitted to and approved in writing by the City Council. Subject to this the proposal would accord with Core Strategy policy CS18.

Design

Policy CS03 of the Leicester Core Strategy (2014) states that high quality, well designed developments that contribute positively to the character and appearance of the local built environment are expected. It goes on to require development to respond positively to the surroundings and to be appropriate to the local setting and context and, at paragraph 1 (first bullet point), to contribute positively to an area's character and appearance in terms of *inter alia* urban form and high quality architecture.

Leicester City Council has recognised the opportunities and issues within the Wharf Street area and has consequently, undertaken a townscape analysis of the Wharf Street and Lee Circle area. The Wharf Street Character Area Townscape Analysis and Design Guide (January 2020) is a document within the suite of documents which have been produced for the Draft Local Plan. The Design Guide outlines objectives for the character area and future guidance on how development should be brought forward.

The proposal is broadly in line with the guidance and positively addresses many of the objectives outlined;

- Retention of the locally listed building Fleet House supporting heritage led development and retaining it's landmark status and recognising its importance to the distinctiveness and character of the area.
- Providing active frontages to the perimeter block
- Repairing the fragmented frontage and the building line to Old Milton Street

Scale: Height

The guidance outlines proposed building heights for the character area are to be predominately 5 storeys and below for this site, recognising the importance of development respecting the setting of Fleet House. The current proposal is in excess of this at 6 storeys and 6.5 storeys to Dryden Street but it is recognised that this is not excessively above the height parameter and the massing and articulation of the development broadly respects the setting of Fleet House and top floor set backs are effective.

The amended plans show the removal of a previously proposed 'finger' of Block C where the footprint of the building was a 'U' shape. The removal of this element has improved the internal layout, especially with the courtyard. The reduced scale of Block C is acceptable.

Scale: Massing

The approach to create a 'finer grain' / collegiate approach of blocks of development is appropriate to this site and is an approach that has been discussed through pre-application. Further, the stepping back of top storeys, setbacks and the articulation of the facades all assist in reducing the massing.

The removal of the fifth floor of Block A and increase the set-back of the top floor responds positively to the architectural importance of Fleet House. This amendment not only now highlights the painted gable of Fleet House, but creates a greater visual separation between Fleet House and Block A. The separation at the other end of Fleet House with the upper floors of Block is acceptable.

The amendment to Block C with the creation of a single block instead of a 'U' shaped building significantly improves the visual appearance of this part of the site. Although it would not have been overly visible from the public realm, the reduction of mass within the central courtyard further improves the functioning of the central communal space.

Layout

With respect of the communal areas, amended plans have provided an additional gym and laundry room for occupiers within Block D1; shown pedestrian links throughout the development; provided reception/foyers to all blocks; and included details of post collection areas. The provision of laundry rooms and communal spaces is considered positive and it is recognised that the central courtyard provides a generous amount of outdoor space for a City Centre development in combination with private balconies.

Amended plans improved some of the ground floor frontages to Wharf Street South and Old Milton Street with the siting of reception/foyer areas to the buildings to create active facades to the public realm. Along Fleet Street the threshold space is generous and welcomed. I consider the threshold space to the front of Dryden Street is limited. It would be vital to secure appropriate hard/soft landscaping (as part of the wider landscaping strategy for the site) to ensure these spaces are not left unresolved.

All entrances to buildings have all been brought to ground floor level and the entrance design has improved in its legibility across all of the block with the use of

alternatively applied cladding. This is consistent across all blocks (other than Fleet House) which is considered suitable. It is recognised that the access to Fleet House is via steps, but an alternative access is available from Dryden Street. The development provides appropriate level access for all blocks and good circulation within the development to address the land level differences.

The layout of the central courtyard should be clarified as part of a site wide landscaping strategy to secure a uniformity in the paving, soft landscaping and any required boundary separation. The provision of semi-private gardens for units facing the central courtyard is a positive amendment on the plans. Again, the design of these areas needs further consideration as part of a site wide landscaping strategy.

Density & Mix

The amended plans show an appropriate mix between studios, one bedroom and two bedroom flats which would make a positive contribution to the area. The revised accommodation schedule shows a reduction in studios from 46% to 34%.

Character

The development would make a positive contribution to the area. The retention of Fleet House is very much welcomed as it is a significant building and to the character and distinctiveness of the Wharf Street Character Area. The contribution that Fleet House will continue to make due to its retention is significant.

The finer grain approach of separate blocks of the proposal is more appropriate to the character of the Wharf Street area and is welcomed. The use of blocks, with separate entrances and reduced corridor lengths, helps to breakdown the massing of the proposal but also will contribute to the security and safety of residents and support their well-being as they will more readily identify and get to know people in their blocks.

Appearance: Details & Materials

Block D1 was initially of the most concern with respect to its relationship with the adjacent listed building. The building line of Block D1 along Wharf Street South has been amended to be in line with the existing buildings, particularly in line with the adjacent listed building. This is a significant improvement in the layout of this building and helps minimise any visual bulk from longer views. The contemporary approach to the design of Block D1 is considered acceptable in this location to provide a contrast to the adjacent listed building. Further amendments to the detailing on the front elevation also go some way to improving the visual relationship with adjacent buildings. It is considered that the materials indicated on the plans are of a high quality in terms of the brickwork; however this would need clarifying through appropriate conditions.

The applicant has submitted a significant amount of detail with respect of elevation details, window reveals and materials (both brickwork and cladding). A materials schedule with 1:20 sections through the different blocks have been submitted. In addition to this, 3D visualisations, sketch-up model and AVR's have been submitted in support of the application. Generally the details are acceptable and would allow the development to appear as a cohesively designed scheme from the various public vantage points. However, due to the scale of development, number of different streets the development would face and the location of the site amongst building of

heritage instance, a condition will be required to secure the quality of development that has been presented in the supporting documents. The conditions would require the provision of a 1:20 drawing of a materials sample panel for each block, along with an on-site constructed sample panel linked to each drawing.

Landscape

The quality of the landscape design to the main amenity spaces and the principles therein is crucial to the success of this scheme. It is vital to the success of a scheme of this nature to create a positive environment for its residents and well-designed and well managed outside spaces. I strongly recommend, that as with the materials, we need to secure a 'quality benchmark' to establish the key principles and specifications for landscaping (both hard and soft) across the site.

The amended plans submitted show areas with a number of seating areas and landscaping that in some places overlap. The type of soft landscaping and the location of some of the same is not ideal as it is currently presented; however, I consider it is suitable in this instance to attach a condition requiring the submission of a detailed high level Landscape Strategy to cover the whole site. In addition to this, a second condition securing more specific details in respect of not only soft landscaping areas, but also details of surfacing across the site and also adjoining the adopted highway along the boundary. The types of seating areas should also be detailed to ensure there is no overlap, details of boundaries within the site and details of external lighting within the outdoor communal areas would also be required.

Overall it is recognised that the development would make a positive impact on the local character and existing built form. Suitable amendments have been secured throughout the discussions to secure a development that would positively relate to adjacent heritage assets as well as the character guide for Wharf Street South area.

It is noted that the applicant has submitted a Management Strategy to establish how the site would operate and would be maintained (including waste management). Notwithstanding this document, further details would be required and therefore along with conditions for a landscape strategy, materials and sample panels a further condition for a detailed management plan is also considered appropriate. Subject to these conditions, the proposal is considered to comply with Core Strategy policies CS03 and CS18, saved policy UD06 and NPPF paragraphs 117, 123, 127 and 130.

Residential Amenity (Impact on uses nearby)

Policy PS10 of the Local Plan states that in terms of residential amenity any new development proposals should have regard to existing neighbouring and proposed residents in terms of noise, light, vibrations, smell and air pollution, visual quality of the area, additional parking and vehicle manoeuvring, privacy and overshadowing, safety and security, the ability of the area to assimilate development and access to key facilities by walking, cycling or public transport.

The site is an island site that occupies the majority of the island with the only other property in the block being at 80 Wharf Street South. Block D would be adjacent to this site along its frontage and Block A and B1 to the rear. I do consider it is likely to

be affected in terms of its potential for future redevelopment due to the location and proximity of principal room windows in the development. However, in the absence of any potential redevelopment prospects of the site I do not consider future development would be prejudiced.

Facing Old Milton Street Block C would face the late-night premises at 24 Dryden Street. This is a single storey building which covers a large part of the side boundary containing bricked up windows and with the remainder being a brick wall with car parking behind. Old Milton Street is currently at a much lower scale and has some sense of openness because of the car park. The proposal would result in the placing of 6 storey buildings along this frontage, albeit with the 6th floor setback. I consider impact on the use of the Dryden Street music venue would be minimal, however, I consider the property could be affected in the future in terms of if the site was to be redeveloped.

During the Covid19 pandemic the late-night venue at Dryden Street has remained closed in line with Government Guidelines. I note that the previous applications at the site attracted a number of objections concerning the impact of a residential development at the site on the venue. I do not consider that residential development on site is likely to directly result in the closure of the venue. Any approved scheme will require satisfactory noise insulation scheme and a ventilation scheme to ensure that future occupants would not be significantly affected by external noise.

Facing Lee Circle and Fleet Street there are residential properties in the vicinity; however I consider the separation distance to those properties is suitable to avoid harm to the amenity of those occupiers.

I consider the amended proposal would not result in harm to the amenity or operation of nearby residential and commercial uses and would accord with Core Strategy policy CS03, saved policy PS10 of the Local Plan and paragraph 127 of the NPPF.

Residential Quality (For proposed occupiers)

Saved Policy H07 of the Local Plan (2006) provides a set of criteria for new and converted self-contained flats. The criteria relates to the location of the site and nature of nearby uses; the unacceptable loss of an alternative use; loss of family accommodation; creation of a satisfactory living environment; arrangements for bin, and cycle store; provision of garden or communal open space; effect on general character and; proposed changes to the appearance of the buildings.

The application site is located within the City Centre with good access to services and amenities for future occupiers. The current buildings are not in use and therefore there would be no loss of another use, nor would there be a loss of family accommodation as a result of this development.

The proposal, as amended, has resulted in the reduction of the number of units from 359 to 351. This has largely resulted from the loss of part of the fifth floor of Block A and loss of corner flats in Block C where the internal layout was awkward and resulted in a poor living environment. The proposed flats are generally all single

aspect with outlook to the street or to the courtyard. The layout of individual flats show that all principle rooms are served by at least one window. All of the flats have a good layout with the kitchens and bathrooms located centrally to allow windows to serve living rooms and bedrooms. The re-design of Block C especially has resulted in a positive impact on the amenity of future occupiers. It is noted that Block B1 has some units with principal room windows on the side elevation; however I consider the depth of Block B1 being larger than the block to either side would minimise any harm with respect of outlook and daylight form principal rooms.

The separation distances between the blocks across the courtyard is acceptable to avoid any harmful overlooking between future occupiers. Likewise, I consider the privacy enjoyed by future occupiers would be acceptable for a City Centre location. It is recognised that the ground floor units in Block C are close to the pedestrian footpath, this is not uncommon for the City Centre. Furthermore, due to the level difference on the site, these windows would be sited slightly higher than eye level which would further mitigate any harm in this respect.

The applicant has submitted a Daylight and Sunlight Path Analysis (video) to demonstrate the amount of light to the internal and external parts of the development. The video shows that from midday to afternoon that the northern portions (1/3 of the largest courtyard and ½ of the smallest) of both courtyards will receive sunlight. The area to the north of Block A does not experience any sunlight. As expected, the high summer sun the courtyard areas receive plentiful sunlight from mid-morning until early evening 5pm. For mid-summer it is disappointing though that the courtyards don't receive any sun from 5pm onwards given the heights of the blocks C and B1. Again, the area to the north of Block A does not experience much sunlight with small patches throughout the day. The courtyard space to the east will be mostly affected by the height and massing of future development to the south. The sunlight videos provided appear to show the existing buildings. If future development is brought forward on 80 Wharf St. in line with the masterplan for this perimeter block, then this may improve sunlight in this location.

The Residential Amenity SPD suggests an outdoor amenity space of 1.5sqm to 3sqm for flats within the City Centre as a minimum through the provision of balconies. The development includes a mix of outdoor amenity space provision ranging from private balconies, terraces for the top storeys and private and semi-private spaces at lower and upper ground floor levels. These spaces would provide an acceptable amount of private and semi-private amenity space that would be useable. Whilst it is recognised that not all of the units would have balconies, I do not consider this to be uncommon for a City Centre development, nor do I consider that it would be appropriate to have repeated balconies for all of the units such as on Fleet House and Old Milton Street.

As noted above, the application has been submitted during the Covid19 pandemic where Government guidelines have required leisure and late-night venues to be closed across the country. The applicant has submitted a noise assessment with some mitigation measures identified; however, in the absence of noise data from the music venue the details remain unsatisfactory. It is noted that the previous applications from 2017 were supported by technical data from when the adjacent music venue was open and that data could be used to inform the mitigation measure

for noise and suitable ventilation measures for the units facing Old Milton Street especially. Noise pollution Officers have advised that the outstanding details can be adequately secured through the use of conditions which I consider reasonable in this instance.

The development provides central waste storage for each block within the basement or ground floor level which I do not consider uncommon for such a location. Similarly cycle parking is centralised at basement or ground floor level which is suitable. It is noted a management strategy for the site has been submitted which advises that the site would be managed, and maintenance shall be carried out of the communal areas by appointed on site staff. The strategy provides acceptable principles for the management of the site and the document should be included as an approved document to secure these principles.

The development includes communal gyms, laundry rooms and cycle parking. To ensure that these areas are kept available for occupiers of the site alone, further details within the management strategy will be required prior to occupation of each block which I consider can be conditioned appropriately.

The breakdown of accommodation above identifies the range of floor space for each apartment type. Not all the units meet the Nationally Described Space Standards; however, these standards are not adopted by the City Council and floor space alone is not an indication of a good living space. The applicant has amended the scheme to provide a greater number of 1-bedroom flats, all of which accord with the national space standards; however some of the proposed two bedroom units fall short of the specified space. The Nationally Described Space Standards does not include the floor areas for studios.

The layouts of the units have been amended to ensure that all the flats would benefit from a good source of outlook and daylight from windows serving principal rooms. The layout of each unit includes an indicative layout of furniture to demonstrate adequate space within each unit and many of the units benefit from a private balcony space also. Given the circulation space within the units combined with the communal facilities and the amenity spaces, I consider the amount of internal floor space alone does not warrant the refusal of such a development. The above assessment outlines how the development would provide an overall good standard of living for future occupiers.

Subject to conditions the proposal is considered to provide an acceptable living environment for future occupiers of the site. The proposal is in accordance with saved policies H07 and PS10 of the Local plan in this respect.

Ecology

The applicant has submitted an Ecological Report from a survey in 2020 to support the application. The details submitted and the findings are accepted. To summarise, the building is in a very poor state with broken windows and damaged internally and externally. There has been a high degree of vandalism and evidence of people residing in the building adding to disturbance. An assessment of these conditions show that the building has low or negligible value for bats and no evidence of bats

was found. It is accepted that no licence is necessary to undertake the works and that precautionary mitigation should be carried out in accordance with Section 5 of the report.

The ecology report also assessed the building for its suitability to support Schedule 1 species of birds that have been recorded nearby. The building roof was assessed as being suitable to support nesting. As additional protection of nest sites are given to Schedule 1 birds (even if they may not be present during the time of survey), it is important to note that works can only be carried out to demolish the building outside of the bird nesting season (season is March to end August) and that no measures are permitted to deter the birds from nesting. The ecology report contains further details on this requirement, and it is recommended that this is made a condition of any approval.

The requirement to achieve a net gain in biodiversity is also a requirement of this application. The landscape scheme is currently lacking in detail and acceptable details are to be made a condition of approval to enable an updated scheme to be accepted by the LPA. The ecology report states that green roofs with associated ecology features will be created and full details of the construction, planting/seeding and aftercare and maintenance should be included in the landscape scheme. The green roofs will also provide suitable mitigation habitat for some bird species.

Provision of biodiversity enhancements to support city/urban birds and other wildlife will help to provide additional benefits to Bats and Swifts (also BAP and NERC Priority Species) and details of the type and number of nest boxes will be required within the landscape scheme. In this case, due to the size and scale of the building proposal, 6 self-cleaning bat boxes and 12 Swift boxes should be integrated into the building design together with 2 x invertebrate structures within the green roof design.

Lighting of the roof areas which support these ecological features should be avoided and if this is not possible, the light levels should be a maximum of 1 lux only to minimise disturbance to wildlife. Details of this can be secured in a combined landscape and ecological condition.

Conditions to secure appropriate mitigation and lighting is considered reasonable and appropriate in this instance. Subject to conditions the proposed development is considered not to have an adverse impact on biodiversity and would provide suitable net gains in accordance with Core Strategy policy CS17 and paragraph 175 of the NPPF.

Waste Management

Waste is proposed to be stored within the basement or ground level storage areas and the waste bins to be brought up by a dedicated lift (where in the basement) on waste collection days. The submitted Management Strategy confirms that this would be carried out by employees on site and would not be responsibility of LCC Waste Services. Subject to this document forming one of the approved documents, the proposal is considered acceptable in this regard and a compliance condition is recommended.

The number of bins indicated on the plans appear to be acceptable for the level of accommodation provided. The applicant is advised to refer to the Waste Management Team's guidance available online for the proposed bins and their collection.

Air quality

The Air Quality Officer has reviewed the assessment submitted and considers the mitigation measures to be acceptable. A condition is recommended to ensure development is carried out in accordance with the construction mitigation measures. The operational measures include the provision of a Travel Pack condition which I consider reasonable and necessary for a City Centre development.

Flood Risk & Drainage

The site is located within a Critical Drainage Area. The applicant has provided additional information in respect of drainage and SuDs matters which have been considered by the LLFA. It is advised that detailed calculations and specific SuDS measures can be secured by way of conditions in the event of planning permission being granted.

Subject to such conditions I consider the proposed development would accord with Core Strategy policy CS02.

Highways & Parking

The site is located in the northern part of the City Centre and is close to public transport hubs of the Haymarket and St. Margaret's bus stations, and just over 1km walking distance from Leicester Railway Station. As such it is considered that the site is in a highly sustainable location in terms of opportunities to travel on foot, cycle or by public transport and the principle of residential development is acceptable.

The site is located on land bounded by Fleet Street, Byron Street, Dryden Street, Old Milton Street and Wharf Street South. As such the site shares four boundaries with the highway. Fleet Street continues onto Lee Street, which forms the circuit around Lee Circle Car Park, a public car park operated by NCP. One of the car park's two entrances is located opposite the development site off Fleet Street. The back of the adopted highway on all the streets mentioned above is the site boundary.

The existing buildings were previously in commercial/industrial use and are now vacant/derelict. Part of the site is currently used as a Pay and Display surface car park, which is split into two served by accesses off Fleet Street and Old Milton Street.

Amended plans have removed any openings over the public highway and have increased the number of cycle parking spaces provided within the site from 260 to 351 spaces. This falls marginally short of the policy requirements; however a condition to secure this is considered appropriate. I also consider it reasonable for the applicant to consider the provision of a 'Cycle Hub' within the development for those occupiers who may not own a cycle as part of the Management Plan

and/Travel Pack for the site. The development is proposed to be car free with the lack of vehicle parking offered which is suitable for such a location.

Discussions have taken place around identification of key pedestrian routes and improvements to public footpaths in the wider area that may be used by future residents of the site. Such public realm improvements would need to be funded through developer contributions.

Subject to conditions to approve details of surfacing abutting the public footpaths surroundings the development, reinstating and making good dropped kerb crossings and ensuring the development would provide sufficient cycle parking, I consider the proposal would accord with saved policies AM01 and AM12 of the Local Plan and Core Strategy policies CS14 and CS15.

Sustainability

A Sustainable Energy Statement has been submitted which meets most of the requirements as set out in Core Strategy policy CS02. Environmental Officers have requested details of proposed heating systems and controls and also detail of different forms of renewables and low carbon energy technologies in the development. These measures can be secured by way of conditions. I consider this to be a reasonable requirement.

Developer Contributions

The applicant has submitted a viability assessment with the application. Based on the figures in the assessment, build cost and analysis of the recent and current market, the proposal would not be able to support a financial contribution towards education, public realm, external cycle provision or open space. There would be no surplus available for the contributions requested and for any Affordable Housing provision. On balance given the benefit of the retention and use of Fleet House and wider redevelopment of this vacant site for 351 residential units, I consider that the scheme should still be supported in the absence of contributions.

Conclusion

The proposal has been amended several times through the processing of the application in response to officer's comments and this has resulted in a much improved development in terms of heritage, design, residential quality, highways and ecology.

The amended proposal represents an acceptable scale and form of residential development that would not adversely impact the character of the site and local area, nor would it adversely affect nearby heritage assets and the amenity of nearby residents. Furthermore, the proposal would make a significant contribution to City Council's housing land supply.

Technical matters and further details can be addressed through the use of conditions to secure an acceptable residential redevelopment of the site.

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

CONDITIONS

1. START WITHIN THREE YEARS

2. Notwithstanding the approved Proposed Phasing Plan (ref. 45806(P-30)001) no development shall take place, including demolition, until a Demolition and Construction Phasing Plan including the full order of all works on site is submitted to and approved in writing by the City Council as local planning authority. (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 CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

3. No development of each phase shall take place, including demolition, until a Construction Method Statement has been submitted to, and approved in writing by the City Council as local planning authority relating to the specific phase. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) the loading and unloading of plant and materials; (iii) the storage of plant and materials used in demolition works and 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) routing of vehicles (in conjunction with LHA) including the appointment of a named CMS co-ordinator with contact details as part of a Construction Traffic Management Plan. 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 CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

4. Prior to commencement of development of each phase, including demolition works, a mitigation scheme to minimise disturbance to bats and Schedule 1 bird species as referenced in the "Protected Species Survey: in particular bats and various species of nesting birds" report produced by [Curious Ecologists dated 6th October 2020] [page [11], section [5], should be implemented in full. Demolition works should only proceed outside of the bird nesting season (between 1st September and end of February in any one year). This includes a toolbox talk to inform on precautionary measures and any demolition of features likely to support bats or birds should be carried out under the supervision of a fully licenced bat ecologist. If evidence of bats are found during this process all works should cease and any mitigation measures reviewed and approved in writing by the City Council as local planning authority. (In the interests of protecting wildlife habitats, and in accordance with CS17 Biodiversity of the Core Strategy and Habitat and Species Regulations 2017. This is a PRE-COMMENCEMENT condition).

5. Notwithstanding the approved details, prior to any works above ground in any phase containing Fleet House, including demolition, details of all alterations, improvements and restoration works to Fleet House shall be submitted to and

approved in writing by the City Council as local planning authority. The details shall include elevation and section plans at an appropriate scale (1:100/1:50/1:20), details of materials including specification and means of connection between the existing building and new buildings. The development shall only be carried out in accordance with the approved details. (In the interest of heritage and building conservation, in accordance with Core Strategy policies CS03 and CS18).

6. A) Prior to the commencement of development of each phase the applicant should secure the implementation of an appropriate programme of archaeological work in respect of the relevant phase to be undertaken by a competent and experienced organisation in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved in writing by the City Council as the local planning authority. The scheme must include an assessment of significance, research questions, and:

- (1) the programme and methodology of site investigation and recording;
- (2) the programme for post-investigation assessment;
- (3) provision to be made for analysis of the site investigation and recording;
- (4) provision to be made for publication and dissemination of the analysis and records of the site investigation;
- (5) provision to be made for archive deposition of the analysis and records of the site investigation.

B) No development of each phase shall take place other than in accordance with the Written Scheme of Investigation approved under (A) above.

C) No phase of the development shall be occupied until the site investigation and post-investigation assessment relating to that phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under (A) above, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured, unless otherwise agreed in writing with City Council as local planning authority. (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

7. Prior to any development other than demolition, details of drainage shall be submitted to and approved in writing by the City Council as local planning authority. No flat shall be occupied until the drainage for that phase has been installed in full accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy).

8. Prior to any development other than demolition, full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved in writing by the City Council as local planning authority. No flat shall be occupied until the system has been implemented in full for that phase. 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).

9. Prior to any development of each phase other than demolition, full design details of on-site installations to provide energy efficiency measures, including air-source heat pumps supplying the hot water for the development, shall have been submitted to and approved in writing by the City Council as local planning authority. Prior to the occupation of each respective phase evidence demonstrating satisfactory operation of the approved scheme including on-site installation of that phase shall be submitted to and approved in writing by the City Council. The approved scheme shall be retained and maintained thereafter. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy).

10. Prior to any development of each phase other than demolition, the site shall be investigated for the presence of land contamination within that phase, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render that phase 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 for that respective phase shall be implemented and a completion report for that phase shall be submitted to and approved in writing by the City Council as local planning authority before the occupation of each phase of the development. Any parts of the site where contamination was previously unidentified and found during the development process shall be subject to remediation works carried out and approved in writing by the City Council as local planning authority prior to the occupation of each phase 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 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).

11. Prior to any development other than demolition, a site-wide Landscape Strategy, including long term design objectives, management responsibilities and maintenance schedules for all parts of the site that shall remain unbuilt upon shall be submitted to and approved in writing by the City Council as local planning authority. The approved Landscape Strategy shall inform the LEMP and shall be implemented as approved and maintained thereafter. (In the interests of amenity and the continued satisfactory provision of such facilities and in accordance with Policy UD06 of the City of Leicester Local Plan and Core Strategy Policies CS03 and CS13).

12. Prior to any development of each phase other than demolition, a detailed landscape and ecological management plan (LEMP) for that phase showing the treatment and maintenance of all parts of the site which will remain unbuilt upon shall be submitted to and approved in writing by the City Council as local planning authority. This scheme shall include details of: (i) the position and spread of all shrubs or hedges to be retained or removed; (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means of planting, staking, and tying of trees, including tree guards; (iv) all hard surface treatments including manufacturers specifications; (v) boundary treatments, including details of the entrance gates; (vi) any changes in levels, design and location of ramps with details of gradients; (vii) the position and depth of service and/or drainage runs (viii) a detailed plan of the biodiversity enhancements on the site such as meadow creation and hedgerow improvements including a management scheme to protect habitat during site preparation and post-construction (ix) details of planting design and maintenance of green roofs; (x) details of the make and type of 12x bird boxes/tiles/bricks and 6 x bat boxes/tiles/bricks to be erected on buildings and 2 invertebrate boxes under the guidance and supervision of a qualified ecologist. The approved LEMP shall contain details on the after-care and maintenance of all soft landscaped areas and be carried out within one year of completion of each phase of the development. For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. Any areas designed for biodiversity enhancement to achieve net gain will require maintenance and management for a minimum of 30 years. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme and a written assessment of the landscaped/habitat areas and use by wildlife/species present shall be submitted to and approved in writing annually by the local planning authority. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 Urban Design, CS17 Biodiversity).

13. Prior to any development of each phase other than demolition, a detailed design of all external lighting for that phase, including locations of lights, their type of light emittance and wavelength, together with a lux contour map showing the variation in light, shall be submitted to and approved in writing by the City Council as local planning authority. The lighting should be designed to cause minimum disturbance to protected species that may inhabit the site with appropriate areas remaining dark and a maximum of 1 lux on vegetated/water areas where considered necessary. The approved scheme shall be implemented prior to occupation of each phase of development and retained thereafter. No additional external lighting should be installed without prior written agreement from the City Council. (In the interests of protecting wildlife habitats and in accordance with saved policy BE22 of the Local Plan and policy CS17 Biodiversity of the Core Strategy).

14. Notwithstanding the approved details, prior to the commencement of development of each phase, a materials sample panel drawing (at a scale of 1:20) and materials schedule for that phase shall be submitted to and approved in writing by the City Council as local planning authority. Prior to the construction of any above ground works of each phase the approved sample panel shall be constructed on site,

showing all external materials, including brick, brick bond and mortar colour for inspection and approval in writing by the City Council as local planning authority. Each phase shall be constructed in accordance with the approved sample panel and materials. (In the interest of visual amenity and character and appearance of the area and in accordance with Core Strategy policy CS03).

15. Before any above ground works are carried out for each phase a noise assessment for that phase shall be submitted to and approved in writing by the City Council as local planning authority. The assessment shall address noise (music and on-street activity) from nearby entertainment venues and shall include the mitigation measures detailed in Section 6.3 of the 'Assessment of the Existing Noise Climate in the Vicinity of the Proposed Residential Development at: Fleet House, Lee Circle, Leicester' (Dated 14th March 2020, Ref: L4804), and details of the recommended glazing specified and means of fresh air ventilation to prevent the transmission of noise into the development whilst allowing windows to remain closed. Prior to first occupation of each phase the approved details shall be implemented in full and shall be retained and maintained thereafter. (In the interests of residential amenity and in accordance with Saved Policies H07 and PS10 of the City of Leicester Local Plan).

16. Before the occupation of any phase of the development, the footway along Old Milton Street fronting the development shall be resurfaced in accordance with details of the proposed footway construction which shall first be submitted to and approved in writing by the City Council as local planning authority, in consultation with the highway authority. The details submitted shall include (i) proposed materials, including specifications information to demonstrate suitability for use within the highway, together with construction depths; (ii) tie-in details into the existing footways; (iii) reinstatement of full height kerbs and full depth footway construction at existing footway crossings where they are made redundant by construction of the development and (iv) drainage details showing how surface water run-off from within the development will be prevented from being discharged into the highway. The approved details shall be implemented prior to the occupation of that phase and shall be retained thereafter in accordance with the approved details. (For the safety and convenience of pedestrians and other road users, and in accordance with saved policies AM01 and AM02 of the City of Leicester Local Plan and Core Strategy policy CS03).

17. Before the occupation of any phase of the development, the following works in so far as relevant to that phase shall be carried out in accordance with the written details submitted to and approved in writing in advance by the City Council as local planning authority: (a) alterations to footway crossings; and (b) reinstatement of any redundant footway crossings and/or damaged or altered areas of footway or other highway. The approved works shall be retained thereafter. (To ensure a satisfactory means of access to the highway, and in accordance with saved policies AM01 and AM02 of the City of Leicester Local Plan and Core Strategy policy CS03).

18. All street works shall be constructed in accordance with the Council's standards contained in The Leicester Street Design Guide (First Edition). The guide can be found at: <https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/> (To achieve a satisfactory form of development,

and in accordance with Saved policies AM01 and AM02 of the City of Leicester Local Plan and Core Strategy policy CS03).

19. Notwithstanding the submitted Travel Plan, no part of the development shall be occupied until an updated Travel Plan for the development has been submitted to and approved in writing by the City Council as local planning authority. The Plan shall: (a) assess the site in terms of transport choice for occupiers; (b) consider pre-trip mode choice, measures to promote more sustainable modes of transport such as walking, cycling, cycle share and public transport (including providing a cycle hub scheme to enable residents to borrow or hire cycles, personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, information on sustainable journey plans, notice boards) over choosing to drive so that all users have awareness of sustainable travel options; (c) identify marketing, promotion and reward schemes to promote sustainable travel and to discourage off-site parking; (d) include provision for monitoring travel modes of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of each phase of the development brought into use. The plan shall be implemented in accordance with the timetable contained within the approved Plan and shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with saved policies AM01, AM02, AM11 and AM12 of the City of Leicester Local Plan and Core Strategy policies CS14 and CS15).

20. Prior to the first occupation of each flat, the occupiers shall be provided with a 'Residents Travel Pack' details of which shall be submitted to and approved in writing by the City Council, as the local planning authority in advance. The contents of this shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. (In the interest of sustainable development and in accordance with saved policies AM01, AM02 and AM05 of the City of Leicester Local Plan and Core Strategy policy CS14).

21. Prior to the first occupation of each phase of the development, a Management Plan for that phase shall be submitted to and approved in writing by the City Council as local planning authority. The Management Plan shall include details of the management and ongoing maintenance of internal and external communal areas, including the gyms and the operation of waste collection for that phase. The details approved within the Management Plan shall be implemented and retained as such thereafter. (In the interest of visual amenity and character and appearance of the area and in accordance with Core Strategy policy CS03).

22. The window reveals of all new build elements shall be constructed with a minimum depth of 200mm and in accordance with plan ref. 45806(P-34)005. (In the interest of visual amenity and character and appearance of the area and in accordance with Core Strategy policy CS03).

23. The demolition and construction of the development of each phase shall be carried out in accordance with the approved mitigation measures submitted in the Air & Acoustic Consultants Ltd Air Quality Assessment (Dated: February 2019, Ref 100252_002) received on 01/06/2020. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)

24. No phase of the development shall be occupied until secure and covered cycle parking for that phase has been provided and retained thereafter, in accordance with details first approved by the City Council as local planning authority. (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).

25. The gyms, laundry rooms and communal facilities hereby approved shall only be used by occupiers of the site. (In the interests of the amenities of future occupiers, and satisfactory development of the site and in accordance with policies H07 and PS10 of the City of Leicester Local Plan.)

26. The flats and their associated access shall be constructed in accordance with 'Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement. On completion of each phase of development and prior to the occupation of that respective phase a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to and approved in writing by the City Council as local planning authority certifying compliance with the above standard. (To ensure the development is adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS06).

27. The dwellings hereby permitted shall comprise 351 flats (120 x Studio, 211 x 1 bed, 20 x 2 bed) in accordance with the plans referred to in condition 27 attached to this Planning Permission and in accordance with the schedule of accommodation received by the City Council as local planning authority on 08/12/2020. (For the avoidance of doubt.)

28. This consent shall relate solely to the following submitted information:

Demolition Plans –

(P-01)001; (P-01)002; (P-01)003; (P-01)004; and (P-01)005 received by the City Council as local planning authority on 01/06/2020

Proposed Floor Plans -

(P-20)001 rev H and (P-20)002 rev H received by the City Council as local planning authority on 19/01/2021

(P-20)006 rev F received by the City Council as local planning authority on 15/12/2020

(P-20)003 rev E; (P-20)004 rev E; (P-20)005 rev E; (P-20)007 rev E; (P-20)010 rev E; and 45806(P-20)021 rev G received by the City Council as local planning authority on 10/12/2020

Proposed Elevations –

(P-21)003 rev G; (P-21)002 rev F; (P-21)006 rev G; (P-21)005 rev G; (P-21-A1)002 rev G; (P-21-A1)001 rev F; (P-21-B1)003 rev G; (P-21-B1)004 rev G; (P-21-B1)005 rev G; (P-21-C1)006 rev G; (P-21-C1)007 rev G; (P-21-C1)008 rev F; (P-21-C1)009 rev F; and (P-21-A1-D1)010 rev G received by the City Council as local planning authority on 08/12/2020

(P-21)004 rev J; (P-21)001 rev H; and 45806(P-21)008 received by the City Council as local planning authority on 23/12/2020

Site Sections -

(P-22)002 rev C; (P-22)003 rev C; (P-22)004 rev C; and (P-22)005 rev B; received by the City Council as local planning authority on 08/12/2020

Typical Bay Elevations -

45806(P-23)001 rev A; 45806(P-23)002 rev A; 45806(P-23)003 rev A; and 45806(P-23)004 rev A received by the City Council as local planning authority on 12/10/2020

45806(P-23)005 rev A and 45806(P-23)006 rev A received by the City Council as local planning authority on 08/12/2020

Access Plans –

45806(P-19)001 rev A and 45806(P-19)002 rev A; received by the City Council as local planning authority on 08/12/2020

Elevation Section Plans –

45806(P-34)001; 45806(P-34)002; 45806(P-34)003; 45806(P-34)004; 45806(P34)010; 45806(P34)011; and 45806(P34)012 received by the City Council as local planning authority by the City Council as local planning authority on 12/10/2020

45806(P-34)005 received by the City Council as local planning authority on 19/01/2021

Phasing Plan- 45806(P-30)001 received by the City Council as local planning authority by the City Council as local planning authority on 10/12/2020

Air Quality Assessment (ref. 100252)002); Heritage Statement (ref. 02754D) Historic Building Record (AC-307B); Ground Investigation (G16226-IR); Flood Risk Assessment (MC/EST/200312/17-2/R001 Issue No.4) Archaeological Desk Based Assessment (AC00307A); Transport Assessment (CTP-15-303) ;Residential Travel Plan (CTP-15-303); Financial Viability ; Development Appraisal; Planning Statement including Affordable Housing Statement; Building for Life Assessment; Design & Access Statement received by the City Council as local planning authority on 01/06/2020; Planning Energy Statement (Leema Technologies Rev D) received by the City Council as local planning authority on 31/07/2020; Drainage Strategy (MC/EST/200312/17-2/R001 Issue No.4) received by the City Council as local planning authority on 21/09/2020; Protected Species Survey; Sun Path Analysis Diagrams; Cleaning & Repair Method of Works Specification; Wharf Street Elevation Analysis; Fleet House Apartment Breakdown and Schedule of Materials received by the City Council as local planning authority on 12/10/2020; Fleet House Management Strategy received by the City Council as local planning authority on 08/12/2020; Swept Path Analysis CTP-15-303_SP04 received by the City Council as local planning authority on 20/07/2020; and Accurate Visual Representations; Schedule of Accommodation and Cycle Storage received by the City Council as local planning authority on 19/01/2021 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. For the avoidance of doubt, where the above conditions refer to phasing this relates to the details to be approved by condition 2 of this permission and to approved Proposed Phase plan ref. 45806(P-30)001.
2. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway.

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

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

3. The Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It will apply to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at: <https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>

The document will be subject to a review after 12 months. During the review period we invite comment from users to assist us in further developing the guide.

4. The ventilation arrangements shall ensure that 4 air changes per hour, if necessary using mechanical ventilation, is available on demand in all habitable rooms with windows closed (to ensure thermal comfort).

5. To meet condition 24 all those delivering the scheme (including agents and contractors) should be alerted to this condition, and understand the detailed provisions of Category 2, M4(2). The Building Control Body for this scheme must be informed at the earliest opportunity that the units stated are to be to Category 2 M4(2) requirements. Any application to discharge this condition will only be considered if accompanied by a building regulations completion certificate/s as stated above.

6. 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.

Policies relating to this recommendation

2006_AM01 Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.

2006_AM02 Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.

2006_AM12	Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
2006_H07	Criteria for the development of new flats and the conversion of existing buildings to self-contained flats.
2006_PS09	Development, regeneration and refurbishment will be encouraged within Potential Development Areas requiring a high standard of design and sustainable development.
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_CS01	The overall objective of the Core Strategy is to ensure that Leicester develops as a sustainable city, with an improved quality of life for all its citizens. The policy includes guidelines for the location of housing and other development.
2014_CS02	Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
2014_CS03	The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
2014_CS04	The Strategic Regeneration Area will be the focus of major housing development and physical change to provide the impetus for economic, environmental and social investment and provide benefits for existing communities. New development must be comprehensive and co-ordinated. The policy gives detailed requirements for various parts of the Area.
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_CS07	New residential development should contribute to the creation and enhancement of sustainable mixed communities through the provision of affordable housing. The policy sets out the broad requirements for affordable housing.
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_CS16	The Council aims to develop culture and leisure facilities and opportunities which provide quality and choice and which increase participation among all our diverse communities. New developments should create an environment for culture and creativity to flourish.

- 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.
- 2006_BE22 Planning permission for development that consists of, or includes, external lighting will be permitted where the City Council is satisfied that it meets certain criteria.
- 2006_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.