

Recommendation: Conditional approval	
20121291	LYNCOTE ROAD, BRAUNSTONE LANE EAST: FORMER RIVERSIDE COMMUNITY COLLEGE
Proposal:	REPLACEMENT COLLEGE BUILDING (CLASS D1); ASSOCIATED ACCESS, PARKING, LANDSCAPING AND SPORTS FACILITIES DEMOLITION OF EXISTING BUILDINGS
Applicant:	LEICESTER MILLER EDUCATION COMPANY (LMEC)
App type:	Operational development - full application
Status:	Smallscale Major Development
Expiry Date:	10 December 2012
SJM	WARD: Braunstone Park & Rowley Fields



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Summary

- BSF proposal
- Demolition of existing buildings and new development to form new school,
- Site allocated for community, education and leisure use with green space/playing fields to the south of the buildings.
- The main issues are design, the amenity of neighbouring residents, parking and highway safety.
- One letter of concern over parking and access.
- Recommended for approval.

Introduction

The application relates to the former and vacant Riverside Community College site situated between Lyncote Road and Braunstone Lane East. There are houses to the north, on the Lyncote Road. To the west is a hotel and to the southeast the Football Foundation is developing an artificial surface pitch. To the east are playing fields which are designated as green space and which will remain as existing beyond the application site boundary.

Background

'Building Schools for the Future' (BSF) is a strategic approach to capital investment in school buildings that will create the environment for the Government's secondary educational transformation. It is proposed that around 180 schools across England are to benefit from over £2 billion of investment.

Under the scheme, the intention is that every secondary aged child will be educated in a '21st Century environment' within 15 years. Schools will be rebuilt, remodelled or upgraded to provide flexible, inclusive, attractive learning environments in which teachers want to teach and pupils want to learn.

In Leicester, it is proposed that building works will take place over phases of development. The first phase affecting four schools has been completed. The proposed completion of the last phase is expected in 2014. Three schools are currently being redeveloped under phase 2 of the BSF Programme. Your Committee has already considered nine planning applications relating to the remaining phases.

Ellesmere College is relocating on to the site to provide secondary education for 247 students with complex learning needs. The school is also a specialist sports college. The BSF funding will allow the redevelopment of this site to better meet the needs of the school.

The Proposal

The application is for the redevelopment of the school, involving the demolition of all of the existing buildings on the site. The new building will be located centrally within the site in a similar position to the Riverside building, with the car parking and cycle parking provision located to the front, facing Braunstone Lane East. Disabled parking and mini bus bays will be provided. Mini bus parking and service delivery will be provided off Lyncote Road. A hard play area will be retained to the north of the building with the playing fields to the south and east of the buildings.

The school will have access to the Football Foundation facilities and the existing playing fields to the east of the site, which are beyond the application site boundary, for sports use

The existing Riverside building is a 2 storey building on stepped levels. The proposed building will be viewed as a single storey building at the rear and two storey from Braunstone Lane East, optimising the differing site levels. The mass of the building will consequently appear smaller than the existing, particularly from Lyncote Road.

The main entrance will be from a plaza on the lower ground floor level giving access from the main parking area off Braunstone Lane East. External pupil circulation around the school will be possible via steps and ramps giving access to study areas at both upper and lower levels.

Policy Considerations

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

Vehicle Parking Standards SPG

Energy Efficiency and Renewable Energy SPD

Residential Amenity SPD

Central Government

National Planning Policy Framework

Consultations

Local Highway Authority: has no objection to the proposal subject to conditions.

Severn Trent Water: has no objection to the proposal subject to a planning condition requiring agreement in respect of details of works for the disposal of surface water and foul sewage.

Sport England has confirmed that it does not wish to raise an objection to this application, subject to conditions being attached to secure improved sports facilities and community access to the existing and proposed sports facilities, including the school playing field area and to create a suitable quality of pitches.

Environment Agency (EA): has objected to the proposal as insufficient detail of surface water drainage proposals has been given in the Flood Risk Assessment and priority to the use of sustainable drainage principles has not been satisfactorily demonstrated. Discussions between the applicant and the EA are on-going.

Energy Team: information submitted is sufficient to demonstrate that measures can be put in place to satisfactorily address renewable energy requirements.

Blaby District Council – no objection

Representations

A resident of Lydford Road has expressed concern over the levels of parking required and being provided and the use of the entrance on Lydford Road.

Consideration

Principle of Development:

The Local Development Framework: Core Strategy policy 8 Existing Neighbourhoods, states that: 'The City Council wants to create neighbourhood groups of schools and will ensure that the Local Development Framework supports School Organisation and Implementation Plans, the Building Schools for the Future programme and the Integrated Services Hubs model, which will help support the drive for school improvement and attainment. Due to the densely populated urban nature of the City, with the exception of schools serving new housing development, new schools will be rebuilt on existing sites.' A key objective of the Core strategy is "to raise the standards of educational attainment, skills and training in Leicester. The redevelopment proposal at Hamilton Community College is on an existing site and meets the objective of this policy. The inadequacies of the existing Ellesmere accommodation and the benefits to the school moving into a new building on to this site are recognised.

As the playing fields are designated green space any development on the playing fields is technically a departure from the local plan. A car parking area is proposed for the western side of the main playing field to the south of the main building but this doesn't result in a loss of usable playing field provision nor would it significantly detract from the open nature of the area or the character of the site when viewed from beyond the site boundaries. Policy CS13 – Green Network, notes that the Council will address the imbalances in green space provision by making green space, sport and recreation facilities more accessible and improving links and connections between spaces.

I consider that the redevelopment of this area would not compromise the overarching value of the retained green space and that the proposals meet the provisions of CS 13 and enhance sport and recreation provision.

Design

I consider that the proposals appropriately address sustainable design having regard to existing landscape characteristics, scale, and context. The external materials will be a combination of brickwork and rendered cladding with areas of glazing. The roof over sails the student entrances and the main entrance which is accentuated by coloured render and bold signage indicating the focal entrance of the school.

The closest house to the proposed building will be sited on Lyncote Road at a distance of 27m. This distance increases for other houses due to the orientation of the building. I do not consider that the development would have a significantly detrimental effect on the amenities of nearby residents, nor on the hotel to the west of the site.

Sports Facilities and Community Use

Sport England has concluded that the proposed redevelopment would, despite the location of the car parking area on part of the existing playing field area, enable improved sports pitch and sports facilities due to the remodelling of the playing field to the south of the building and the provision of a new sports hall. In addition, formal community access to the proposed sports facilities, including the school playing field area will be encouraged.

The area of playing field to the east of the site is not included in the application site boundary and there are no changes proposed to this area. This will continue to be used by the school for sports activities.

Ecology/Landscaping

The submitted ecology report identifies that the site does support suitable habitat for protected species. Further information has been supplied in respect of the Ecology report. Bats were identified within the existing building which is to be demolished. These are to be removed under licence.

The details of the report are acceptable and it is expected that mitigation proposals will ensure that species are protected. A condition is attached in this respect.

Renewable Energy

An Energy and Sustainability Strategy has been submitted which sets out the sustainable construction and renewable energy proposals for the BSF project with particular details relating to this school. These details demonstrate that measures can be put in place to satisfactorily address renewable energy requirements. The

options available are likely to include the use of a bio-fuel boiler, but could also include the provision of photo voltaic panels.

Highway Issues and parking provision

The school serves a wide catchment area with the majority of students arriving by minibus or taxi. The proposal represents a total floor space of 5,759sqm. There would be provision of 77 car parking spaces (including 4 disabled spaces) plus 15 minibus drop off spaces. The existing access off Lyncote Road will remain but the majority of vehicle movements will take place from Braunstone Lane East. Service deliveries will continue to be made towards the northern side of the site. This arrangement will result in a decrease in the number of vehicle movements previously experienced when the property was still in use as Riverside Community College.

The Braunstone Lane East access will also be used by the Football Foundation with existing coach parking areas being relocated within the entrance layby.

I am satisfied with the justification for parking as presented in the Transport Assessment as well as the Travel Plan measures proposed to help reduce the vehicle trips generated at the site. The Travel Plan Officer will liaise with the applicant on the issues contained within the Travel Plan including the influence of any community use. The school buildings will be operational for community use with some buildings being open to public use outside of school core hours at weekends and during holidays. The Travel Plan and Traffic Management Plan reflect the traffic management of trips generated by the community use.

In conclusion, I consider that the proposed replacement school buildings would represent an improvement to physical and learning environments for children and young people, an improvement to vehicular, pedestrian and cycle accesses and make a positive contribution to local environment without adversely affecting the amenities of the residents.

I am mindful of on-going discussions with the Environment Agency in respect of the Flood Risk Assessment. SUBJECT TO A SATISFACTORY OUTCOME OF THESE DISCUSSIONS IN RESECT OF SURFACE WATER DRAINAGE PROVISION I RECOMMEND APPROVAL subject to the following conditions.

Should those issues not be resolved at the time of the committee I recommend that members approve the proposal in principle and delegate the decision to the Director.

CONDITIONS

1. START WITHIN THREE YEARS
2. Before the development is begun, the materials to be used on all external elevations and roofs shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS3.)
3. Before the development is occupied, a detailed landscaping scheme showing the treatment of all parts of the site which will remain unbuilt upon shall be submitted to and agreed in writing with the City Council as local planning authority. The scheme shall offer the positive treatment of grounds both to enrich education, play and amenity but also to provide opportunities and

space for sustainable drainage. This scheme shall include details of: (i) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means of planting, staking, and tying of trees, including tree guards; (iv) other surface treatments; (v) fencing and boundary treatments; (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots) and ; (viii) opportunities and constraints of the site for SUD's features including flow routes and any sub-catchments; (ix) how the design criteria of quantity, quality and amenity/biodiversity will be met including techniques; (x) information to show how the drainage system will be integrated into the landscape design. The approved landscaping scheme shall be carried out within one year of completion of the development. For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)

4. Before the development is begun, all existing trees, shrubs or hedges to be retained on the site shall be protected by fences in accordance with the arboricultural report supplied and guiding principles of BS5837 (2012). No materials whatsoever shall be stored, rubbish dumped, fires lit or buildings erected within these fences; no changes in ground level shall be made within the spread of any tree, shrub or hedge without the previous written approval of the local planning authority. No trees shall be used as anchorages, nor shall any items whatsoever be affixed to any retained tree. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
5. The development hereby permitted shall not be commenced until drainage plans for the disposal of surface water and foul sewage has been submitted to and approved in writing by of the City Council as Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the City Council as local planning authority. (To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to minimise the risk of pollution and in accordance with Policies PS11 and BE20 of the City of Leicester local plan).
6. No deliveries or collections (including the collection of refuse) shall take place outside the hours of 07.30-21.00 hours Monday to Saturday and 09.00-21.00 Sunday and recognised public holidays. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
7. 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 otherwise agreed with the City Council as local planning authority in consultation with the Director of Environmental Services, in accordance with methodology which has been submitted to and agreed by the local planning authority. (In the interests of residential amenity and in accordance with Policy PS10 of the City of Leicester Local Plan)

8. No plant or machinery shall be installed or operated nor shall any processes be undertaken which are detrimental to the amenity of the area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)
9. The sight lines on each side of each vehicular access shall be provided at the time of development and shall be retained. (In the interests of the safety of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
10. PEDESTRIAN CROSSING POINTS
11. The development shall not be occupied until footway crossings have been provided at each vehicular access and any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated to the satisfaction of the City Council as local planning authority. (To ensure a satisfactory means of access to the highway, and for the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
12. At the same time as the remainder of the development, all parking areas, including at least six car parking spaces for the use of disabled people and twenty three spaces for minibuses, shall be surfaced and marked out in accordance with details which shall first have been submitted to and approved by the City Council as local planning authority, and shall be retained and not used for any other purpose. The parking areas to be surfaced shall be of a permeable material unless otherwise agreed. (To ensure that parking can take place in a satisfactory manner, and in accordance with policy AM11 of the City of Leicester Local Plan and Core Strategy policy CS3.)
13. Space shall be kept available within the curtilage of the site to allow for loading and unloading always to take place within the site. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
14. A turning space to enable vehicles always to enter and leave the site in a forward direction, shall be kept available within the site. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)

15. Before the development is begun, details of the design of vehicular, cycle and pedestrian accesses, including dropped kerbs, visibility splays, vehicle tracking, surface markings, signage, pedestrian guard rails, materials to be used for pedestrian/cycle footways, gates and their siting shall be agreed in writing with the City Council as local planning authority unless otherwise agreed. The agreed scheme shall be implemented before the occupation of the development. (For the safety and convenience of pedestrians and cyclists, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
16. Any gates placed at the Braunstone Lane East access shall be designed to open inwards only and set back a minimum of 5 metres from the back of the highway. (In the interests of the safety of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
17. Before the development is begun, a scheme shall be submitted to and approved by the City Council as local planning authority indicating details of temporary site entrances, temporary storage areas for soil and other materials, and the placing of plant and site huts to be adopted during building operations and shall be implemented. (To ensure the satisfactory development of the site, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
18. Before the development is brought into use a minimum of five parking spaces for powered two wheeler (PTW) vehicles and a minimum of thirty secure and sheltered cycle parking spaces shall be provided within the curtilage of the site. The PTW/cycle parking should be well lit, secure and covered, the details of which shall be agreed in writing with the City Council as local planning authority. (In the interests of satisfactory parking provision and in accordance with policy AM02 of the City of Leicester Local Plan.)
19. The submitted Travel Plan and Traffic Management Plan shall be implemented on occupation of the development. (In the interests of the safety of pedestrians and other road users and residential amenity, and in accordance with policies AM01 and PS10 of the City of Leicester Local Plan and Core Strategy policy CS3.)
20. Before the development is begun an ecological mitigation scheme shall be submitted to and approved in writing by the local planning authority. The schemes should include details of methodologies for the protection of protected species including reptile/amphibian habitat and other areas of high ecological value to minimize disturbance. Any identified mitigation measures shall be carried as a pre-commencement to the development or during development when adequate measures should be put in place to mitigate against injury or disturbance to protected species, particularly badgers, amphibians and reptiles. The schemes should also include details of fencing and timing of operations; tree, shrub and hedgerow planting and aftercare proposals; and habitats [pond, wildflower area, tree planting] to be newly created or existing habitats to be enhanced and ten years aftercare proposals

including construction, seeding, planting and establishment and replacement details. 3 bat tiles/bricks/boxes and 4 bird bricks/boxes; 2 x invertebrate boxes shall be incorporated within the elevations of the proposed building and/or the grounds of the site. (To protect the habitats and wildlife including identified roosts, commuting and foraging areas on the site and reptile habitat and in accordance with policy CS 17 Biodiversity of the Core Strategy and Habitat and Species Regulations 2010).

21. Should the development not commence within 12 months of the date of the last protected species survey (July 2012), then a further protected species survey shall be carried out of all buildings, trees and other features by a suitably qualified ecologist. The survey results shall be submitted to and agreed in writing with the local planning authority and any identified mitigation measures carried out before the development is begun. Thereafter the survey should be repeated annually until the development begins. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000), the Habitat & Species Regulations 2010 and CS 17 of the Core Strategy)
22. Before the development is begun a detailed design plan of external lighting to be used shall be submitted and approved in writing by the local planning authority. The lighting should be designed to cause minimum disturbance to protected species that may inhabit the site. The approved scheme shall be implemented and retained thereafter. (In the interests of protecting wildlife habitats and in accordance with policy BE22 of the City of Leicester Local Plan and policy CS17 Biodiversity of the Core Strategy)
23. Before the development is begun full design details of a scheme to provide 16% of the development's total predicted annual energy demand from renewable energy sources have been submitted to and approved in writing by the local planning authority. Before the development is occupied satisfactory evidence will be required demonstrating satisfactory operation of the agreed scheme, including on-site installation, in accordance with the agreed details. (To ensure sustainable energy efficiency in accordance with Policy BE16 of the City of Leicester Local Plan)
24. Full details of any on-site decentralised energy or connection to an existing combined heat and power or community heating system shall be submitted to and agreed in accordance and before the development is occupied evidence will be required demonstrating satisfactory operation of the onsite installation or connection in accordance with the agreed details. (To ensure sustainable energy efficiency in accordance with Core Strategy Policy 2.3).
25. The development shall not be brought into use until a Community Use Scheme has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall apply to the existing and proposed sports facilities including the school playing field area include details of pricing policy, hours of use, access by non-education establishment users/non-members, management responsibilities and include a mechanism for review and a programme of implementation. The approved Scheme shall be implemented

upon commencement of use of the development and shall be complied with for the duration of the use of the development.

(To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport in accordance with Core Strategy policies CS8 and CS13).

26. The area of grass playing pitch 2 shall be constructed and laid out in accordance with the drawing no. EL-L-232 and with standards and methodologies set out in the guidance note `Natural Turf for Sport` (Sport England, 2011), and shall be made available for use upon commencement of use of the development. (To ensure the quality of pitches is satisfactory and they are available for use upon commencement of use of the development and to accord with Core Strategy policies CS8 and CS13).
27. NO DETRIMENT FROM LIVE OR AMPLIFIED MUSIC OR VOICE
28. This consent shall relate to the submitted plans received by the City Council as local planning authority on 11/09/2012, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The above proposal involves works on the public highway on land outside your control. You are therefore required to submit technical details for approval under a Section 278 process (including an appropriate safety audit) to the Highway Authority before development commences. For further information regarding this process including technical approval please contact Mr Ravi Mohankumar telephone (0116) 2526600.
2. Any work within the public highway will require the approval of the Highway Authority in addition to the planning permission hereby granted. The developer should also, at least six weeks before works on site commence, consult with the Highways Management Section (Telephone 0116 223 2010) to determine whether construction traffic necessitates the provision of any temporary footway crossings. This is to ensure that apparatus within the footway will be protected from damage caused by the heavier loadings of construction plant and deliveries and that the surface of the footway will remain safe for footway users during the works.
3. It is unlikely that any construction or demolition work will be agreed outside of the hours detailed above unless the City Council Noise Team is satisfied that a) the work will not be detrimental to occupiers of neighbouring properties or b) the developer is able to demonstrate that there is no practicable alternative to the proposed work taking place outside of these hours.
4. Guidance should be sought from Sport England in respect of the proposals for the replacement and improved playing fields. Sport England recommends that the improvement/management scheme is undertaken by a specialist turf consultant.

5. Development on the site shall avoid the bird nesting season (March to September), but if necessary a re-check for nests should be made by an ecologist (or an appointed competent person) not more than 24 hours prior to the commencement of works. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone will also be marked out to avoid disturbance to the nest whilst it is in use. All wild birds are protected under the Wildlife and Countryside Act (1981) as amended making it an offence to kill, injure or disturb a wild bird during the nesting season or to damage or destroy an active nest or eggs during that time.

6. REASON FOR APPROVAL. In the view of the City Council, the proposal complies with the relevant criteria in the City of Leicester Local Plan and Core Strategy policies listed in this decision, and there are no material considerations which outweigh these policies. The City Council considers that any harm to visual, residential amenity and highway safety can be overcome by the attached conditions.

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_AM11 | Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01. |
| 2006_BE16 | Planning permission will be granted for the development of renewable energy installations where local impacts are not outweighed by wider benefits. Major developments must realise their potential for incorporating renewable energy technologies. |
| 2006_BE20 | Developments that are likely to create flood risk onsite or elsewhere will only be permitted if adequate mitigation measures can be implemented. |
| 2006_BE22 | Planning permission for development that consists of, or includes, external lighting will be permitted where the City Council is satisfied that it meets certain criteria. |
| 2006_GE03 | Development on a Biodiversity Enhancement Site will be permitted if the strategic nature conservation value is maintained or enhanced. |
| 2006_GE06 | Sets out the criteria for assessing proposed development within, and adjacent to, green wedges. |
| 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. |
| 2010_CS01 | The overall objective of the Core Strategy is to ensure that Leicester develops as a sustainable city, with an improved quality of life for all its citizens. The |

policy includes guidelines for the location of housing and other development.

- 2010_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.
- 2010_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'.
- 2010_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.
- 2010_CS13 The Council will seek to maintain and enhance the quality of the green network so that residents and visitors have easy access to good quality green space, sport and recreation provision that meets the needs of local people.
- 2010_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.
- 2010_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.
- 2010_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.