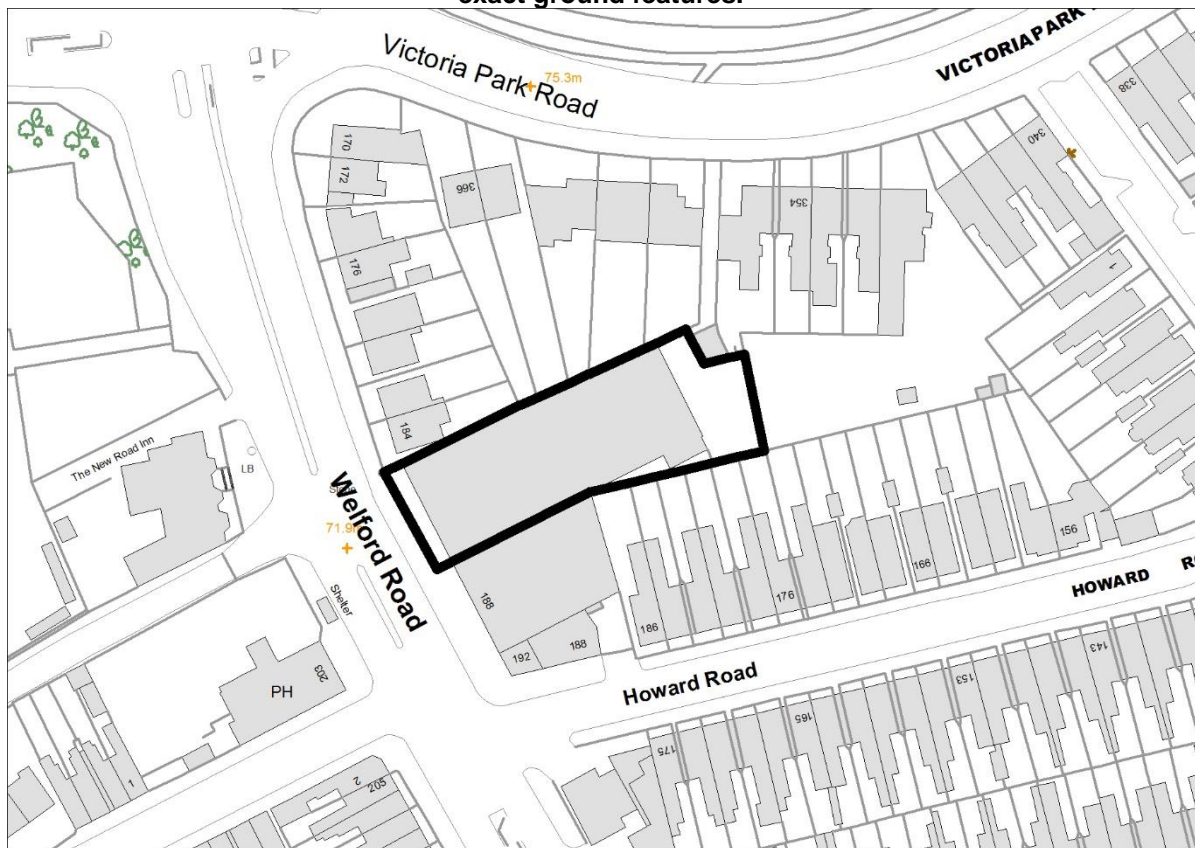


COMMITTEE REPORT

20192082	186 Welford Road	
Proposal:	Demolition of antiques warehouse (Sui Generis); construction of two blocks (1 x 3 storey & 1 x 4 storey) for student accommodation (Sui Generis) to provide 43 studio apartments; vehicular access (Amended plans) (S106 Agreement)	
Applicant:	UK Land Limited	
App type:	Operational development - full application	
Status:	Smallscale Major Development	
Expiry Date:	24 September 2021	
WJJ	TEAM: PM	WARD: Castle

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Summary

- The application is brought to the Committee as the recommendation is for approval and more than five objections have been received from more than five different City addresses.
- Twenty-nine letters of objection have been received that raise concerns regarding: need for and impact of additional student accommodation in the area, contrary

to Council policy regarding student accommodation and areas with Article 4 Directions, harm to character and appearance of area, impact on neighbouring residential amenity including loss of light and privacy, problems arising from increased parking demand, highway safety and problems arising when development under construction.

- One individual representation has been received that is fully in support of the application, the design of the proposal, and the provision of accommodation in close proximity to the university. Another representation mentions that the scheme is an improvement on the earlier scheme (20182790 - withdrawn).
- The main issues are the principle of student accommodation in this location, the impact on the residential amenity of neighbours, the residential amenity of residents, the impact on the character and appearance of the area, and the impact on highway safety and parking.
- The application is recommended for approval subject to conditions.

The Site

The site is on a main road leaving the city. It is within a largely residential area. The site itself and some of the neighbouring properties along the Welford Road are in commercial uses. With the exception of a yard at the rear, the existing building on the site occupies all of the site. It has been used as an antiques warehouse for around four years; prior to which it accommodated a windscreen replacement centre.

With regards to flooding from fluvial sources, the site is at very low risk of flooding. It is within Flood Zone 1 and is at less than 1 in 1000 year risk. With regards to flooding from pluvial sources, the site is within a Critical Drainage Area (CDA). Although flooding from pluvial sources is unlikely to take place here, the rapid runoff of water may lead to flooding in neighbouring hotspots.

The site is within an Air Quality Management Area (AQMA).

The application site is within an area that removes the Permitted Development Right to convert a dwelling (Class C3) to a house in multiple occupation (HiMO, Class C4).

The Clarendon Park area, including the application site, is also subject to a Regulation 7 Direction that seeks to restrict To Let boards.

The Donkey Public House on the other side of the Welford Road is on the Local Heritage Asset Register.

There is a known source of pollution at EE Contracts on Morris Road.

Background

The Welford Road is one of the ancient roads leading out from the city. Maps from the 1880's indicate the area was starting to develop. Victoria Park Road, Fleetwood Road and Clarendon Park Road were in place, but buildings were few. Most of the development around the site dates from the late Victorian and Edwardian period and from the 1920's and 30's.

186 Welford Road (application site)

Maps from the 1930's show a building on the application site. The footprint is the same as the current one, and so it is likely the current building dates from 1930's. As such,

the current building pre-dates the existing planning system that came into force on the 1st of July 1948.

Relevant planning history is as follows:

19860986 - Change of use of vehicle rental depot to use for the storage and fitting of automotive windscreens, side glass, sunroofs and ancillary works - Approved and implemented.

20151732 - Change of use from motor vehicle windscreen replacement garage (no use class) to retail, repair and storage of antiques (Sui Generis) – Approved and implemented.

20182790 - Demolition of building and construction of three four storey blocks to provide 56 student studio apartments (Sui Generis) - Withdrawn

Google Maps indicates the Leicester Antiques Warehouse has been operating here for around four years; prior to which it housed a windscreen replacement centre, called Autoglass.

188 Welford Road (neighbouring site to south east)

Maps from the 1930's show a building on the site; albeit with a staggered front wall, in contrast to the existing building. Maps from the 1950's show a building with the same footprint as the existing one. In the absence of any record of a planning application from the 1940's or 50's, the current building probably pre-dates the existing planning system that came into force on the 1st of July 1948.

Since being built, the building has been used for several uses and some minor alterations have been made. Google Street View indicates it has been used as a carpet shop since around 2011 and was a bathroom shop around 2008. Permission has also been granted on two occasions since 2015 to demolish the existing building and to redevelop the site for schemes involving a retail unit and student flats. Those have now expired. There is an extant permission to change the use from a shop to a restaurant/takeaway.

There is a current planning application to demolish the existing building and to redevelop the site with a three-storey block of eighteen student studio flats (20182726).

The Proposal

The proposal is to demolish the existing building on the site and replace with two blocks of student accommodation. One block is next to the Welford Road and is four storeys high (with an additional storey of a basement beneath). This is Block A. The other is set back within the site and is three storeys high. This is Block B. Block A, next to the Welford Road, incorporates a vehicular access that leads to a loading/unloading area with two car parking spaces. A bin store is provided within the front elevation of Block A. There are two communal gardens; one between the two blocks and one behind Block B, next to the rear boundary of the site.

Block A will have twenty-two studio flats on the ground to third floors, plus a basement that provides a plant room and a recreation room. Block B will have twenty-one studio flats. This gives a total of forty-three studio flats.

Amended plans have been submitted. The general plan of the scheme is similar to the original plans, but lots of small changes have been made.

Policy Considerations

National Planning Policy Framework (NPPF) July 2021

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

Paragraph 11 contains a presumption in favour of sustainable development. For decision-taking this means:

'c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

The City does not currently have a five-year deliverable land supply for housing.

Paragraph 8 contains a definition of sustainable development consisting of three objectives *'which are interdependent and need to be pursued in mutually supportive ways'*. In shortened form, these are as follows:

a) an economic objective

b) a social objective

c) an environmental objective

Aspects relating to developer contributions. The following paragraphs are particularly relevant to matters relating to developer contributions to affordable housing, green space and education.

Paragraph 55 states that *'Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.'*

Paragraph 57 states that *'Planning obligations must only be sought where they meet all of the following tests:*

a) necessary to make the development acceptable in planning terms;

b) directly related to the development; and

c) fairly and reasonably related in scale and kind to the development.'

Promoting healthy and safe communities. The following paragraphs are particularly relevant to Promoting healthy and safe communities.

Paragraph 92 states that *'Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through

mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'

Transport aspects. The following paragraphs are particularly relevant to the transport related aspects of the scheme.

Paragraph 110 states that *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'

Paragraph 111 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*

Paragraph 112 states that *'Within this context, applications for development should:*

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Achieving appropriate densities. The following paragraphs are particularly relevant to matters related to density.

Paragraph 119 states that *'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.'*

Paragraph 124 states that *'Planning policies and decisions should support development that makes efficient use of land, taking into account:*

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.'*

Paragraph 125 states that *'... Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. ...'*

Design aspects. The following paragraphs are particularly relevant to design matters.

Paragraph 126 states that *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'*

Paragraph 130 states that *'Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

Paragraph 135 states that *'Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'*

Climate change aspects. The following paragraph is particularly relevant to climate change matters.

Paragraph 157 states that *'In determining planning applications, local planning authorities should expect new development to:*

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.'

Sustainable Drainage aspects. The following paragraph is particularly relevant to sustainable drainage matters.

Paragraph 168 states that *'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*

a) take account of advice from the lead local flood authority;

b) have appropriate proposed minimum operational standards;

c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and

d) where possible, provide multifunctional benefits.'

Habitat and biodiversity aspects. The following paragraphs are particularly relevant to habitats and biodiversity matters.

Paragraph 174 states that *'Planning policies and decisions should contribute to and enhance the natural and local environment by:*

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;'

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.'

Paragraph 180 states that *'When determining planning applications, local planning authorities should apply the following principles:*

c) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.'

Pollution. The following paragraphs are particularly relevant to pollution matters.

Paragraph 185 states that *'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; ...'

Paragraph 186 states that *'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.*

Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.'

Heritage aspects. The following paragraphs are particularly relevant to heritage matters.

Paragraph 195 states that *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'*

Paragraph 197 states that *'In determining applications, local planning authorities should take account of:*

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

Paragraph 203 states that *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*

Other planning and material considerations

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

Supplementary Planning Document – Residential Amenity

Supplementary Planning Document – Green Space

City of Leicester Local Plan (2006). Saved policies. Appendix 1: Parking Standards

Leicester Street Design Guide (First Edition)

Leicester City Council Waste Management guidance notes for residential properties

Technical housing standards – Nationally Described Space Standards – March 2015 (NDSS).

National Design Guide (Ministry of Housing, Communities & Local Government)

Leicester City Corporate Guidance – Achieving Well Designed Homes 2019

Building Research Establishment (BRE) - Site layout planning for daylight and sunlight: a guide to good practice (BR 209)

Consultations

Local Highway Authority

The site is located directly opposite Knighton Junction Lane and approximately 60m south of the Welford Road/Victoria Park Road/Putney Road traffic signal junction. The site has a footway crossing covering most of its frontage to Welford Road, originally to facilitate vehicles entering and leaving the building. However, this tends also to provide informal parking for customers; particularly when loading or unloading large goods.

The current access and parking arrangements are poor. This scheme offers the opportunity to improve the situation and this opportunity has been taken.

Vehicle access

The proposed vehicle access location is off-set from the gap in the central reservation of Welford Road, for traffic turning into and out Knighton Junction Lane. Drivers entering the proposed access from the south, may well choose to carry out a semi U-turn manoeuvre, while those exiting from the proposed access headed north, may

seek to cut across southbound traffic to turn right out of the access. These potentially hazardous manoeuvres need to be mitigated. The Transport Statement provided with the application refers to installing 'left turn only' signage and markings and to imposing sanctions on residents and service operators contravening advice. We consider that, with a firm management policy and determination to impose sanctions, our concerns will be addressed. However, we recommend the applicant monitors and reports on the effectiveness of the policy for a set period after its implementation.

The proposed access arrangement will require the re-instatement of a section of the existing footway and kerb line.

Parking

Provision of two car parking spaces for servicing is likely to be adequate.

Public transport options are very good in this location. On the other hand, there is no dedicated cycle infrastructure on this section of Welford Road; though the site is less than 100m from several cycle routes and the residential streets in the vicinity of the site are generally suitable for cycling. On balance, I consider the provision of no car parking (save for servicing), to be acceptable.

The scheme makes ample provision for cycle storage. However, it does not specify whether this is both secure and sheltered. Secure and sheltered cycle parking is required for a scheme of this nature.

Traffic Impact

The proposed development is likely to generate fewer vehicle trips than the site's current use, which has a lot of vehicles. As such it is unlikely to result in significant adverse impacts on the highway network.

Other highway related issues

The site is highly sustainable in terms of travel. Residents should be provided with Travel Packs to help maximise the take-up of sustainable travel options available to them.

To ensure the scheme is managed in a way that does not cause harm to the safe operation of the highway a Management Plan should be agreed.

Air quality

The scheme has the potential to increase air pollution to unacceptable levels during demolition and construction. An Air Quality Assessment has been submitted with the application that makes recommendations for working practices during construction. These should be secured.

The site is next to a road that carries a high number of vehicles. This may provide residents of the scheme to an acceptably low quality of air. This can be addressed through supplying flats with air drawn from locations away from the road, such as the roof, and through filtration. These should be secured.

Waste Management

A bin store is provided within the front elevation of Block A. This allows the bin store to be opened by the refuse collection operatives and the bins swiftly emptied into the vehicle and returned. A dropped kerb will need to be installed to aid taking the bins to the rear of the bin lorry.

Lead Local Flood Authority (LLFA)

The drainage details submitted are acceptable and incorporate permeable paving and water butts. Full details of the Sustainable Drainage System (SuDS) need to be secured.

Severn Trent Water

Acceptable drainage can be secured.

Environmental Services, Land contamination

Investigation for potential land contamination and, if found, clean-up should be secured.

Environmental Services, Noise

Sufficient information has been submitted, to demonstrate the flats can provide residents with acceptable levels of quiet and ventilation, without resulting in an increase in the height and significant changes to the appearance of the proposed blocks of flats.

Full details of the noise insulation and ventilation measures should be secured by condition, to ensure the details are acceptable.

Environmental Services, Parks Service

The proposed residential development, within the Castle ward, will result in a net increase in the number of residents within an area which already exhibits a deficiency in green space. Opportunities to create new open space to address the needs of the new residents are severely limited and therefore we seek to make quality improvements to existing green space provision to address the needs of residents. A contribution of £26,588 is required towards landscape improvements and a fitness trail at Nelson Mandela Park.

Leicestershire & Rutland CCG

No contribution is sought.

Better Buildings, Estates and Building Services

The orientation of the buildings, with the main glazed elevations facing approximately east-west, is not the most advantageous in terms of passive solar design. However, it is acceptable bearing in mind the constraints of the site. Daylighting of the apartments is acceptable in terms of reducing the need for artificial lighting.

The Sustainable Energy Statement proposes thermal performance parameters for the scheme which improve upon the Building Regulations limiting parameters.

A connection to the district heating network is discounted due to the limited heat demand of the development and distance of the site from the network. The Sustainable Energy Statement, submitted with the application, also argues that the development will have insufficient heat demand for a communal CHP system to be beneficial. I accept these conclusions.

The use of electric panel heaters, electric instantaneous water heaters and electric showers are proposed. Natural ventilation is proposed for the apartments in Block B, and, due to its proximity to Welford Road, heat recovery is proposed for the mechanical ventilation system required in Block A. All lighting will have low energy use.

The use of a localised direct electric solution for the heating and hot water will not allow the development to benefit from the more efficient conversion of electricity to heat available by using a heat pump system (subject to insulation of storage vessels and pipework). I therefore expect a very good standard of user and energy efficiency controls to be provided for the panel heaters, including some form of over-ride to ensure that heating cannot be left on when windows are open, in addition to the programmer and thermostatic controls mentioned in the statement. This can be addressed by condition.

The Sustainable Energy Statement reviews the renewable and low carbon energy generation and supply options for the development, concluding that solar PVs are the most appropriate renewable technology for this development. This is due to the availability of unshaded flat roof areas, which will enable optimum panel orientation. I accept this conclusion and solar PVs are proposed for the roofs of both blocks.

In terms of energy strategy, the scheme is acceptable, and the details can be secured by condition.

Representations

Conservation Advisory Panel (CAP). The application was on the B list (for members information) for the meeting of the 18th of March 2020. The Panel did not comment on the application.

One individual representation has been received in full support of the application. Grounds:

- Good that development is proposed
- The plans look great
- The scheme will bring students closer to the University ready for its 100th year
- Cars will not be needed by students as everything they need is within walking distance
- Much needed influx of youth in the local environment and to the economy
- Great addition to the Clarendon Park Campus with locals and students living in harmony

Another representation, that makes both positive and negative comments, mentions that the scheme is an improvement on an earlier scheme for which an application made and later withdrawn (20182790).

Twenty-nine individual objections have been received to the scheme. Grounds:

- There may be sufficient or and overprovision of accommodation in the area for students due to many schemes being built, a dip in the numbers coming through and a reduction in the number of students coming from overseas.
- The density of student accommodation is damaging to the local economy and is pricing all those, except students, out of the area. One type of resident should not dominate the area. It is unfair to expect existing residents to accommodate a further increase on top of what is already being introduced at the Freeman's Common & Nixon Court scheme.
- The site needs to be developed for affordable housing such as 1, 2 & 3 bed flats or houses for single people, couples or families.
- Potential anti-social behaviour by students. Litter, pests, and busyness in the area may increase; in an area that is already over-crowded.

- The universities are not accountable for the problems that too many students can bring to an area.
- The scheme is contrary to the Council policy regarding student accommodation and areas with Article 4 Directions - Student Housing Supplementary Planning Document 2012 (SHSPD), the documents for the third stage of the new Local Plan consultation, including 'City of Leicester Local Plan 2020 to 2036 - Draft Plan for Consultation February 2020'.
- If approved the scheme would undermine the Article 4 Direction (that removes permitted development to change a dwelling (Class C3) to a house in multiple occupation (Class C4)).
- The Article 4 Direction was introduced too late. Now it is a hindrance to selling properties in this neighbourhood. Maybe the Article 4 Direction should be scrapped?
- Property prices in the area have fallen and selling property is becoming harder. This puts residents in a precarious position; especially the elderly, first time buyers and the disabled.
- One person states an estate agent stated that they no longer regarded the area as "residential". That person states that there are a few here who enjoy their properties.
- There is no evidence that Purpose Built Student Accommodation (PBSA) development frees up houses for use by non-students. Rundown houses become student properties, are still cheaper than PBSA and often do not lock students into a fifty one week contract.
- The proposal should be postponed for at least two years so it can be assessed once the implications of the current large development of Freeman's Common & Nixon Court and some smaller schemes are known.
- The scheme will be harmful to the character and appearance of the area. It is disproportionate in size and height to surrounding residential buildings. The current structure is no more than the equivalent of two storeys in height and all the surrounding properties are two storey houses. Block A (four storeys) will be overbearing and will look more so if planning application 20182726, for 188 Welford Road, is approved with three storeys.
- Concern that the height of Block B has been increased by amended plans that add solar panels on the roof.
- The nature of the accommodation is likely to result in noise and other disturbances to neighbours. The garden areas may be used for noisy activities. The garden behind Block B will be deep within the quiet area at the rear ends of the properties here.
- Loss of light and privacy for neighbours.
- Block B will be 15m from the gable end of existing houses on Howard Road. The SPD for Residential Amenity states that the distance between a two-storey extension and an existing house should be a minimum of 15m. As Block B is three storeys high then it should exceed this distance.
- Views to trees, especially those by Victoria Park Road will be blocked.
- At present, on some nights noise levels in the area are almost on par with those of the city centre. Building further flats, close to the homes of families and people who have to be up early for work, will bring more unacceptable noise.
- The plans do not show a boundary treatment between the scheme and neighbours.

- Will contribute to parking problems, noise from traffic and traffic congestion. Cars are often parked in a manner that blocks pavements and pedestrian crossings/dropped kerbs. This is particularly harmful to residents who have disabilities, are infirm or have pushchairs.
- Another vote should take place as to whether a Residents Parking Scheme (with car parking permits for residents) should be introduced to manage on-street parking in the area. *(Case Officer note – I understand that since this letter was received, an experimental scheme has been introduced on a temporary basis. This is limited to a restriction on non residents parking between 9.30 and 10.30am on weekdays from 1 February 2021 to 31 August 2021, with a focus on the streets immediately adjacent to Queen’s Road.)*
- Harmful impact for safety and congestion on the, already very busy, junction at Welford Road and Victoria Park Road; both during the construction period and after.
- Travel Packs for residents and bus services nearby will not stop residents of the scheme having vehicles and parking them in the surrounding streets. Parking in the area is already a significant problem. It may get worse as new residents arrive at the Freeman’s Common & Nixon Court scheme that is currently being built. Family and friends visiting students in this scheme may come by car.
- Safety concerns for pedestrians walking past the vehicle entrance.
- There is no parking space for a disabled resident or visitor.
- The existing buildings acts as retaining walls to neighbouring properties. If removed their gardens may fall into the site.
- The demolition and construction may be detrimental to the respiratory and cardiological health of neighbours.
- The application includes a shadow diagram which shows significant shadowing from Block A to properties in the east in March. The shadow diagram does not show shadow in December when it will be considerably worse. If the Mansard roof was removed the shadowing would be less intrusive.

Consideration

Principle

Loss of existing retail use

The site is not within a Local Centre, where the retention of retail and similar uses is sought. Before being used for a retail and storage use (antiques) the planning history also indicates it has been used for a vehicle rental & windscreen fitting depot.

On the neighbouring site at 188 Welford Road permission has been granted on two occasions since 2015 for mixed use buildings, consisting of retail and student accommodation. Those schemes are no longer extant but a third application involving the loss of the retail use is under consideration (20182627). I consider that the loss of the current retail use is at 186 Welford Road is unlikely to significantly affect the function of the area and the balance of uses and would be difficult to sustain at appeal. As such, the loss of the retail use is acceptable.

New student accommodation

The main policy relating to student accommodation in the Core Strategy (2014) is CS06, which requires that ‘...*Proposals for purpose-built student housing will normally*

be accepted if they meet identified needs, are well designed and managed and can be well integrated with local built form and existing communities within walking distance of the main campuses.'

This is supported by the Student Housing SPD which provides more detail to support the criteria set out in Core Strategy Policy CS6. Paragraph 1.16 of the SPD refers to the six criteria against which applications are to be determined:

- A. *The development meets an identified need for the type of accommodation proposed.* I accept that there is a limited demand for additional purpose-built accommodation within the city.
- B. *Development will be encouraged within reasonable walking distance of the two university campuses.* The site is within walking distance of Leicester University Campus and would therefore allow sustainable means of travel for potential residents. The city centre and railway station are a longer walk but are reasonably accessible by cycling and bus.
- C. *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.* This matter is addressed in the 'Character and appearance' section of this report.
- D. *When considered with existing nearby student housing provision, the development should not have an unacceptable cumulative impact upon surrounding residential neighbourhoods.* The scheme does not involve the loss of any existing residential accommodation such as housing suitable for families. There are a number of sizeable student schemes near the site; the largest are Freeman's Common and Nixon Court (under construction), which are on the other side of the Welford Road. I consider that the majority of pedestrian movements from the site are likely to be towards facilities that students use. These include: north to the new academic building and square within Freeman's Common, north to the Leicester University campus along University Road, east towards the Queen's Road Local Centre, and south towards the Welford Road Local Centre. With the exception of the Queen's Road Local Centre, these all avoid large residential neighbourhoods. The Queen's Road Local Centre is within a largely residential area but already attracts students living in that residential area and from further afield, such as Freeman's Common and Nixon Court. I consider that the increase that this scheme may deliver is not significant and it would be difficult to demonstrate harm. There are a large number of recreational facilities available locally, such as the open space to the north at Victoria Park, and further afield, in the city centre. As a result, I do not have any concerns regarding the cumulative impact of the proposal on residential neighbourhoods.
- E. *The layout, standards and facilities provided in the development ensure a positive living experience. The layout, standards and facilities provided in the development must ensure a positive living experience.* This matter is addressed in the 'Residential amenity' section of this report.
- F. *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.* As with point E this matter is also addressed in the 'Residential amenity' section of this report.

Density

The indicative map for policy CS08 locates this site within an area described as an 'Inner Area'. Policy CS08 states that *'New housing provision within the Inner Areas will mainly be on small scale industrial sites that are no longer appropriate for industrial use.'* Although, since 2005, the existing building has been used for a retail and storage use (antiques) the planning history also indicates it has been used for a vehicle rental & windscreen fitting depot. As such the application site has some aspects in common with the *'small scale industrial sites'* referred to in policy CS08. I consider this site is appropriate for residential uses.

Three aspects of sustainable development

I consider that the proposal complies with all three aspects of sustainable development (economic, social and environmental) as set out in the NPPF. The proposal ensures that new purpose-built student accommodation is located in a sustainable location (that is close to facilities and amenities relevant to students and public transport) and makes effective use of land. The proposal would also make a positive contribution to the housing land supply in the city.

Character and appearance

The existing building is not of significant architectural and historic merit. I consider it makes a neutral contribution to the area. I consider that the demolition of the existing building is acceptable, subject to replacement by an equally acceptable building.

Paragraph 130 states that *'Planning policies and decisions should ensure that developments: ... c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

The Welford Road is a main and wide road that leads into the city centre. Such roads are often suitable for development that reflects the main and wide nature of the road and which are taller than buildings on more minor roads behind. At four storeys high Block A will be taller than the other buildings along this part of the Welford Road, which are two and three storeys high, although the upper storey (mansard) will be set back around 1.8m from the main front wall. I consider that a difference of one to two storeys is not incongruous and reflects the main and wide nature of the Welford Road. It is an appropriate change in this location.

Paragraph 130 states that *'Planning policies and decisions should ensure that developments: ... b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

The area is characterised by an eclectic mix of building designs. The design of the scheme uses window dimensions that are typical of modern blocks of flats. The choice of a red brick is also typical for Leicester. A multi-brick is proposed, which will give a textured appearance. The mansard top storey is slightly unusual, although its form is not so different to a simple upper storey. It will add to the variety of building designs in the area, without being so unusual and poorly detailed as to be incongruous.

The solar panels on Block B will be hidden behind a parapet. Section details have been provided which show a 125mm reveal depth to the windows.

To ensure the building is executed in an acceptable manner I recommend that precise materials, brick bond, detailed window and reveal design and a sample panel to show how these will work together, are secured by condition.

There are mature trees in the gardens of neighbouring properties. The details submitted with the application (AT2, Tree Survey, 10th of May 2018) shows how these trees can be protected during development. I recommend this is secured by condition.

A 0.6m high wall is proposed for the front. I recommend details of this along with the landscaping across the site are addressed by condition.

I consider that the proposed scheme will make a neutral contribution to the character and appearance of the area. The scheme is acceptable in this respect.

The proposed scheme will maintain the setting of The Donkey Public House which is on the Local Heritage Asset Register (defined as a 'non-designated heritage asset' in the NPPF) and on the other side of the Welford Road from the application site.

Residential amenity

Of residents

The scheme does not provide any private outdoor amenity space for any of the flats, such as balconies and rooftop gardens.

Two communal gardens are provided; one between Block A & Block B and one at the rear of Block B. The SPD for Residential Amenity indicates a one-bedroomed flat should have 1.5sqm of outdoor amenity space or the equivalent of this should a communal garden be provided. For forty-four flats this comes to 66sqm. The communal garden between Block A & Block B has a useable area of about 160sqm and one at the rear of Block B a bit short of 200sqm, giving a total of around 360sqm. The scheme exceeds the amenity space guidance in the SPD. The two amenity spaces are also highly useable; being well-surveyed and regular in shape. I consider the proposed two communal gardens will provide future residents of the scheme with a good level of outdoor amenity space.

For when the weather is poor, there is a recreation room in the basement of Block A that is provided with natural light by a lightwell. While the communal amenity provided solely by the recreation room is limited, the overall communal amenity that the two gardens and recreation room provide is acceptable.

The scheme does not have a communal laundry. Each flat will have its own washing machine. This is acceptable.

The flats vary in size from 24sqm to 30.9sqm with a steady spread between these sizes. This is less than the 37sqm minimum in the National Space Standards. However, student accommodation is typically occupied for part of the year and for a relatively short overall period of time of a few years, while a course is running. The flat sizes when viewed with the level of communal amenity is considered acceptable for student accommodation.

Overall, the flats are regular in shape so that the floorspace provided is useable. Each flat has good outlook over the street, the garden between Blocks A & B or the garden behind Block B. Three flats are dual aspect and no flats have side facing windows. With the exception of the windows in the Mansard roof of the top floors (where they are wider), the windows are floor to ceiling, and so will allow good light and outlook to

the flats. Overall, the windows are of an acceptable size for a building of this type and style.

Block A and Block B are a minimum of 21m apart. This accords with the suggested separation distance between windows on neighbouring properties in the SPD for Residential Amenity and is greater than the separation distances in many parts of the city such as much of the Victorian and Edwardian ring of terraced housing around the city centre. I consider this separation distance will provide residents with an acceptable level of privacy. The windows to the proposed flats are all a good distance from the windows on existing neighbouring dwellings.

Small canopies are provided over the entrances to each block. These will make entering and exiting in the rain more comfortable.

A low boundary wall at the front of 0.6m is proposed. Along with the front landscaping, this will provide a sense of separation between the flats at the front of Block A and the street. I recommend that details and implementation be secured by condition.

Due to the location of the site on a main road, there is the potential for residents to receive air of an unacceptable quality. To protect residents from such a situation, I recommend that measures be taken to ensure they are provided with air taken from the roof and/or from elevations away from the Welford Road. The elevation and roof plans show ventilation vents at the rear of Block A (away from the Welford Road), on both the front and rear of Block B and on the roofs of both blocks. I consider that acceptable noise insulation and ventilation can be provided, without resulting in a significant change to the appearance nor a change in the height of the buildings, from that on the submitted plans. I recommend that details and implementation of the noise insulation and ventilation be secured by condition.

Of neighbours

Appendix G of the SPD for Residential Amenity indicates that single storey development should not cut a 45 degree line taken from the middle of windows to principal rooms on neighbouring properties. This moves to the nearside edge for development with two storeys. Block A in the proposal accords with this for the neighbouring house at 184 Welford Road. There are no side windows in Block A that face towards 184 Welford Road. I therefore consider the impact of Block A on 184 Welford Road is acceptable

Appendix G of the SPD for Residential Amenity indicates that where windows face each other so two storey extensions should be 21m from the rear windows to principal rooms. The windows in the west facing front of Block B will be around 25m from the rear windows of number 184 Welford Road. I therefore consider the impact of Block B on 184 Welford Road is acceptable.

At 188 Welford Road there is currently a carpet shop. The proposed scheme will not have a significant impact upon this property. However, there is a planning application under consideration to demolish the carpet shop building and replace it with a three-storey block of student flats (20182726). Block A will be directly to the blank side wall of the proposed scheme at 188 Welford Road and the impact on that property would therefore be acceptable. The west facing windows of the proposed Block B will face towards the rear windows of the scheme at 188 Welford Road at an oblique angle. At their closest they will be about 9m away. Given the oblique angle, I consider this is acceptable on planning balance.

The view from Block A towards the houses along Howard Road will be partly shielded by the carpet shop at 188 Welford Road. As the proposed Block A is taller than the carpet shop, so the upper floors may have a long view of those houses, the nearest of which, at 186 Howard Road, is about 20m away at its closest point. Should it be approved and built, the proposed scheme at 188 Welford Road, will largely shield those houses from any view from Block A.

The houses along Victoria Park Road are 35m from the rear windows of Block A at the nearest point.

The side walls of Block B will run down the rear boundaries of houses along Howard Road and Victoria Park Road. This will affect their outlook. Some residents have raised concerns that views of the trees along Victoria Park Road will be blocked. Block B will be taller than the existing building but not so deep as the existing building on the site. On balance, I consider the impact on those dwellings to be acceptable in terms of outlook and there is no 'right' to retention of views. There will be no side windows in both Block A and Block B so their privacy will be maintained.

The plans do not give details of the boundary treatments at the rear. A fence or wall no higher than 2m in height would be acceptable. 2m in height is the Permitted Development Right away from a vehicular highway, and close boarded fencing is around 1.8m high. I recommend the details and implementation be secured by condition.

A shadow diagram has been provided. Some representations raise concerns regarding the shadows that will be cast. The shadow diagram shows the shadow cast from the existing and proposed buildings in March, June and September. As the proposed buildings are taller than the existing building, so the shadows cast are longer. However, as two buildings are proposed to replace one, so two shadows with a gap between them will be cast, rather than once shadow. The proposed two buildings will throw an overall greater amount of shadow than the existing building. These new shadows will mostly fall on the gardens of neighbouring dwellings and so the amenity of residents will be affected to a degree. The shadow diagram indicates that at times of the year, especially in winter, shadows will be cast across the walls and gardens of some neighbouring dwellings, where at present they are not. However, while this will have some effect on the amenity of those properties, I consider the overall impact is not excessive and it would be difficult to sustain a refusal for this reason at an appeal.

Highway and parking matters

The current access and parking arrangement are poor. Redevelopment offers the opportunity to improve the situation, and I consider this opportunity has been taken. The proposed scheme for student flats is likely to generate fewer vehicle movements than the existing Leicester Antiques Warehouse.

NPPF Paragraph 111 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'* For this scheme, the impact on the highway will be an improvement and is therefore acceptable. As vehicle trips are likely to be fewer than at present so the residual cumulative impacts on the road network will not be severe in this context.

The scheme is in an accessible location close to student facilities, local centres, a park and public transport. It is possible to live here without the need for a car. The

two parking spaces proposed are solely for dropping-off and collection (particularly at the beginning and end of terms), servicing and deliveries.

The site is on a road that carries a significant amount of traffic and is close to two junctions. The scheme takes the opportunity to remove seven informal car parking spaces at the front and replace them with dedicated car parking within the site with space for turning. This will improve highway safety by reducing the width of pavement crossed by vehicles and enabling vehicles to leave the site in a forward direction. It will enable the scheme to be served by vehicles but will not encourage the use of private cars by residents.

Waste collection carries a relatively high risk of accidents with waste vehicles stopping and starting, the movement of a large vehicles, lots of movement on foot by operatives and the movement of bins back and forth from properties. A bin store is proposed in the front elevation of Block A. This will enable waste collectors to swiftly empty bins and return them to the store.

The scheme takes the opportunity to provide cycle parking. This will encourage the use of sustainable means of transport. I recommend the amount and type is secured by condition. I also recommend that Travel Packs for residents be secured.

To ensure the scheme is managed in a way that does not cause harm to the safe operation of the highway, a Management Plan should be agreed. In particular, this will address dropping-off and collection at the beginning and end of terms. I recommend this is secured by condition.

One objector has raised a concern that the scheme has no parking spaces for those with disabilities. The two parking spaces proposed are solely for dropping-off and collection (particularly at the beginning and end of terms), servicing and deliveries. They are not intended for long term parking by residents. However, provision could be made through the Management Plan for the use of one of the spaces for those with disabilities, if needed.

One objector considers that another vote should be taken on whether a Residents Parking Scheme should be introduced to Clarendon Park. I understand that since this letter was received, an experimental scheme has been introduced on a temporary basis (limited to a restriction on non-residents parking between 9.30 and 10.30am on weekdays from 1 February 2021 to 31 August 2021, with a focus on the streets immediately adjacent to Queen's Road). This matter is outside the scope of this application. It should be possible to live in this scheme without the need for a car and the scheme is relatively small. Therefore the scheme should not lead to a significant increase in problems associated with on-street parking in the area.

One representation makes the request that consideration be given to implementing double yellow lines up to the Putney Road/Victoria Park Road/Welford Road junction. I consider this disproportionate given the scheme will improve the highway situation and that double yellow lines remove the right of vehicles to wait at any time. This does not preclude any consideration to implement double yellow lines in relation to another development or a highway scheme.

Waste management

The scheme takes the opportunity to provide a bin store within the front of Block A. At collection times, crews can open the doors to the store, take the bins the short distance to the collection vehicle and then return them. Refuse collection should be

quick and as safe as it can be for a development in this location. Noise and hazards are minimised by this arrangement. I consider that in visual terms, this arrangement is very good.

Land contamination

It is possible that the land has contamination from former uses. This can be addressed by a condition that requires investigation and, if contamination is found, a clean-up.

Air quality

With air drawn from the roof and the rear, away from the Welford Road, the air quality for residents will be acceptable.

Some representations raise concerns that the demolition and construction may be detrimental to the respiratory and cardiological health of people in the area. Appendix A of the Air Quality Assessment details good demolition and construction practice. I recommend a condition be attached to ensure demolition and construction take place in accordance with this; in order to protect people in the area.

Water environment

The site is currently nearly entirely covered by hard surfaces; a building and rear yard. As such the scheme offers the opportunity to implement a Sustainable Drainage System (SuDS) that may significantly reduce the rate of surface water runoff and provide other benefits such as wildlife habitats, removal of pollutants from the water cycle and amenity areas for residents.

The scheme includes amenity areas, permeable paving and water butts. In order to ensure the design of the SuDS makes full use of the opportunities provided, I recommend a condition be attached to ensure the design details are submitted and the SuDS is secured.

I recommend a condition be attached to ensure foul drainage is acceptable.

Wildlife

The updated ecological appraisal is satisfactory, and no further surveys are required. The findings and recommendations are accepted and the precautionary methods of working as specified in section 6.1 (pages 23-24) should be followed. This can be secured by condition.

The submitted Biodiversity Enhancement Plan is also accepted and I am satisfied that a satisfactory level of biodiversity net gain will be achieved on site via the planting of native species within the soft landscaping scheme and the provision of bird and invertebrate boxes. These can be secured by condition.

Energy

The orientation of the buildings is acceptable given the other design constraints of the site. Daylighting of the apartments is acceptable. The use of thermal performance parameters which improve upon the Building Regulations limiting parameters, electric panel heaters, electric instantaneous water heaters and electric showers, along with natural ventilation is proposed for the apartments in Block B and heat recovery the mechanical ventilation system required in Block A, low energy lighting and solar PVs is acceptable subject to a high standard for the design details being secured by condition.

Developer contribution

A contribution of £26,588 is required towards landscape improvements and a fitness trail at Nelson Mandela Park. The applicant has agreed to enter into a S106 Agreement to secure this.

Summary

Considerable time has been spent by Council officers to negotiate improvements to the scheme, to make it acceptable.

This scheme takes the opportunities to:

- Provide good levels of amenity for future residents
- Improve the access and parking arrangements for this site
- Provide a SuDS that will reduce the rate of surface water runoff and provide other benefits such as wildlife habitats, removal of pollutants from the water cycle and amenity areas for residents.
- Provide wildlife habitat through planting and boxes
- Provide an energy efficient building

The scheme is acceptable in all other respects.

I consider that the proposed development complies with the Student SPD, NPPF and relevant Core Strategy and Local Plan policies and that it would contribute to the shortfall in the City Council's housing supply

I therefore recommend **APPROVAL** subject to the following conditions and the **SIGNING OF S106 AGREEMENT** to secure the agreed financial developer to green space.

CONDITIONS

1. START WITHIN THREE YEARS

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 City Council as local planning authority, on demand at all reasonable times. (To enable the Local Planning Authority to consider the need for affordable and accessible housing and education provision to be provided, in accordance with policies CS06, CS07 and CS19 of the Core Strategy and policies PS10 & H07 of the City of Leicester Local Plan.)

3. Prior to the commencement of development (excluding the demolition of the existing buildings), the site shall be investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, shall be submitted to and approved in writing, by the City Council as local planning authority. Prior to the occupation of any flat, the approved remediation scheme shall be implemented, and a completion report shall be submitted to and approved in writing, by the City Council as local planning authority. Prior to the occupation of any flat, any parts of the site where contamination was previously unidentified and found during the development process shall be subject to remediation

works carried out and approved in writing, by the City Council as local planning authority. The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, pets, service lines and pipes, adjoining land, ground waters and surface waters, ecological systems; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11". (To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PS11 of the City of Leicester Local Plan.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

4. Should the development, or any phase of the development, not commence within 24 months of the date of the last protected species survey (May 2021), 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 approved in writing, by the City Council as local planning authority, and any identified mitigation measures carried out before any development of that phase 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 and Species Regulations 2010 and CS17 of the Core Strategy. (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

5. All works shall be carried out in accordance with the precautionary methods of working, as specified in section 6.1 (pages 23-24) of the Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) dated May 2021, submitted with this application. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat and Species Regulations 2010 and policy CS17 of the Core Strategy.)

6. Trees shall be protected during the demolition of the existing building, and removal of hard standing, and during the construction of the development, in accordance with the details submitted (AT2, Tree Survey, 10th of May 2018). (To maintain the character and appearance of the area in accordance with policy CS03 of the Core Strategy.)

7. Prior to the commencement of development above ground level, a detailed landscaping scheme showing the treatment of all parts of the site which will remain unbuilt upon, shall be submitted to and approved in writing, by the City Council as local planning authority. This scheme shall include details of: (i) 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) fencing and boundary treatments; (v) any changes in levels; (vi) the position and depth of service and/or drainage runs (which may affect tree roots); (vii) details of the make and type of 5 x bird boxes/tiles/bricks and 3 invertebrate boxes to be installed under the guidance and supervision of a qualified ecologist. 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 the provision of wildlife habitats, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 & CS17.)

8. Prior to the commencement of development (excluding the demolition of the existing buildings), full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system, shall be submitted to and approved in writing, by the City Council as local planning authority. No flat shall be occupied until the system has been implemented. 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 approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

9. Prior to the commencement of development (excluding the demolition of the existing buildings), details of foul drainage shall be submitted to and approved in writing, by the City Council as local planning authority. Prior to the occupation of any flat, the foul drainage shall be 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 approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

10. Prior to the commencement of development above ground level:
A) a full material schedule (with specification and manufacturer information) for all the proposed materials to be used for external parts of the building,
B) largescale plans of the windows and reveals,
C) and a 1sqm sample panel (showing the brickwork detailing, mortar and bond, capping and a section of the window and window reveal),
shall be for A) & B) submitted to, and for C) constructed and then viewed and approved in writing, by the City Council as local planning authority. Development shall be carried out in accordance with the approved details and panel. (In the interests of visual amenity, to maintain the setting of heritage assets, and in accordance with policies CS03 & CS18 of the Core Strategy.)

11. Prior to the commencement of development above ground level, details of the boundary treatments for the sides and rear of the site (to the east of the rear wall of Block A), shall be submitted to and approved in writing, by the City Council as local planning authority. Prior to the occupation of any flat, the boundary treatments shall be installed in accordance with the approved details and retained at all times. (To

protect the amenity of the residents of neighbouring dwellings and in accordance with policy PS10 of the City of Leicester Local Plan 2006.)

12. No construction, 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 first been submitted to and approved in writing, by the City Council Noise Team. The methodology shall be submitted at least 10 working days before such work commences and approved by the City Council Noise Team. The City Council Noise 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. (To protect the amenity of residents in accordance with policies PS10 & PS11 of the City of Leicester Local Plan 2006.)

13. Prior to the commencement of development, a Construction Method Statement (CMS), with consideration being given to highway management and safety, the water environment and flood risk management, shall be submitted to and approved in writing by the City Council as local planning authority. The approved CMS shall be adhered to throughout the construction period. The CMS shall provide for: (i) the vehicle and pedestrian temporary access arrangements including the parking of vehicles of site operatives and visitors, (ii) the loading and unloading of plant and materials, (iii) the storage of plant and materials used in the development, (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, (v) wheel washing facilities, (vi) measures to control the emission of dust and dirt during construction, (vii) a scheme for storage and management of waste resulting from excavation works, (viii) the proposed phasing of development and a detailed description of the works in each phase, (ix) the temporary access arrangement to the construction site, (x) procedures to ensure flood risk is managed on site during the period of works for personnel, plant and members of the public, (xi) the procedures to ensure flood risk is not increased anywhere outside of the site for the duration of the works, (xii) the procedures to ensure pollution and sedimentation is minimised to any adjacent watercourse and the procedure to be used in case of a pollution incident, (xiii) the measures that will be undertaken to ensure the structure of any adjacent watercourse is not impacted by the proposed development. (To ensure the satisfactory development of the site, and in accordance with policies AM01 & UD06 of the City of Leicester Local Plan and Core Strategy policy CS2 & CS3.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

14. At all times, demolition and construction practice shall comply with Appendix A of the Air Quality Assessment, October 2019, Ref: 17-3877, from Syntegra Consulting, submitted with this application. (To ensure air quality is acceptable and in accordance with policies PS10 & PS11 in the City of Leicester Local Plan.)

15. Prior to the commencement of development above ground level, details of measures to ensure residents of the scheme are protected from unreasonable levels of noise and poor air quality, and to ensure that each flat has acceptable levels of ventilation, shall be submitted to and approved in writing, by the City Council as local planning authority. No flat shall be occupied until the measures have been implemented. The measures shall be retained thereafter. (To ensure they have an

acceptable level of residential amenity and in accordance with policies PS10 & PS11 in the City of Leicester Local Plan.)

16. Prior to the commencement of development (excluding the demolition of the existing buildings), design details of on-site installations to provide renewable energy and energy efficiency measures, shall be submitted to and approved in writing, by the City Council as local planning authority. Prior to the occupation of any flat, evidence demonstrating satisfactory operation of the approved scheme including on-site installation, shall be submitted to and approved in writing by the City Council as local planning authority. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

17. Prior to any occupation of the development, 2 metre by 2 metre sight lines on each side of the vehicular access shall be provided. They shall be retained thereafter. (In the interests of the safety of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

18. All street works shall be constructed in accordance with the Council's standards contained in the "Leicester Street Design Guide (First Edition)" (view from <https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>). (To achieve a satisfactory form of development, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

19. Prior to any occupation of the development, the following works shall be carried out in accordance with details first submitted to and approved in writing, by the City Council as local planning authority: (a) footway crossing at the vehicular access; (b) alterations to the footway crossing, including a dropped kerb to enable acceptable bin collection; (c) reinstatement of any redundant footway crossing and/or damaged or altered areas of footway or other highway. (To ensure a satisfactory means of access to the highway, to ensure bins can be collected in an acceptable manner, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

20. Prior to any occupation of the development, details of a scheme of traffic management to discourage vehicles from turning right into the site (when approaching from the south) and turning right when exiting the site (so heading north), together with an implementation schedule, shall be submitted to and approved in writing by the City Council as local planning authority. The scheme of traffic management shall be implemented in accordance with the implementation schedule and retained thereafter. (In the interests of highway safety and in accordance with policy CS03 of the Core Strategy.)

21. Prior to any occupation of the development, secure and covered cycle parking shall be provided, in accordance with details first submitted to and approved in writing by the City Council as local planning authority. It shall be retained thereafter. (In the interests of the satisfactory development of the site and in accordance with policies AM02 and H07 of the City of Leicester Local Plan and policy CS03 in the Core Strategy.)

22. Prior to the start of each academic year (or period of tenancy), each student taking up residency in each of the flats shall be provided with a 'New Residents Travel Pack'. The contents of this shall first be submitted to and approved in writing, by the City Council as local planning authority. They shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. (In the interest of sustainable development and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy.)

23. Prior to any occupation of the development, the parking and servicing area shall be laid out in accordance with the approved plans. It shall be retained thereafter for those purposes. (To ensure that parking and servicing can take place in a satisfactory manner and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

24. 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 of highway safety and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

25. Prior to any occupation of the development, the bin store shall be provided in accordance with the approved plans. It shall be retained thereafter for that purpose. (To ensure that refuse can be stored and collection take place in a satisfactory manner and in accordance with Core Strategy policy CS03.)

26. Prior to any occupation of the development, a Management Plan shall be submitted to and approved in writing, by the City Council as local planning authority. The Management Plan shall set out procedures for the security of the development and its residents, dropping-off and collection at the beginning and end of terms, use and allocation of parking spaces and cycle storage, the safe use of the vehicle access, restriction of car ownership and use by residents, refuse collection arrangements, and dealing with any issues or complaints arising from occupiers of nearby properties. At all times the scheme shall be managed and operated in full accordance with the approved Management Plan. (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 policies AM12 & PS10 of the City of Leicester Local Plan.)

27. Development shall be carried out in accordance with the following approved plans: Location Plan – A4 (912 P01) (received 1/11/2019), Site Plan – A1 (912 P02F) (received 12/3/2021), Block A – Plans – A1 (912 P03C) (received 24/2/2021), Block A Elevations – A1 (914 P04D) (received 4/3/2021), Block B – Plans – A1 (915 P05F) (received 12/3/2021), Block B – Elevations – A1 (912 P06G) (received 12/3/2021), Welford Road Streetscene – A1 (912 P07B) (received 1/3/2021), Site Sections – A1 (912 P08E) (received 12/3/2021), Topographical Sections – A2 (912 P09C) (received 2/6/2020), Landscape Plan – A1 (912 P13B) (received 12/3/2021), Typical 1:20 Elevation Details – A1 (912/16A) (11/8/2021).

NOTES FOR APPLICANT

1. Please note this permission is subject to a S106 legal agreement that secures a contribution of £26,588 towards landscape improvements and a fitness trail at Victoria Park.

2. 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.

3. The Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at:

<https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>

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

4. 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

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

6. Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

7. The implementation of the approved scheme could cause pollution to the water environment. The Environment Agency (EA) advise, that in order to prevent pollution, developers should follow best practice as follows: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>, and, in particular, the 'Construction, inspection and maintenance' section. Please contact the EA to arrange a site meeting, to agree measures necessary, to prevent pollution of the water environment, during the implementation. The EA can carry out pollution prevention visits. Please contact EastMidWaterQuality@environment-agency.gov.uk for further information and advice.

8. The City Council as local planning authority, has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process and pre-application. The decision to grant planning permission with appropriate conditions, taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2021, is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

2006_AM01	Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.
2006_AM02	Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.
2006_AM12	Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
2006_H07	Criteria for the development of new flats and the conversion of existing buildings to self-contained flats.
2006_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_CS06	The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
2014_CS07	New residential development should contribute to the creation and enhancement of sustainable mixed communities through the provision of affordable housing. The policy sets out the broad requirements for affordable housing.
2014_CS13	The Council will seek to maintain and enhance the quality of the green network so that residents and visitors have easy access to good quality green space, sport and recreation provision that meets the needs of local people.
2014_CS14	The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.
2014_CS15	To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.

- 2014_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.