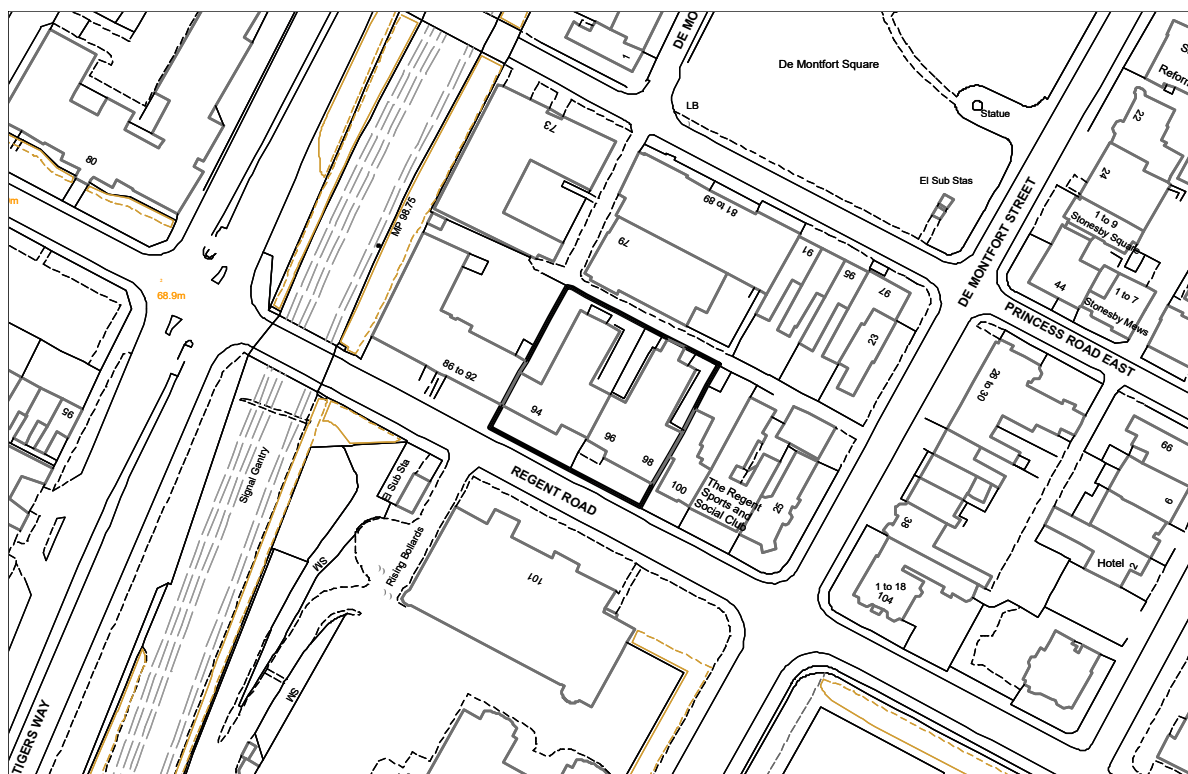


## COMMITTEE REPORT

<b>20251441</b>	<b>94-98 Regent Road</b>	
Proposal:	Change of use from educational use (Class F1) to student accommodation (16 cluster flats including 98 bedrooms) (Sui Generis); construction of single storey extension at front; infill third floor extensions at the rear; access gate; associated landscaping and parking; alterations (amended plans received 12/03/2026 and 23/04/2026) (subject to section 106 agreement)	
Applicant:	Mr Charles Simmons	
App type:	Operational development - full application	
Status:	Smallscale Major Development	
Expiry Date:	7 May 2026	
RB	TEAM: PM	WARD: Castle



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### Summary

- The application is brought to committee due to an objection by one of the ward councillors, Cllr Kitterick, on living conditions and insufficient outdoor amenity space provision.
- The main considerations are the principle of development, design, neighbouring residential amenity and living conditions.

- No representations were received from neighbours.
- The recommendation is to grant conditional approval subject to section 106 agreement for NHS and open space contributions.

## The Site

The application relates to two 4 storey buildings that were most recently in educational use (Class F1). The buildings date from the mid 20<sup>th</sup> Century with 94 Regent Road being built in 1960s and 96-98 Regent Road being built in 1970s.

The site is within an area of predominantly commercial buildings within the city centre.

There is an existing car parking area to the front of 94 Regent Road providing 5 car parking spaces.

There is a block of 26 residential flats to the north of the site at 79 Princess Road East, a row of 2.5 storey buildings to the east of the site along Regent Road that are mostly in use as commercial or community centre uses and 6 storey building to the west, currently being used for a mix of office and educational uses.

In terms of planning designations, the site is in the city centre, within the strategic regeneration area and a primarily office area. In terms of constraints, the site is in a critical drainage area, the New Walk Conservation Area, an Article 4 Direction area to remove permitted development rights for the changes of use from residential dwellings within the C3 Use Class to Houses in Multiple Occupation within the C4 Use Class.

The buildings are currently vacant.

## Background

Application 007430 for the erection of 4 storey office block at 94 Regent Road was approved on 07/06/1963. 94 Regent Road was constructed in accordance with this permission.

Application 024096 for the demolition of dwellinghouses and development of site by erection of an office building at 96-98 Regent Road was approved on 14/04/1972. 96-98 Regent Road was constructed in accordance with this permission.

Application 20090749 for the change of use of 94 Regent Road and 96-98 Regent Road from offices (Class B1) to education (Class D1) was approved on 27/08/2009. This permission was implemented.

## The Proposal

The proposal is for the change of use of both the building at 94 Regent Road and the building at 96-98 Regent Road from educational use (Class F1) to student accommodation, comprising of 16 cluster flats.

The building would be altered internally to provide with 4 flats on each floor. All flats would have a communal area comprising of a kitchen/lounge space and all bedrooms would have an ensuite shower room.

The ground floor would provide a communal lobby with lounge, workspace area and post area. 4 cluster flats would also be located at ground floor level. Three flats would have 6 bedrooms and one flat would have 5 bedrooms. There would also be a cleaners' area.

The layout of the first and second floors would be identical with 4 cluster flats on each floor. Three flats on each floor would have 6 bedrooms and one flat would have 7 bedrooms. All of the floors would have a cleaners' area.

The 5 bedroom cluster flat would measure 154sqm in total, with the communal area 25sqm and the bedrooms ranging from 17 to 19sqm.

The 6 bedroom cluster flats would measure between 150sqm and 202sqm, with the bedrooms ranging from 12sqm to 24sqm.

The 7 bedroom cluster flats would be 183sqm, with the communal areas 25sqm and the bedrooms ranging from 14sqm to 20sqm.

The layout of the third floor would be nearly identical to the first and second floors, but one of the 6 bed cluster flats would be 11sqm smaller than on the lower levels due to the existing setback of the third floor at 96-98 Regent Road. The bedrooms in this flat would be 11.5sqm to 14.5sqm. The communal area would remain the same as the lower floors.

A single storey flat roof extension is proposed to the front of the buildings, fronting Regent Road. This extension would measure 3.3m in height, 12.3m in width and 4.4m in total depth. The extension would be sited between the existing 4 storey projections at the front of both buildings and would be set 1.1m back from the forward most façade. The front elevation would be finished in cream monocouche render.

There would be four infill extensions to the rear of the property at third floor level that would increase the floor area of the third floor to the same as the lower floors. Materials would be used to match the appearance of the lower floors.

Alterations to the existing building include the installation of aluminium farmed doors at ground floor level at the rear of the buildings, the bricking up of existing windows that would not be needed with red/orange brickwork to match the existing, the installation of obscure glazing to some of the existing windows.

Associated landscaping to the front and rear of the buildings are proposed, with an area dedicated for communal external amenity space at the rear.

4 car parking spaces, including one accessible space, are proposed to the front of the site and 61 cycle parking spaces are proposed at the rear of the site and within the rear of the building.

During the course of the application process amended plans have been received to remove a fourth floor upward extension to both buildings. A larger lobby/communal area has been provided at ground floor level. Bin storage has been moved to the rear of the building.

An addendum Heritage Impact Assessment has been received to address the changes.

A C3 flat conversion strategy showing how the property could be converted to C3 (ie non student) residential use has also been submitted during the course of the application process.

## Policy Considerations

National Planning Policy Framework 2024

Paragraph 2 (Primacy of development plan)

Paragraph 11 (Sustainable development)

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 140 (Plans, Materials and Conditions)

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 208 (Heritage as an irreplaceable resource)

Paragraph 210 and 212 (Significance of heritage assets)

Core Strategy 2014 and Local Plan 2006

Development Plan policies are listed at the end of the report.

Emerging Local Plan

On the 26th of March 2026, the Council approved the Leicester Local Plan 2020-2036 for adoption. The adoption of the emerging Local Plan is intended to take place in May 2026. Once adopted, there will be a judicial review period of six weeks.

In accordance with paragraph 49 of the NPPF, weight can be given to the emerging Local Plan and as it progresses, more weight can be afforded to the policies in the emerging Local Plan. As such, I consider that the emerging local plan policies below can be afforded significant weight.

The proposal would be subject to the following emerging policies:

CCFR01 (Sustainable Design and Construction)

CCFR02 (Energy Statement)

CCFR05 (Managing Flood Risk and Sustainable Drainage Systems)

CDA01 (Central Development and Management Strategy)

CDA02 (New Development within Character Areas)

CHA09 (New Walk Character Area)

DI01 (Developer Contributions and Infrastructure)

DQP01 (Design Principles)

DQP03 (Inclusive Design)

DQP04 (Landscape Design)

DQP06 (Residential Amenity)

DQP07 (Recycling and Refuse Storage)

HE01 (The Historic Environment)

Ho08 (Student Residential Accommodation Development)

SL01 (Location of Development)

T01 (Sustainable Transport Network)

T02 (Climate Change and Air Quality)

T07 (Car Parking)

TCR03 (City Centre)

Further Relevant Documents

Department for Communities and Local Government - Nationally Described Space Standard (NDSS)

Leicester City Council – Leicester Street Design Guide 2020

SPD Residential Amenity 2008

Local Plan Appendix 001 – Vehicle Parking Standards 2006

Student Housing SPD 2012

Leicester City Corporate Guidance: Achieving Well Designed Homes 2019

Green space SPD and calculations documents adopted April 2011 (revised July 2013)

## Consultations

### Noise Pollution

Providing the recommendations set out in the Noise Impact Assessment are implemented and a condition attached for construction hours, there are no concerns in relation to the proposal.

### Air Quality

No objections to the application as submitted.

### Better Buildings

No objections subject to the Sustainable Energy Statement being conditioned and operation of the sustainability measures have been installed.

### Conservation Advisory Panel (CAP)

The Conservation Advisory Panel removed their original objection after the upward fourth floor extension was removed from the scheme.

### Local Highways Authority

No objections subject to conditions.

### Lead Local Flooding Authority (LLFA)

No objections subject to conditions securing additional details in relation to SuDS and foul drainage.

### Leicester, Leicestershire & Rutland Integrated Care Board (LLRICB)

Have requested a section 106 contribution of £39,200.00 for General Practice services.

### Parks/Green Spaces

Have requested a section 106 contribution of £60,597.00 for the improvement of Open Space provision within the City Centre (New Walk, Victoria Park and/or Nelson Mandela Park) .

## Representations

One objection was received in relation to the proposal.

Cllr Kitterick has objected to the application for the following reasons:

- The development as proposed will represent an unacceptable living environment for future occupants of the property as all the cluster flats are universally below the National Designated Space Standards.
- There is a poor provision of open space.

## Consideration

### Principle of Development

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

The site is within the strategic regeneration area as outlined in Core Strategy policy CS04, which is 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.

The site is located within the Professional Office Area as set out in Core Strategy policy CS10 and the Primarily Office Area set out in saved Local Plan Policy E06. Policy CS10 also supports business and economic development including provision of office space.

The proposed development would not result in the loss of existing office space, as the office space was already lost when planning permission 20090749 for the change of use to educational use was implemented. As such, the loss of office space cannot be considered in relation to this application.

Emerging Local Plan policy CHA09 for development within the New Walk character area sets out that development should be:

- *'...Delivering small scale offices and retaining existing offices where their quality permits (Class E (g)(i))*
- *Allowing new education Uses (F1 (a))*
- *Providing high quality residential (Class C3) and student accommodation (Sui Generis) on existing vacant plots*
- *Supporting growth in residential uses*
- *Encouraging the retention of existing office space where its quality permits, to maintain the dominance of these uses*
- *Encouraging the renovation and re-use of empty buildings to maintain heritage character and reducing consumption of new materials ...'*

As the previous office use has ceased, the policy encourages the renovation of empty buildings and student accommodation is an acceptable use in the area, the proposed student accommodation use is therefore considered appropriate for the location.

The proposal site is within the city centre where Core Strategy (2014) Policy CS12 'City Centre' is applicable. The policy supports residential development in the city centre area, "whether by conversion of redundant buildings or new build, where an acceptable living environment can be maintained or created". Furthermore, Core Strategy policy CS06 requires the city to meet housing need and demand.

Emerging Local Plan 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". Emerging

policy SL01 sets out that there is a demand for student accommodation and so some weight is afforded to this in terms of the principle of the proposed use. The proposal meets the criteria set out in Ho08, except for the provision of a mix of uses on the ground floor; however this is encouraged and not required within the policy.

The adopted Student Housing SPD (2012) provides criteria for new purpose-built student accommodation. The criteria set out in the Student Housing SPD (2012) are set out as follows:

- The development meets an identified need for the type of accommodation proposed;
- Development is within reasonable walking distance of the two university campuses;
- The scale of the development, including height and massing of the buildings, should be designed to not adversely conflict with adjacent properties or the general residential environment of the surrounding area;
- When considered with existing nearby student housing provision, the development should not have an unacceptable cumulative impact upon surrounding residential neighbourhoods.
- The layout, standards and facilities provided in the development ensure a positive living experience;
- Appropriate management is in place to minimise potential negative impacts from occupants or the development on surrounding properties and neighbourhoods, and to create a positive and safe living environment for students

The applicant has submitted a statement of student need with the application that I consider addresses the above points 1-5 satisfactorily. Management plans have been submitted by the applicant, which I consider are sufficient to address point 6. However, I consider that further information is required, which can be provided pre-occupation once more information is available in relation to the operation of the development.

The site would meet criteria listed in the current SPD that the development is within reasonable walking distance to campuses of both the University of Leicester and De Montfort University. The site is not in a high-density suburban residential area where the proposed development could result in significant impacts on nearby residential occupiers. Flatted residential development is located close to the application site and is of a similar nature in terms of relationship with the public realm.

The development of 98 student bedspaces would provide a material increase to the housing supply in the city. The proposal would provide accommodation for students, for which there is an evidenced need, and the extra provision would also relieve some pressure from student use of the private rented housing stock.

The student management plan sets out how move-in and move-out periods will be managed, providing an appointment booking system, the promotion of sustainable travel options and sets out the car-free nature of the development. A management plan sets out how security, noise and communal areas will be managed. I am satisfied that the proposed use, if managed in accordance with the plans, would likely avoid any harmful impacts to the surrounding area and to the future occupiers of the site and the plan can be suitably conditioned. However, the applicant

acknowledges that further details can be submitted once there is more details about the end use can be provided. I consider it reasonable for these details to be secured by condition prior to the occupation of the development.

I consider that the loss of educational space would not weigh significantly against the development and the proposed use would be appropriate in accordance with policy CS06 and emerging policies SL01, Ho08 and CHA09. I consider significant weight can be given in favour of the proposal in regard to the principle of development.

### Living conditions

NPPF paragraphs 135f and 199, saved Local Plan policies PS10 and PS11 and emerging policies DQP03 and DQP06 require developments to provide a high standard of amenity for future residents.

The cluster flats would all exceed the amenity and space guidance for Houses in Multiple Occupations as set out in the Leicester City Corporate Guidance: Achieving Well Designed Homes (2019).

The bedrooms, all 11.5sqm and above, would provide space for the furniture required for occupation on a short to medium term including a single bed, a desk, cooking space within bedrooms that are 14sqm and above, wardrobe space and an en-suite shower room. The rooms provide suitable circulation spaces and therefore would provide suitable living conditions for the proposed use.

Considering that, in addition to the bedrooms, there are internal communal areas suitable for kitchen and lounge facilities provided for each flat and a communal area provided within the lobby at ground floor level, I consider that the sizes of the flats would be appropriate for purpose student development.

For avoidance of doubt the NDSS is a material consideration for proposals that fall within the Class C3 use class for residential proposals. As the proposal is for student accommodation that is a Sui Generis use (no use class), the NDSS cannot be applied directly to this proposal; however they can be used as a guide for assessment. Even when assessing the cluster flats against the equivalent NDSS standards for dwellings with comparable rooms, the proposed cluster flats would all exceed the minimum standards by at least 34sqm.

In addition, the development provides the resident students with access to the shared outdoor amenity. SPD Residential Amenity (2008) sets out that 2sqm of private or communal amenity space should be provided for flats with two or more bedrooms. Although the cluster flats would provide 5 to 7 bed spaces each, they are still two or more bedroomed flats and so the scheme would require a total of 32sqm of communal amenity space. Approximately 65sqm of useable outdoor amenity space is provided at the rear of the property, which exceeds the requirement and is therefore considered to be acceptable especially when considered in the context of nearby open space at De Montfort Square, Nelson Mandela Park and New Walk and the proposed s106 improvement funding offered as part of the scheme.

It is also worth noting that 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 applicant has provided a plan to indicate how the student accommodation could be re-configured through internal alterations into Class C3 residential units that meet

the NDSS standards. However, as the requirements for student accommodation are different to that for standard residential accommodation this development would be restricted to student accommodation through the approved description of the development, including the use class for student accommodation which is Sui Generis, and a condition.

Under the provisions of the Town and Country Planning (Use Classes) Order no change of use from Sui Generis is permissible without the submission of a further planning application. Should someone wish in the future to change the use of the development, a full detailed planning application would be required to be submitted with all the required supporting documents for that proposal. The application would be assessed on its own merits, and the Council is in control of future applications for planning permission (subject to any call-in of the application by the Secretary of State or an appeal to an Inspector or the Secretary of State). If a future application is unacceptable, conditions may be imposed or planning obligations secured to render it acceptable, or if this is not possible, the application could be refused.

One wheelchair accessible room has been provided on the ground floor, which has been designed to be M4(3) compliant. I consider it necessary to attach a condition to ensure that the room, communal area and associated accesses remain are compliant to the standard.

I consider that all flats would have windows that would provide a reasonable level of outlook and light to all habitable rooms within the proposal. There would be a separation distance of 9.7m between bedrooms and the communal kitchen/lounges of the cluster flats sited at either side of the rear courtyard. As this is a city centre location and the scheme is for the conversion of an existing building, I consider that the relationship between these cluster flats is acceptable.

A Daylight and Sunlight Assessment has been provided to assess whether sufficient light is afforded to each habitable room. Even with the previously proposed fourth floor extension, all habitable rooms were assessed to provide sufficient light for the future occupiers, so I consider this to be acceptable.

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 future occupiers. The assessment identifies the potential noise sources and with noise measurements taken from the front of the site, adjacent to Regent Road and the rear of the site, close to the Regent Road Sports and Social Club. The report identifies that noise from the Regent Road Sports and Social Club was inaudible and the noise from Regent Road to the rear of the property was negligible. However, the report concludes that the Regent Road façade as medium risk from both noise and overheating and recommends acoustic trickle vents and mechanical ventilation for habitable rooms facing Regent Road.

I accept the conclusion of the noise officer that if the recommendations made within the report are implemented during construction, then the environmental noise impact on the proposed flats will be adequately mitigated with windows closed. I consider it necessary for the insulation and overheating measures recommended within the report to be implemented prior to the first occupation of any dwelling.

NPPF paragraph 199 requires proposals to mitigate air quality impacts. The Air Quality Officer has reviewed the proposal and accepted there are no significant issues with the proposal in relation to pollutants and is satisfied that the application

can be approved without the need for a condition to secure the provision of any additional information.

The proposal would therefore not cause harm in regard to air pollution to future occupiers and as such accord with NPPF Paragraph 199.

The proposed bin storage area would accommodate a satisfactory number of bins. The bins would be accessed from the rear of the site. I consider it necessary to attach a condition to ensure that the bin storage area is provided prior to first occupation of the flats. The bins would be collected by private bin collection company. I consider additional information in terms of a waste management plan to ensure that the arrangement would not result in a detriment to the living conditions of the future occupants.

In conclusion, I consider that the proposal as amended would provide an acceptable level of accommodation for the future student occupiers and the proposal would comply with the relevant Local Plan and Core Strategy policies in regard to providing a satisfactory living environment. Speculation over future alternative residential uses would be subject to appropriate control.

#### Residential Amenity (Neighbouring Occupiers)

The proposed development is located near an existing residential blocks of flats at 79 Princess Road East to the north.

There would be no outlook from the rear of the proposed flats at the northern most part of the site towards the flats at 79 Princess Road East and the rear facing windows from the rear elevation of the main buildings would be over 24m from the windows within the nearby flats to the north. As such, I consider that the proposal would not have a significant effect on these properties.

I consider that the infill extensions to the rear would have minimal impact on the light and outlook afforded to the habitable room windows of the flats at 79 Princess Road East, due to their size and positioning compared to the existing situation.

There are no other residential properties within the vicinity that could be impacted by the development.

I consider that the proposal would accord with saved local plan policy PS10 when taking into account the impact the proposed development would have on the amenity of nearby residential occupiers.

#### Design and Heritage

Core Strategy policies CS03 and CS18, NPPF paragraphs 135, 208, 210 and 212, and emerging local plan policies DQP01 and H01 require developments to be well-designed and appropriate to the character and appearance of the area, whilst conserving the significance of heritage assets.

The site is located within the New Walk Conservation Area.

A flat roofed single storey extension is proposed to the front, which would be finished in cream silicone monocouche render with aluminium framed windows and doors. I consider it necessary for a condition to be attached to ensure that the materials details are submitted and approved in writing prior to external works commencing on the development. The extension would be set back 1.1m from the front most elevations of the existing buildings and so would not appear overly dominant when

viewed from Regent Road. The extension would provide a legible entrance to the development from Regent Road.

Minor alterations are proposed to the building with some windows to the front and rear being obscure glazed. Infill brickwork and replacement windows and doors are proposed to the rear elevations. I consider that these materials details will need to be submitted within a materials schedule. I also consider it necessary for a small sample panel to be provided to allow for the composition and suitability of these materials to be assessed on site prior to the commencement of any external works.

Enhanced landscaping is to be provided at the front and rear of the application site, which is appropriate.

I consider it necessary to require specifications of external materials to be agreed via condition. Subject to this, the proposal would comply with the relevant adopted and emerging policies that relate to appearance and visual impact. The proposal would not result in a detrimental impact on the character and appearance of the New Walk Conservation Area.

### Sustainability

Core Strategy policy CS02, emerging Local Plan policy CCFR01 and NPPF chapter 14 require developments to be sustainably designed.

The Sustainability Officer has confirmed that the approach outlined within the Sustainable Energy Statement and the submission is acceptable and can be suitably conditioned, providing additional details of the sustainable energy provisions are submitted. I consider this reasonable and necessary in accordance with NPPF paragraphs 166 and 167, Core Strategy policy CS02 and emerging policy CCFR01.

### Highways/Parking

NPPF chapter 9, saved local plan policies AM01, AM02 and AM12, Core Strategy policy CS14 and emerging local plan policies T01, T02, T03 and T07 set out guidance for highways considerations.

The site is in a highly sustainable location, only 600m from the city centre, with walking a cycling links to all the services, facilities and amenities therein. Bus routes and the railway station are also within walking and cycling distance. Notwithstanding this, the proposed 4 car parking spaces, including one accessible space, are acceptable.

The application site currently benefits from a dropped kerb footway crossing which serves a parking forecourt at 94 Regent Road, which provides 5 standard parking spaces and an accessible space. The applicant proposes to reduce the parking to three spaces and one accessible space. The site is being developed as a car free scheme. Therefore, it is anticipated that the three spaces would be restricted to use during dates at the start and end of the academic year. The applicant has submitted a Student Arrivals and Departures & Parking Management Plan which is intended to ensure that "the student move-in and move-out activity is managed safely, efficiently and without adverse impacts on the operation of the local highway network".

Whilst welcome, the document is not specific to the proposed scheme. The document suggests that a time slot will be allocated to arriving/departing students, spread over a number of days. I consider it necessary to attach a condition to ensure that a revised Student Management Plan is submitted prior to occupation.

It is proposed that a pre-arrival information pack will be issued to each resident prior to arrival. I recommend that a condition is attached to ensure that the details of the pack to be resubmitted for approval prior to the premises being taken into use to ensure that it is fit for purpose.

The development includes parking for 61 cycles which is in excess of the requirement of one cycle parking space per two bedspaces. I consider it necessary for the cycle parking spaces to be conditioned to be provided and retained prior to occupation and details of the cycle stores to be submitted and approved.

The applicant has submitted a Travel Plan Statement with an example of a Travel Information Pack attached at Appendix A. The documents fall short of what is required. However, revised documents can be conditioned to be submitted and approved prior to first occupation.

Subject to the above conditions, I consider that the proposal is acceptable in relation to highways matters.

### Ecology

Core Strategy policy CS17, emerging local plan policies NE01 and NE02 and NPPF paragraphs 187 and 193 require developments to preserve and enhance the ecological environment.

The application form confirms that the proposal is exempt from biodiversity net gain (BNG) as it is under the de minimis threshold for BNG provision.

Based on the information that has been provided and the location of the development site, it was considered onerous for protected species surveys to be submitted. I consider that a note to the applicant should be attached to ensure that they are aware of the implications if any protected species are found on site.

The proposal is therefore acceptable in respect of protected species.

### Landscaping

Saved local plan policy UD06, emerging local plan policy DQP04 and NPPF paragraph 136 require developments to retain trees of amenity value wherever possible and encourage new planting.

A landscaping plan has been submitted with the application which provides details of soft and hard landscaping. Specific details of planting and maintenance have not been provided. As such, I consider it necessary to attach a condition to ensure that a Landscape and Ecology Management Plan (LEMP) is submitted prior to any external works commencing.

I consider that the landscaping details are acceptable subject to the above condition.

### Flood Risk and Drainage

Core Strategy policy CS02 and emerging policy CCFR01 require development to mitigate effects of flood water and limit surface water run-off.

The site is in Flood Zone 1, a Critical Drainage Area and is also shown to be at very low risk from surface water flooding. A Drainage Strategy report has been submitted, which proposes the use of rainwater harvesting, permeable paving and bioretention/rain gardens prior to a connection into the public surface water sewer. SuDS design details and an updated maintenance plan are required, which can be secured by way of condition.

Subject to the condition I consider the proposed development would accord with policy.

#### Developer Contributions

The LLRICB (NHS) have requested a developer contribution £39,200.00 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 £60,597.00 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 in accordance with Core Strategy policy CS19 and emerging local plan policy DI01.

#### Conclusion

The proposal would provide acceptable living conditions for future students in terms of suitable sizes of the cluster flats proposed and suitable indoor and outdoor amenity space. Subject to conditions, flood risk, drainage, highways, landscaping, the materials, the impact on the New Walk Conservation Area, sustainable energy would be acceptable and the management of the scheme. I therefore recommend conditional approval subject to prior completion of a section 106 agreement to secure financial contributions for the LLR ICB and parks/open spaces.

I recommend that this application is APPROVED subject to conditions and completion of a S106 Agreement to cover NHS and Parks/Green Space contributions:

#### 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 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.)

3. No construction or demolition work, other than unforeseen emergency work, shall be undertaken outside of the hours of 0730 to 1800 Monday to Friday, 0730 to 1300 Saturday or at any time on Sundays or Bank Holidays, unless the methodology has been submitted to the City Council Noise and Pollution Control Team. The methodology must be submitted at least 10 working days before such work commences and agreed, in writing, by the City Council Noise and Pollution Control Team.  
The City Council Noise and Pollution Control Team shall be notified of any unforeseen emergency work as soon as is practical after the necessity of such work has been decided by the developer or by anyone undertaking the works on the developer's behalf.  
(In the interests of the amenities of nearby occupiers, and in accordance with saved policy PS10 of the City of Leicester Local Plan.)
4. 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. 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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
5. Prior to the commencement of development details of foul 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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
6. Prior to first occupation of any flat the noise insulation measures set out in the Noise Impact Assessment received 01/09/2025 shall be installed, retained and maintained thereafter. (In order to secure a satisfactory living environment for occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)
7. Prior to first occupation of any flat, mechanical ventilation with heat recovery, including capacity to provide four air changes per hour for all habitable rooms, shall be installed to each flat fronting Regent Road to meet the standards detailed in section 5 of the Noise Impact Assessment received 01/09/2025. The ventilation shall be installed in full accordance with the approved details and the installations shall be retained and maintained thereafter. (In order to

secure a satisfactory living environment for occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)

8. The development shall not be occupied until the approved store for refuse bins has been provided in full accordance with the approved plans and is 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 PS10 of the City of Leicester Local Plan and Core Strategy policy CS03).
9. Prior to the commencement of any external works, a full materials schedule including all external materials shall be submitted to and approved in writing by the Local Planning Authority. The materials shall be in broad accordance with the specifications submitted as part of this application and shall include manufacturers specifications and RAL colour. (In the interests of visual amenity and the character and appearance of the New Walk Conservation Area, and in accordance with Core Strategy policies CS03 and CS18).
10. Prior to the commencement of development full design details of on-site installations to provide energy efficiency and renewable energy measures, in accordance with the information provided within the Energy Statement Ref: 22833 received 06/10/2025, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details. No part of the development shall be occupied until evidence demonstrating satisfactory operation of the approved scheme including on-site installation has been submitted to and approved in writing by the City Council as Local Planning Authority. The installations shall be retained and maintained thereafter. (In the interests of securing carbon reduction and energy efficiency and in accordance with Core Strategy policy CS02. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
11. No part of the development shall be occupied until the following works have been carried out in accordance with the written details approved in advance by the Local Planning Authority: (a) alterations to footway crossing(s); (b) reinstatement of any redundant footway crossings and or damaged or altered areas of footway or other highway. (To ensure a satisfactory means of access to the highway, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
12. No part of the development shall be occupied until secure and covered cycle parking for 61 cycles has been provided in full accordance with written details, including plans and elevations to show the design of the cycle stores, to be submitted to and approved in writing by the Local Planning Authority. 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 policy AM02 of the City of Leicester Local Plan and Core Strategy Policy CS03).

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. Notwithstanding the submitted Travel Plan Statement received on 06/10/2025, no part of the development shall be occupied until a Travel Plan for the development has been submitted to and approved in writing by the Local Planning Authority and shall be carried out in accordance with a timetable to be contained within the Travel Plan, unless otherwise agreed in writing by the Local Planning Authority. The plan shall (a) assess the site in terms of transport choice for staff, users of services, visitors and deliveries; (b) consider pre-trip mode choice, measures to promote more sustainable modes of transport such as walking, cycling, car share and public transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site as a single occupancy vehicle users, so that all users have awareness of sustainable travel options; (c) identify marketing, promotion and reward schemes to promote sustainable travel and look at a parking management scheme to discourage off-site parking; (d) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with saved policies AM01, AM02 and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).
15. Prior to occupation of the development, each unit of the development shall be provided with a hard copy as well as a digital link of a 'Residential Travel Pack'. An electronic copy will also be provided as part of a weblink for future occupiers. The contents of the Pack shall be submitted to and approved in advance in writing by the Local Planning Authority. The Pack shall include web and mobile phone app links to a sustainable travel journey planner, walking, cycling and bus online maps, links to sustainable travel discounts available, links to real time bus and rail availability, local taxi information, car share information, the citywide Hop! service, links to 'park and ride' availability, a map of the local electric car charging points available. A map is needed showing corresponding links of the local amenities and facilities in the area to promote sustainable trips. (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).

16. Notwithstanding the submitted Student Arrivals and Departures & Parking Management Plan, an updated Student Management Plan shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of the development. The plan shall set out procedures for:
- (a) how the arrival and departure of students at the start and end of tenancies will be managed;
  - (b) how servicing and deliveries will be managed;
  - (c) the level of parking provision for all forms of vehicles including bicycles and powered two wheelers
  - (d) the security of the development and its occupiers;
  - (e) maintaining the external areas of the site;
  - (f) dealing with any issues or complaints arising from the occupiers of nearby properties, including details of how management contact details will be made available to neighbours.
- The development shall be operated in accordance with these approved details. (To ensure the impact of the scheme on highway safety, the surrounding area and in the interests of the safety and security of its occupiers, is acceptable, and in accordance with policies CS03, CS06, CS14 & CS15 of the Core Strategy and saved policies AM12 & PS10 of the City of Leicester Local Plan 2006.)
17. Prior to the commencement of any external works, a detailed Landscape and Ecological Management Plan (LEMP), in broad accordance with Proposed Site Plan ref 25009-P-102 rev B, received 12/03/2026, 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 Local Planning Authority. No part of the development shall be occupied until the LEMP has been implemented in accordance with the approved details. This scheme shall include details of:
- (i) new tree and shrub planting, including plant type, size, quantities and locations;
  - (ii) means of planting, staking, and tying of trees, including tree guards;
  - (iii) other surface treatments;
  - (iv) any changes in levels;
  - (v) the position and depth of service and/or drainage runs (which may affect tree roots);
  - (vi) any boundary treatment.
- 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. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interest of biodiversity, amenity and the character and appearance of the area, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17.).
18. Notwithstanding the submitted Management Plan received 06/10/2025, prior to the occupation of any unit, a revised, site-specific management plan, including staffing arrangements, cleaning arrangements, noise mitigation and attenuation Issues and security measures, shall be submitted to and approved in writing by the Local Planning Authority. At all times the scheme shall be managed and operated in full accordance with the approved plan. (To ensure the development is properly managed so as to minimise its effect on the surrounding area and in the interests of the safety and security of its

occupiers in accordance with saved policy PS10 of the City of Leicester Local Plan and Core Strategy policies CS03, CS06 and CS15).

19. The development shall not be occupied until a waste management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:
- (a) location and surfacing of refuse collection point and refuse store,
  - (b) signage directing residents to the refuse store and advising them of contact details for the management company, such signage to be retained throughout the lifetime of the development and updated within seven days when such contact details change,
  - (c) provision for persons with mobility and other limitations to use the refuse store,
  - (d) arrangements for cleaning and maintenance of the refuse collection point and refuse store,
  - (e) contact details for any management company responsible for the site,
  - (f) provision for any change to the management company, or change to contact details for that company, to be advised to the local planning authority within seven days of the change of responsibility or details taking effect.
- The development shall not be occupied or used other than in accordance with the approved plan.  
(To ensure adequate facilities for the storage and collection of refuse and to protect the amenity of the area in accordance with saved policy PS10 of the City of Leicester Local Plan and Core Strategy policies CS03, CS06 and CS15).
20. The development shall be carried out so as to provide level access throughout the communal parts of the development in accordance with the requirements of Part M of the Building Regulations, and also to provide 1 wheelchair accessible accommodation unit. On completion of the scheme and prior to occupation of any part of the development a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the City Council as local planning authority certifying compliance with the above standard. (To ensure that the development provides access for all in accordance with Core Strategy policy CS03.)
21. The proposed development shall relate solely to the following approved plans:
- SUBMITTED 12th March 2026
- Proposed Site Plans, 25,009-P-102 rev B
  - Proposed Ground and First Floor Plans, 25,009-P-110 rev F
  - Proposed Elevations 1 of 3, 25,009-P-120 rev B
  - Proposed Elevations 2 of 3, 25,009-P-121 rev B
  - Proposed Elevations 3 of 3, 25,009-P-122 rev B
- SUBMITTED 23th April 2026
- Proposed Second and Third Floor Plans, 25,009-P-111 rev E
- (For the avoidance of doubt)

NOTES FOR APPLICANT

1. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.  
Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption/transitional arrangement is considered to apply:  
Development below the de minimis threshold, meaning development which:
  - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
  - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
2. Please note it is a criminal offence to kill, injure or disturb protected species and their habitat in accordance with the Wildlife and Countryside Act (1981) as amended and The Habitat & Species Regulations (2010). If during the demolition a protected species is found, work must cease immediately and a suitably qualified ecologist or Natural England be contacted.
3. 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/>  
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](mailto:highwaysdc@leicester.gov.uk).
4. It is unlikely that any construction or demolition work will be agreed outside of the hours detailed within condition 3 unless the City Council Noise and Pollution Control Team is satisfied that:
  - a) the work will not be detrimental to occupiers of neighbouring properties or;
  - b) the developer can demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.
5. 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.

### **Policies relating to this recommendation**

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| 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_E06  | Planning permission granted for the development of B1 offices and criteria for the development of complementary uses.  |
| 2006_H07  | Criteria for the development of new flats and the conversion of existing buildings to self-contained flats.  |
| 2006_PS10 | Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.   |
| 2006_PS11 | Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.   |
| 2006_UD06 | New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.  |
| 2014_CS02 | Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.  |
| 2014_CS03 | The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.                                 |
| 2014_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_CS08 | Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.  |
| 2014_CS10 | The Council will seek to ensure that Leicester has a thriving and diverse business community that attracts jobs and investment to the City. The policy sets out proposals to achieve this objective.   |
| 2014_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_CS14 | The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and   |

maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.

- 2014\_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.
- 2014\_CS17 The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.
- 2014\_CS18 The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets.
- 2014\_CS19 New development must be supported by the required infrastructure at the appropriate stage. Developer contributions will be sought where needs arise as a result of the development either individually or collectively.