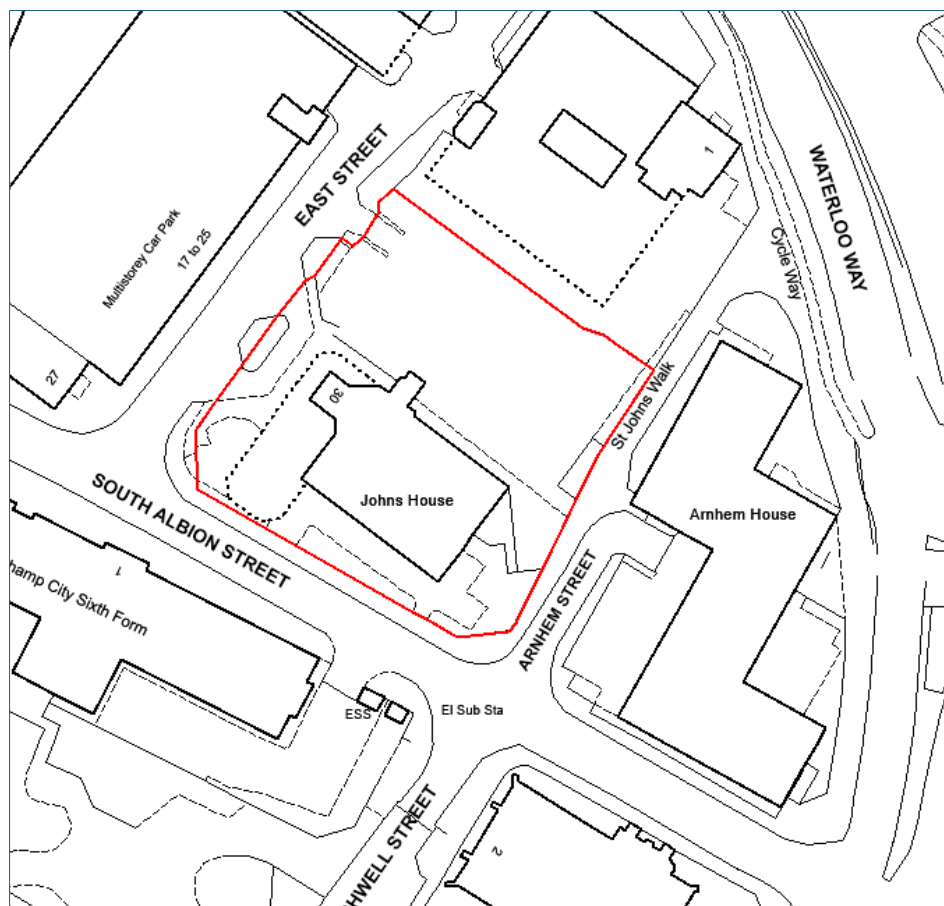


<b>Recommendation: Conditional approval</b>	
<b>20250833</b>	<b>30 East Street, St Johns House</b>
Proposal:	Change of use of office building (Class E) to student accommodation (114 studios & 7 cluster flats) (Sui Generis); construction of single storey infill extension at front; parking, landscaping & alterations (amended plans 08/08/2025)
Applicant:	Hannah Yates
View application and responses:	<a href="https://planning.leicester.gov.uk/Planning/Display/20250833">https://planning.leicester.gov.uk/Planning/Display/20250833</a>
Expiry Date:	8 September 2025
SS1	WARD: Castle



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## Summary

- The application is for use of the building as student accommodation to provide 142 beds (in a mix of cluster and self-contained flats), and a single storey extension;
- The application is brought to committee as Councillor Kitterick objected on the grounds of an unacceptable living environment for future occupiers;
- The main issues are the principle of replacing office space with student accommodation; proposed living environment; visual impact, highways impact, ensuring a satisfactory build-out & meeting technical requirements, ensuring no

other adverse impacts to the area in planning terms, and developer contributions;

- Application is recommended for approval subject to conditions and a section 106 agreement to secure financial contributions for healthcare and parks/green spaces.

## The Site

The application relates to a 1970's multi-storey office block. The site is within an area of predominantly commercial buildings within the inner ring road in close proximity to Leicester Railway Station. The building has a top height of around 39m and is therefore prominent in the surrounding area including when viewed from the station.

The building features an undercroft area around its entrance which faces East Street (i.e. the west elevation), which benefits from a pick-up/drop-off layby point to the front. The site also includes a private car park, also accessed from East Street. To the east and south of the site there is hardstanding for pedestrians and service vehicles along with several shrubs and trees.

There is a 5-storey building to the north of the site (Peat House) and a further multi-storey building to the east (Arnhem House), beyond a small access road (Arnhem Street) and footpath (St John's Walk). South Albion Road to the south of the site and East Street are relatively lightly trafficked roads. To the southeast of the site at Ashwell Street/South Albion Street there is a church (St John the Divine) which is Grade II listed.

Internally, there is a basement area for plant, with reception and office space on the ground floor, and a mix of larger and smaller office spaces across the 1<sup>st</sup> to 9<sup>th</sup> floors with plant on the 10<sup>th</sup> floor. There are air conditioning units on the rooftop. There are 3 lifts from ground to 9<sup>th</sup> floor.

The building is currently vacant.

In terms of planning designations, the site is in the city centre and strategic regeneration area. In terms of constraints, the site is in a critical drainage area and within proximity to an air pollutant use (dry cleaners on Granby Street) and historic land contaminant use.

There have not been any significant planning applications or planning history at the site that would be material to this application.

## The Proposal

The proposal includes a ground floor extension to fill in the undercroft area under the 3 blocks of the building fronting East Street. The west and south west elevations of the extension would be largely glazed with aluminium windows and doors, with spandrel panels above. The north east and east elevations would be finished with aluminium cladding panels. The bricks used in the construction would match the existing building. Further alterations would take place including installation of aluminium cladding panels to all elevations, replacement of all existing windows, the insertion of an additional window on the north elevation of the building at first to fifth floor levels, additional windows on the east elevation at 6<sup>th</sup> to 8<sup>th</sup> floor levels, and additional windows on the southwest elevation at 9<sup>th</sup> floor level.

The building would be re-laid out internally to provide student accommodation. The basement floor would include plant space. The ground floor would then include the main East Street entrance area with a reception, co-working area, office, social lounge, private dining area, gym and communal study space behind.

The layout of the living accommodation would be as follows:

- 6 studios to the east part of the ground floor;
- At 1<sup>st</sup> and 2<sup>nd</sup> floor, there would be 2 cluster flats (with 4 bedrooms per cluster flat), and 13 studios;
- At 3<sup>rd</sup> to 5<sup>th</sup> floor, there would be 1 cluster flat and 14 studios;
- At 6<sup>th</sup> floor, there would be 16 studios;
- At 7<sup>th</sup> floor, there would be 13 studios;
- At 8<sup>th</sup> floor, there would be 7 studios; and
- At 9<sup>th</sup> floor, there would be 4 studios.

The total number of bedspaces would therefore be 142, composed of 114 studios & 28 cluster bed spaces.

There would be further plant at 9<sup>th</sup> floor and on the rooftop.

In terms of the site layout, the pick-up/drop off area would be retained with a new landscaped area adjacent in place of an existing tree. All other trees would be retained with new landscaping around the site including hedges, shrubs and a rain garden. The car park would also be retained with 19 spaces, where there would also be a new landscaped area with the bin store and cycle stores (with space for 72 bicycles). There would be a turning area off South Albion Street with 3 further parking spaces. There would be access ramps to each of the entrances.

The application was submitted with the following supporting information:

- Air Quality Assessment
- Arboricultural Impact Assessment
- Archaeological Assessment
- Biodiversity Net Gain Assessment & BNG Metric
- Design & Access Statement
- Drainage Strategy & Flood Risk Statement
- Energy Statement
- Framework Travel Plan
- Gateway One Fire Statement
- RIBA Stage 2 Fire Strategy
- Heritage Statement
- Land Contamination Preliminary Risk Assessment
- Student Accommodation Demand and Supply Report
- Noise Impact Assessment
- Planning Statement (including Consultation Statement and Draft S106 Heads of Terms)
- Preliminary Ecological Appraisal and Roost Assessment
- Student Management Statement
- Transport Statement
- Utilities Search Report

- Viability Report for Office Use

Amended plans were submitted on 8<sup>th</sup> August 2025 to make minor alterations to the scheme including the change from glazed spandrel panels to cladding panels to the upper floors, which is required to achieve the required fire and acoustic separation and reconfiguring the layout of the amenity space/bin and cycle stores.

## Policy Considerations

### National Planning Policy Framework 2024

Paragraph 2 (Primacy of development plan)  
 Paragraph 11 (Sustainable development)  
 Paragraph 49 (Weight to emerging plans)  
 Paragraph 56 (Planning obligations)  
 Paragraph 57 (Planning conditions)  
 Paragraph 58 (Tests for planning obligations)  
 Paragraph 61 (Housing supply)  
 Paragraph 73 (Small housing sites)  
 Paragraph 85 (Economic growth)  
 Paragraph 103 (Access to open spaces)  
 Paragraph 109 (Transport impacts and patterns)  
 Paragraph 110 (Development in sustainable locations)  
 Paragraph 115 (Assessing transport issues)  
 Paragraph 116 (Highways impact)  
 Paragraph 117 (Highways requirements for development)  
 Paragraph 118 (Travel plan)  
 Paragraph 124 (Effective use of land for homes/other uses)  
 Paragraph 125 (Urban land considerations)  
 Paragraph 127 (Changing demand for land)  
 Paragraph 129 (Making efficient use of land)  
 Paragraph 131 (High quality, beautiful and sustainable buildings)  
 Paragraph 135 (Good design and amenity)  
 Paragraph 136 (Trees)  
 Paragraph 139 (Design decisions)  
 Paragraph 161 (Climate impacts)  
 Paragraph 163 (Mitigate/adapt to climate change)  
 Paragraph 167 (Sustainable heating e.g. heat pumps)  
 Paragraph 181 (Flood risk considerations and SuDS)  
 Paragraph 182 (Incorporating SuDS)  
 Paragraph 187 (Natural environment considerations)  
 Paragraph 193 (Biodiversity in planning decisions)  
 Paragraph 196 (Land instability or contamination)  
 Paragraph 198 (Noise and light pollution)  
 Paragraph 199 (Air quality considerations)  
 Paragraph 200 (Agent of change)  
 Paragraph 202 (Heritage as an irreplaceable resource)

### Core Strategy 2014 and Local Plan 2006

Policy CS03 (Designing quality places)  
 Policy CS04 (Strategic Regeneration Area)  
 Policy CS06 (Housing strategy)

Policy CS12 (City Centre)  
Policy CS10 (Employment opportunities)  
Policy CS13 (Green Network)  
Policy CS14 (Transport network)  
Policy CS15 (Managing demand for car use)  
Policy CS17 (Biodiversity)  
Policy CS18 (Historic environment)  
CLLP policy AM01 (Impact of development on pedestrians)  
CLLP policy AM02 (Cycling and development)  
CLLP policy AM12 (Residential car parking provision)  
CLLP policy PS10 (Residential amenity and new development)  
CLLP policy PS11 (Protection from pollution)  
CLLP policy UD06 (Landscape features)

### Emerging Local Plan

Further to the above, the emerging Leicester Local Plan 2020-2036 is at an advanced stage in its examination process and is expected to be adopted in Winter 2025/26 therefore some regard can be had to relevant future policies. Having regard to the designations for the site on the emerging policies map, the proposal would be subject to the following emerging policies.

SL01 (Location of development)  
CDA01 (Central development and management strategy)  
CDA02 (New development within character areas)  
CHA01 (Railway Station character area)  
TCR03 (City Centre)  
Ho08 (Student Residential Accommodation Development)

### Further Relevant Documents

Department for Communities and Local Government - Nationally described space standard  
Leicester City Council – Leicester Street Design Guide 2020  
Local Plan Appendix 001 – Vehicle Parking Standards  
Planning (Listed Buildings and Conservation Areas) Act 1990  
The National Heritage List for England  
GOV.UK Planning Practice Guidance – Noise <https://www.gov.uk/guidance/noise--2>  
Development Management Procedure Order (DMPO)  
Economic Development Needs Assessment (EDNA 2020)

## **Consultations**

### Noise Pollution Officer

- Satisfied that if the recommendations made for minimum facade sound insulation treatment are implemented, the noise impacts on occupiers will be adequately mitigated with windows closed;
- There is a potential for noise impact when the occupant wishes to open the windows for thermal comfort;
- An overheating risk assessment should be submitted to address this.

### Air Quality Officer

- The air quality assessment has assessed the dust impacts of the construction phase to be Low with mitigation measures to reduce this to Negligible;
- The impact of the operational phase has been assessed to have no impact on the future local air quality as a direct result of vehicle trips generated by the development;
- The background pollutant concentrations around the site do not exceed the National Air Quality objectives;
- Does not have any air quality concerns with the development.

### Health & Safety Executive

HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.

### Waste Management

- The bin area should be large enough for the requirement;
- Requested further information in terms of how the bins will be collected;
- Provided information on bin store design.

### Sustainability Officer

Welcomes improvements proposed to the thermal performance of the building, as well as the commitment to targeting best practice in terms of both whole life carbon and operational energy demand reduction.

Requests the applicant to approach the district heat network operator, Bring Energy, to ascertain if connection is feasible and could be viable.

### Highways Authority

- Accesses from East Street, South Albion Street and Arnhem Street are acceptable;
- 22 parking spaces is an acceptable level for this development;
- Overall traffic impact would reduce from the change of use;
- Parking management plan & a more detailed travel plan is required and can be conditioned;
- 78 cycle parking spaces is an acceptable level (compliant with the standard of 1 per 2 bedspaces);
- Recommends conditions relating to footway crossing alterations; cycle parking to be secured; travel plan to be secured; travel packs for occupiers to be agreed; parking areas to be marked out; & Arnhem Street access to be retained for pedestrians/cyclists.

### Trees & Woodlands

The arboricultural impact assessment highlights that an arboricultural method statement should be acquired. More in-depth details on the proposed tree planting with a specific management plan are also requested.

### LLFA

The site is within a Critical Drainage area and SuDS measures should be considered to manage surface water runoff. A drainage strategy and flood risk assessment document is provided which shows the surface water runoff will be managed using

rain gardens, permeable block paving and attenuation tank (76m<sup>3</sup>) before discharging into the public sewer at a discharge rate of 15.6l/s using a Hydrobrake flow control device. A number of requirements as mentioned in the 'Requirements for Applicant' section are still outstanding.

#### Land Contamination Officer

The officer assessed the submitted preliminary risk assessment report and is satisfied that this covers everything required. The report states that an intrusive investigation is necessary so the planning consent, if granted, will need the contaminated land condition attached to cover this.

#### Leicester, Leicestershire & Rutland Integrated Care Board

The ICB calculates 1 patient per 1 bed and the development will result in a minimum population increase of 142 patients. To ensure that the health and well-being of the local community is protected, the ICB maintains that S106 funding is essential to help mitigate the impact/support the needs arising from the forecasted increase in population.

The contribution requested would be £56,800.00.

#### Parks/Green Spaces Officer

- Proposed development will increase the number of residents in an area which exhibits a deficiency in green space;
- Opportunities to create new open space to address the needs of the new residents are limited. Therefore the officer would look to make quality improvements to existing open space provision to minimise the impact of the development;
- Based on the formula from the Green Space SPD a contribution of £87,804.00 is required. This would be used for works at Museum Square, Town Hall Square, and Nelson Mandela Park.

## Representations

Councillor Kitterick objected on the grounds of an unacceptable living environment for future occupants.

## Consideration

### Principle of Development

#### *Policy Overview*

Both the current and emerging Local Plan policies set out the importance of the city centre as a sub-regional shopping, leisure, historic, tourist and cultural destination.

Similarly, the site is within both the current "strategic regeneration area" and future "central development area" in the emerging Plan, which are aimed to be the focus of major housing development, employment, and physical regeneration to provide the impetus for economic, environmental, and social investment and provide benefits for existing and future residents and those who work, visit and learn within the city.

Furthermore, both the existing policy CS06 and the "Housing" section in the emerging Plan require the city to meet housing need and demand. Policy Ho08 in the emerging Plan states that student residential accommodation development will be supported

where it meets certain criteria. Policy SL01 sets out need in the city for both offices and student accommodation.

Policy CS10 also supports business and economic development including provision of office space.

The Student Housing SPD (2012) provides criteria for new purpose-built student accommodation.

### *Assessment*

The existing office use of the site is considered to sit well in its surroundings, being part of a complex of commercial buildings in the area which are very close to the railway station and within the city centre. Office use is an acceptable and sustainable one having regard to existing and emerging planning policies described above. The Economic Development Needs Assessment (EDNA 2020) grades the site as B2 which offers high protection for the office use.

However, I consider that student accommodation would also be a suitable use for the site. The site would meet criteria listed in the current SPD that the development is within reasonable walking distance of both the University of Leicester and De Montfort University (15 minutes to both). The site is not in a high-density residential area where there could be impacts arising to neighbours. Emerging policy SL01 sets out that “the Council will support applications for student accommodation that help to meet the City’s requirement for 4,800 units over the plan period where appropriate in accordance with Policy Ho08”.

The applicant has submitted a “Leicester Student Accommodation Demand and Supply Report” from a professional property valuation firm. The report considers the recent history of student numbers in Leicester and tenure/types of accommodation students are living in, along with the known supply of PBSA. It concludes that there is a demand for at least 8,000 units. I consider that the evidence is well-researched and adds some weight in favour to the proposal.

The development of 142 student bedrooms would be a significant boost to the housing supply in the city. Whilst the proposal would only provide accommodation for students, there is an evidenced need and the extra provision would also relieve some pressure from student use of the private rented housing stock.

Notwithstanding the comments above regarding the suitability of the existing office use, the applicant has also submitted a viability report for the site as offices by a professional marketing agent. The report has included evidence that the office was marketed in 2021, 2022, and 2023, which is a considerable period of time. The offices were marketed at a rate of £12.50/sqf in 2021, which is a little over 50% of the headline rent achieved at Colton Square, and less than the headline rent achieved at Peat House, reflecting the building's age and quality of offering. The marketing did not bring in new tenants and as there is office space available to rent in nearby buildings which are a better offering to prospective tenants, the applicant has demonstrated that the building does not appear viable at present for office use. As such, the loss of office space at this particular site is not considered to weigh significantly against the development.

As discussed in further detail below, the site is considered to provide an acceptable standard of living accommodation and included communal facilities appropriate to the scale of the development.



The application includes a student management statement from a specialist operator of PBSA. It advises of management in terms of points including staffing, security, student behaviour, facilities, waste management, sustainable travel and accessibility. I am satisfied that the proposed site would likely be managed suitably to avoid any harmful impacts to the surrounding area and the statement can be included as an approved document.

### *Principle of Development – Conclusion*

Taking the above together, the loss of office space would not weigh significantly against the development and the proposed use would be appropriate and help meet a significant identified demand for student accommodation in accordance with policy CS06. I consider significant weight can be given in favour of the proposal in regard to the principle of development.

### Proposed Living Environment

NPPF paragraphs 135f & 189 and Local Plan saved policies PS10 and PS11 require developments to provide a high standard of amenity for future residents.

### *Floorspaces & Amenity Space*

69 of the proposed 114 studio flats would be between 19-23 sqm. 3 would be below this at 17sqm. 19 would be larger, between 24-26sqm and 23 would be larger still, between 28-38sqm.

In terms of the 7 cluster flats, 2 would measure 114sqm in total, with bedrooms of 15-16sqm and a communal area of 31sqm. 5 would measure 123sqm in total, with bedrooms of 15-17sqm and a communal area of 39sqm.

The ground floor would provide a co-working area, social lounge, private dining area, gym and communal study space.

The studios would provide space for the furniture required for occupation on a short to medium term including a single bed, a desk, a countertop for utilities, a wardrobe and an en-suite bathroom. I acknowledge that most of the flats would not provide excess space beyond this and would not meet the NDSS (noting that these standards cannot be required of student accommodation in policy terms) . However, student occupation is predominantly used during term times for some 8 months of a year and often only for one academic year, during a time when students would have access to communal facilities on campus such as the library and other leisure-based spaces and often a main alternative residence. The development provides the resident students with access to the shared facilities described above as well as a modest outdoor amenity space. For avoidance of doubt, I am conscious that policy Ho07 within the emerging Local Plan will give full weight to compliance with the NDSS for Class C3 residential proposals – however this proposal for “sui generis” student accommodation would not fall under that requirement and so emerging policy Ho07 is not applicable to this development.

### *Outlooks/Privacy*

I consider that all studios would have windows which would provide a reasonable outlook and light to an acceptable proportion of the rooms. I note that the north facing rooms would generally be of modest depth to allow as much as possible of the rooms to be reasonably lit.

### *Noise & Disturbance*

The application site is within the city centre and near to buildings in commercial use. The applicant has submitted a noise impact assessment to determine the noise levels for the proposed occupiers. The assessment sets out noise sources and with noise measurements taken from around the site and discussed noise impacts to the site. It goes on to set out how suitable internal noise levels can be achieved.

I accept the conclusion of the noise officer that if the recommendations made for minimum facade sound insulation treatment in table 1 of the assessment are implemented during construction, then the environmental noise impact on the proposed dwellings will be adequately mitigated with windows closed. As is discussed in the report, there is a potential for noise impact due to occupiers wishing to open the windows for thermal comfort. As such, natural ventilation relying on open windows or trickle vents is not suitable for this development. I therefore recommend a condition to agree either an overheating assessment which demonstrates that acceptable thermal comfort can be achieved without the reliance on openable windows at night, or a mechanical ventilation scheme to be agreed.

### *Air Quality*

NPPF paragraph 199 requires proposals to mitigate air quality impacts. The Air Quality Officer has reviewed and accepted the assessment submitted, which confirms that the future occupiers would not be exposed to excessive levels of air pollution. A condition would be required however to follow the mitigation measures recommended in the report (p45-46) in terms of dust impacts from the construction works.

Subject to such a condition, the proposal would therefore not cause harm in regard to air pollution to future occupiers and as such accord with NPPF Paragraph 199. A c

### *Fire Safety*

The building is a tall building to be used for student accommodation and as such Article 9a of the DMPO requires this proposal to be accompanied by a Fire Statement describing the fire safety design principles, concepts and standards that have been applied to the development.

The application was accompanied by such a statement (OrionFire engineering, ref OF-001815-FSS-01). The application was also accompanied by a RIBA Stage 2 Fire Strategy. The documents provide details on fire safety systems, building fabric and components, means of escape, fire service access, and suitability of water supply.

The Health and Safety Executive have been consulted, and they are content with the fire safety design, to the extent it affects land use planning considerations.

I am satisfied that the proposal therefore accords with the DMPO on this issue and recommend a compliance condition with the fire statement.

### *Waste Management*

The Waste Management team has confirmed that the proposed bin storage would accommodate a satisfactory number of bins. The consultee did raise a query in terms of how the waste will be collected. I am satisfied that this is addressed in paragraph 5.3.9 of the planning statement which confirms that: servicing and delivery arrangements will remain from Arnhem Street; refuse will be managed by Building Management with refuse bins moved from the bin store to Arnhem Street for refuse collectors to access; and Building Management will also be responsible for returning the bins to the bin store afterwards.

### *Living Environment – conclusion*

Taking all of the above together, I consider that the proposal would provide an acceptable level of accommodation for the future student occupiers and the proposal would comply with the above listed policies in regard to providing a satisfactory living environment.

### Appearance/Visual Impact

Core Strategy policy CS03 and NPPF paragraph 135 require developments to be well-designed and appropriate to the character and appearance of the area.

The proposed extension and alterations would match the footprint and brickwork of the existing building. I note that the face of the cladding panel will be set back from the face of the existing brickwork, in order to maintain the horizontal appearance of the existing openings. I consider that the proposal would not result in a significant impact to the character and appearance of the area, nor would it project any material impact to the setting of the nearby listed building.

Enhanced landscaping is provided at the entrance and across the remainder of the site, and I am satisfied that this is appropriate on balance to meet the needs of the development and ensure enhancement to visual amenity is created as a result.

Given the high visibility of the site and scale of the development I consider it necessary to require specifications of external materials to be agreed via condition. Subject to this, the proposal would comply with the above policies on appearance/visual impact.

### Sustainability

Core Strategy policy CS02 and NPPF chapter 14 require developments to be sustainably designed.

The submission included an Energy Assessment by a suitably qualified professional which acknowledged the sustainable energy policies in the emerging Local Plan. Pages 12-17 provide a detailed assessment of how the building can be improved to be more energy efficient and use LZC (low/zero carbon) technologies. The Sustainability Officer welcomes the improvements proposed to the thermal performance of the building, as well as the commitment to targeting best practice in terms of both whole life carbon and operational energy demand reduction. Compliance with the energy statement can be conditioned in accordance with the consultee comments. I note that the officer did also request re-consideration of whether connection to the district heat network could be viable and rejects the discounting of such a connection in the submission. I consider that this should be further explored to accord with existing and proposed energy planning policies and recommend a further condition in this regard. Subject to conditions, the proposal would accommodate energy efficiency in the proposal in accordance with the policies listed above.

### Highways/Parking

NPPF chapter 9, Local Plan policies AM01, AM02 and AM12, and Core Strategy policy CS14 set out guidance for highways considerations.

The site is in a highly sustainable location that is close to universities, the city centre, parks and public transport. It is possible to live here without the need for a car. Notwithstanding this, the proposal to provide 22 parking spaces is acceptable.

I recommend a travel pack to be provided to new residents and employees at the facility to encourage the use of sustainable modes of transport and this can also be secured via condition.

Servicing and delivery arrangements will not alter and will continue to take place from Arnhem Street.

To encourage the use of cycling and to comply with city council policy, 78 cycle parking spaces will be provided for residents in the form of 39 two-tiered cycle racks located in a secure cycle store to the east of the main parking area with 8 visitor cycle parking spaces being provided via Sheffield Stands off South Albion Street. The proposed cycle parking is acceptable and can be confirmed by condition.

Further conditions are required to secure the effective operation of the parking and access in relation to: reinstatement of redundant footway crossings; parking area to be surfaced and marked out; access onto Arnhem Street to be retained for pedestrians/cyclists only

### Ecology

Core Strategy policy CS17 and NPPF paragraphs 187 and 193 require developments to preserve and enhance the ecological environment. Additionally, Schedule 7A of the Town and Country Planning Act 1990 provides a legislative requirement for all developments to provide biodiversity net gain (BNG) and the applicant has indicated on the application form that BNG would apply to this development.

### *Protected Species*

The PEA confirms that the site is primarily comprised of a single building and hardstanding with onsite habitats comprised of trees and ornamental hedgerow. The extended survey included scoping for the likely presence of protected and priority species; and the report details that no evidence of protected and/or priority species was discovered within the redline boundary. It was further confirmed that the building and onsite habitat presents negligible potential to support roosting bats and/or nesting birds.

Although the PEA confirmed no evidence of protected and/or priority species, it was noted that potential remains for protected and/or priority species to be impacted though this is still considered unlikely. However as a precaution, the Applicant's Ecologist has recommended some simple reasonable avoidance measures within the PEA for bats (page 7), birds (page 9) and hedgehog (pages 12 & 13) which must be followed during the development works.

Further to this, the PEA recommends biodiversity enhancements to support local protected and priority species which includes provision of 3 x bird boxes (suitable for Swifts) and 2 x bat boxes. This is a welcomed addition to the site and should be conditioned.

The findings and conclusions of the presented PEA are acceptable however the Applicant's Ecologist has not recommended a validity period for this report. As the site is not complex in terms of habitat with negligible potential to impact protected species, in accordance with CIEEM Guidance a validity period of 24 months would be acceptable.

The proposal is therefore acceptable in respect of protected species.

### *Biodiversity Net Gain*

The provided DEFRA Statutory Metric based upon the PEA surveys confirm onsite habitat present a baseline biodiversity unit (BU) value of 0.93 BUs for area habitats and 0.02 BUs for linear (hedgerow) habitats.

Compensatory habitat creation detailed within the presented proposed site plan (273-DEN-00ZZDR-A-1002 - Den architecture - February 2025) is projected to result in a net gain in of 0.22 BUs (equivalent to 23.92%) in area habitat units and 0.11 BUs (equivalent to 528.45%) in linear (hedgerow) habitat units.

The presented landscaping proposals are projected to exceed the national minimum requirement of +10% BNG and are considered achievable; the proposal is therefore acceptable in principle. This means that the applicant has submitted sufficient information to support granting planning permission (e.g., the properly completed DEFRA Statutory Metric with acceptable baseline information).

The BNG legislation and guidance dictates that the on-site habitat creation and/or enhancement cannot be confirmed as acceptable until the biodiversity gain plan is submitted after the planning permission is granted to discharge the mandatory General Biodiversity Gain Condition (GBGC). As the proposed habitat compensation would not be considered 'significant' it would be reasonable to secure the landscaping via a 'landscape and ecological management plan' condition.

Subject to the conditions to secure the details described above, the proposal would accord with biodiversity net gain legislation and be acceptable in this regard.

### Trees

Local Plan policy UD06 and NPPF paragraph 136 require developments to retain trees of amenity value wherever possible and encourage new tree planting.

11 trees have been surveyed at the site; 1 tree will require removal to facilitate the proposal. Whilst this is unfortunate, new trees and hedgerows are to be planted around the south and west boundaries and the amenity garden area to enhance the site and mitigate the loss of the tree. The proposal would overall not significantly conflict with the above listed policies.

As per the arboricultural impact assessment and the tree officer comments, I consider that prior to any below ground works take place, an Arboricultural Method Statement (AMS) will need to be agreed in writing via a condition.

### Drainage

Core Strategy policy CS02 requires developments to mitigate effects of flood water and limit surface water run-off.

The site is located within a Critical Drainage Area and is identified as at low risk of flooding. The applicant has provided a "Drainage Strategy & Flood Risk Statement" from professional consultants, which sets out a proposed drainage strategy at chapter 5. The contents of the report have been considered by the LLFA, who advise that further details are required to ensure the proposed drainage will be suitable, and this can be secured by way of conditions in the event of planning permission being granted. I accept the recommendations of the LLFA. Subject to such conditions I consider the proposed development would accord with Core Strategy policy CS02.

### Ground Contamination

NPPF paragraph 196 requires proposed land uses to be appropriate for their siting, having regard to land stability and contamination.

A preliminary risk assessment by professional consultants have been submitted. The assessment provides an analysis of the history of the site, and advise on the basis for a ground investigation. The Phase II assessment (chapters 4-7) advises that samples of the ground at the site were assessed in a laboratory and analysed for potential contamination (chapters 8-11).

It is concluded that, subject to further testing post-demolition and implementation of protective measures, there is no evidence to suggest that the site is not suitable for its intended purpose. The Land Contamination Officer has suggested a condition to secure the recommended procedures to be following. I conclude that, subject to condition, the development would be safe from ground contamination impacts in accordance with NPPF paragraph 196.

### Archaeology

The application included an archaeology assessment, which concluded that the archaeological potential of the Site is considered Low for all periods. This is primarily due to the re-development of the Site from the post-medieval period onwards, with substantial disturbance likely caused by groundworks associated with the construction of St John's House and associated infrastructure. On this basis no further works are proposed. I accept this recommendation and consider that no further works are required in respect of archaeology.

### Developer Contributions

The LLRICB have requested a developer contribution of £56,800.00 to mitigate the increased demand for their services that would arise from the change of use.

The parks/green spaces service have requested a developer contribution of £87,804.00 as 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 other needs of the new residents are limited and therefore the service will be looking to make quality improvements to existing open space provision to minimise the impact of this development.

These contributions will be secured by a S106 legal agreement.

### Conclusion

Taking the above together, evidence indicates that the existing office use in this particular building is unviable, whilst the emerging Local Plan and evidence submitted by the applicant demonstrates a high demand for student accommodation, and this proposal would provide a major addition to supply in this regard. The proposal would provide acceptable living conditions and subject to conditions, meet technical requirements and avoid significant impacts to the surrounding area. I therefore recommend conditional approval subject to prior completion of a section 106 agreement to secure financial contributions for the LLR ICB and parks/green spaces.

### CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)

2. The building shall be maintained at all times from first occupation of the new use to meet the minimum facade sound insulation treatment in table 1 of the noise impact assessment (apex, ref 12135.1). (To avoid harmful noise impacts to future residents, in accordance with Local Plan 2006 saved policy PS11).

3. Prior to occupation of any units, either:

a) an assessment of overheating, (TM59 assessment) including details of ventilation arrangements that adequately mitigate overheating, shall have been submitted to and approved in writing by the local planning authority, or

b) details of mechanical ventilation that allows for 4 air changes per hour and does not exceed 30dB(A) in bedrooms, and 35dB(A) in living rooms shall have been submitted to and approved in writing by the local planning authority.

Measures within the agreed details shall be implemented prior to occupation of the flats, retained as such and at the same minimum performances indicated above for the lifetime of the development.

(In the interests of the amenities of future occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.

4. All building works shall incorporate dust mitigation methods detailed on pages 45-46 of the Air Quality Assessment (Tetra Tech, 784-B07567) (to ensure dust impacts to the surrounding area are mitigated, in accordance with Local Plan 2006 saved policy PS11).

5. Development and use of the site shall take place in full accordance with the Gateway One Fire Statement and RIBA Stage 2 fire strategy (OrionFire engineering, ref OF-001815-OFS-01). (To accord with article 9a of the Development management procedure order).

6. The development shall not be occupied until the approved store for refuse bins has been provided in full accordance with the approved plans and are accessible to all occupiers. The bin store shall be retained thereafter for the storage of refuse in connection with the use and occupation of the development and all refuse bins shall be kept within the designated area other than on refuse collection days. (To ensure adequate facilities for the storage and collection of refuse and to protect the amenity of the area in accordance with saved policy H07 of the City of Leicester local plan and Core Strategy policy CS03).

7. The flats shall only be occupied by students enrolled on full-time courses at further and higher education establishments, or students working at a medical or educational institution as part of their medical or education course. The owner, landlord or authority in control of the development shall keep an up-to-date register of the name of each person in occupation of the development together with course(s) attended, and shall make the register available for inspection by the Local Planning Authority on demand at all reasonable times. (To enable the Local Planning Authority to consider the need for affordable housing in accordance with Core Strategy Policy CS07, and residential amenity standards for any alternative residential use in accordance with saved policies H07 and PS10 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS06, and parking provision in accordance with saved policies AM02 and AM12 of the City of Leicester Local Plan.)

8. Prior to commencement of operational development, specifications for all new external materials to be used shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details (In the interests of visual amenity, and in accordance with Core Strategy policy CS03).

9. Development shall incorporate the energy efficiency measures as described within pages 12 to 14 of the submitted Energy Statement Ref: P7883-FUT-XX-XX-RP-ME-0001, such measures to be operational prior to first occupation and retained thereafter. No part of the development shall be occupied until evidence demonstrating satisfactory installation and operation of the approved scheme including on-site installation has been submitted to and approved in writing by the Local Planning Authority. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy).

10. Notwithstanding the submitted energy statement, details of connection to the Leicester District Energy Company (LDEC) district heat network shall be submitted to and approved in writing by the local planning authority, or should the use of district heating be proven to be unfeasible or non-viable, then details of alternative energy efficient, low carbon heating options shall be submitted to and approved in writing by the local planning authority. Development shall incorporate the further connection or heating infrastructure prior to first occupation and retained thereafter. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy).

11. Prior to the first occupation of any studio or cluster flat, the occupiers of each of the studio or cluster flats and employees of the facility shall be provided with a 'Travel Pack'. The contents of this shall be submitted to and approved in writing in advance by the local planning authority and shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. (In the interest of sustainable development and in accordance with saved policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy).

12. No part of the development shall be occupied until secure and covered cycle parking has been provided in full accordance with the approved plans. The cycle parking shall be retained thereafter for its designated use. (In the interests of the satisfactory development of the site and in accordance with saved policies AM02 and H07 of the City of Leicester Local Plan).

13. Before the occupation of any part of the development, all parking areas shall be surfaced and marked out in full accordance with the approved plans. The parking areas shall be retained for parking and not used for any other purpose throughout the lifetime of the development. (To ensure that parking can take place in a satisfactory manner, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

14. The access onto Arnhem Street shall be retained for pedestrian and cyclist use only. Prior to the occupation of any part of the development, measures shall be implemented to prevent vehicular access into the site from Arnhem Street in accordance with details first submitted to and approved in writing by the local planning



authority. (For the safety and convenience of pedestrians, cyclists and other road users, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

15. Recommendations within the Preliminary Ecological Appraisal and Roost Assessment (Arbtech) which require adherence to specified working procedures to protect or avoid disturbance for bats (page 7), birds (page 9) and hedgehog (pages 12 & 13) must be followed during the development works. (In the interest of avoiding harmful impacts to biodiversity in accordance with Core Strategy policy CS17).

16. Prior to commencement of works above slab level, details of the type and location of 3 x bird boxes (suitable for Swift) and 2 x bat boxes to be incorporated within the elevations of the proposed building shall have been submitted to and agreed in writing with the local planning authority. The locations should be determined by an ecologist who should also supervise their installation. The development shall be carried out in full accordance with the agreed details with the agreed features retained thereafter. (In the interest of biodiversity and in accordance with NPPF (2024), Policy CS 17 Biodiversity of the Core Strategy).

17. Should the development not commence within 24 months of the date of the last protected species survey (18/10/2024), then a further protected species survey shall be carried out of all buildings by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and agreed in writing with the local planning authority and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey should be repeated biennially and any mitigation measures reviewed by the LPA until the development commences. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000), the Habitat & Species Regulations 2017 and CS 17 of the Core Strategy).

18. Prior to commencement of development, a Biodiversity Gain Plan (BGP) shall be submitted to and approved in writing by the local planning authority. Development shall take place in full accordance with the approved BGP details. (To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990).

19. The development shall not commence until a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- a) Description and evaluation of the features to be managed;
- b) Ecological trends and constraints on site that may influence management;
- c) Aims, objectives and targets for management;
- d) Description of the management operations necessary to achieving aims and objectives;
- e) Preparation of a works schedule, including annual works schedule;
- f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
- g) Details of the persons responsible for the implementation and monitoring;

h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and

i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain.

(To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990).

20. Prior to commencement of development, an Arboricultural Method Statement (AMS) shall be submitted to and agreed in writing with the local planning authority. The AMS shall include: A schedule and specification of tree removal and pruning works; Specifications for tree protection barriers and ground protection; Procedures for any specialist construction techniques / any supervised excavations within RPAs; Phasing of work; Site monitoring (where required); a Tree Protection Plan & details of the new tree planting with a specific management plan. Development shall take place in full accordance with the approved arboricultural method details. (To ensure satisfactory development of the site with regard to arboricultural considerations in accordance with Local Plan saved policy UD06).

21. Prior to the commencement of development 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 local planning authority. No flat shall be occupied until the system has been implemented in full. 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).

22. Prior to the commencement of development details of drainage, shall be submitted to and approved in writing by the local planning authority. No flat shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy).

23. a) Prior to the commencement of development, the site shall be investigated for the presence of land contamination in accordance with paragraph 6.3 of the submitted preliminary risk assessment (IDOM, ref PRA-22691-24-364), and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, shall be submitted to and approved in writing, by the local planning authority.

b) Prior to the occupation of any flat, the approved remediation scheme shall be implemented, and a completion report shall be submitted to and approved in writing, by the local planning authority.

c) Prior to the occupation of any flat, 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 local planning authority. 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, pets, service lines and pipes, adjoining land, ground waters and surface waters, ecological systems; (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.)

24. Development shall be carried out in full accordance with the following approved plans and documents:

273-DEN-ZZ-ZZ-DR-A-4002	Proposed Cycle & Bin Store	Revision A	received 23 May 2025
273-DEN-ZZ-ZZ-DR-A-3000	Proposed Sections	Revision D	received 9 June 2025
121-DAC-PL-001 P3	Landscape General Arrangements	Revision P3	received 8 August 2025
121-DAC-PL-002 P3	Detailed Planting Plan 1 of 2	Revision P3	received 8 August 2025
121-DAC-PL-003 P3	Detailed Planting Plan 2 of 2	Revision P3	received 8 August 2025
273-DEN-00-ZZ-DR-A-1002	Proposed Site Plan	Revision K	received 8 August 2025
273-DEN-ZZ-ZZ-DR-A-2002	Proposed Floor Plans 1 of 2	Revision J	received 8 August 2025
273-DEN-ZZ-ZZ-DR-A-2003	Proposed Floor Plans 2 of 2	Revision J	received 8 August 2025
273-DEN-ZZ-ZZ-DR-A-4003	Proposed Elevations	Revision F 1 of 2	received 8 August 2025
273-DEN-ZZ-ZZ-DR-A-4004	Proposed Elevations	Revision F 2 of 2	received 8 August 2025

Air Quality Assessment (Tetra Tech, 784-B07567)  
Noise impact assessment (apex, ref 12135.1)  
Gateway One Fire Statement and RIBA Stage 2 fire strategy (OrionFire engineering, ref OF-001815-OFS-01)  
Preliminary Ecological Appraisal and Roost Assessment (Arbtech)  
Energy Statement Ref: P7883-FUT-XX-XX-RP-ME-0001  
LUNA Students – Management Statement  
(For the avoidance of doubt).

## NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may

have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or 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 2024 is considered to be a positive outcome of these discussions.

2. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies 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/>

As this is a new document it will be kept under review. We therefore invite comments from users to assist us in the ongoing development of the guide.

3. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 **PRIOR** to undertaking any works on or in the highway:

- The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 **PRIOR** to undertaking any works on or in the highway: For **alterations to the existing highway**, the applicant must enter into an Agreement with the Highway Authority under Section 278 of the Highways Act 1980. The costs associated with any temporary traffic management, licences and Temporary Traffic Regulation Orders (TTRs) which may be required to facilitate works during construction will need to be covered by the applicant.
- For **alterations to provide new footway crossings (dropped kerbs)**, the applicant must obtain approval from the Local Highway Authority for construction of a dropped kerb before undertaking any works. Leicester City Council no longer construct dropped kerbs on behalf of applicants. Therefore, you will need to find a suitable contractor that meets the criteria, which will be explained through the approval process.

The Applicant is advised to contact [highwaysdc@leicester.gov.uk](mailto:highwaysdc@leicester.gov.uk) for information regarding obtaining approvals, setting up Agreements and/or to discuss the requirements to enable the processing of SLOs and TROs.

With regards to the Travel Pack the contents of the pack are intended to raise the awareness and promote sustainable travel, in particularly for trips covering local amenities. The applicant should contact [highwaysdc@leicester.gov.uk](mailto:highwaysdc@leicester.gov.uk) for advice.