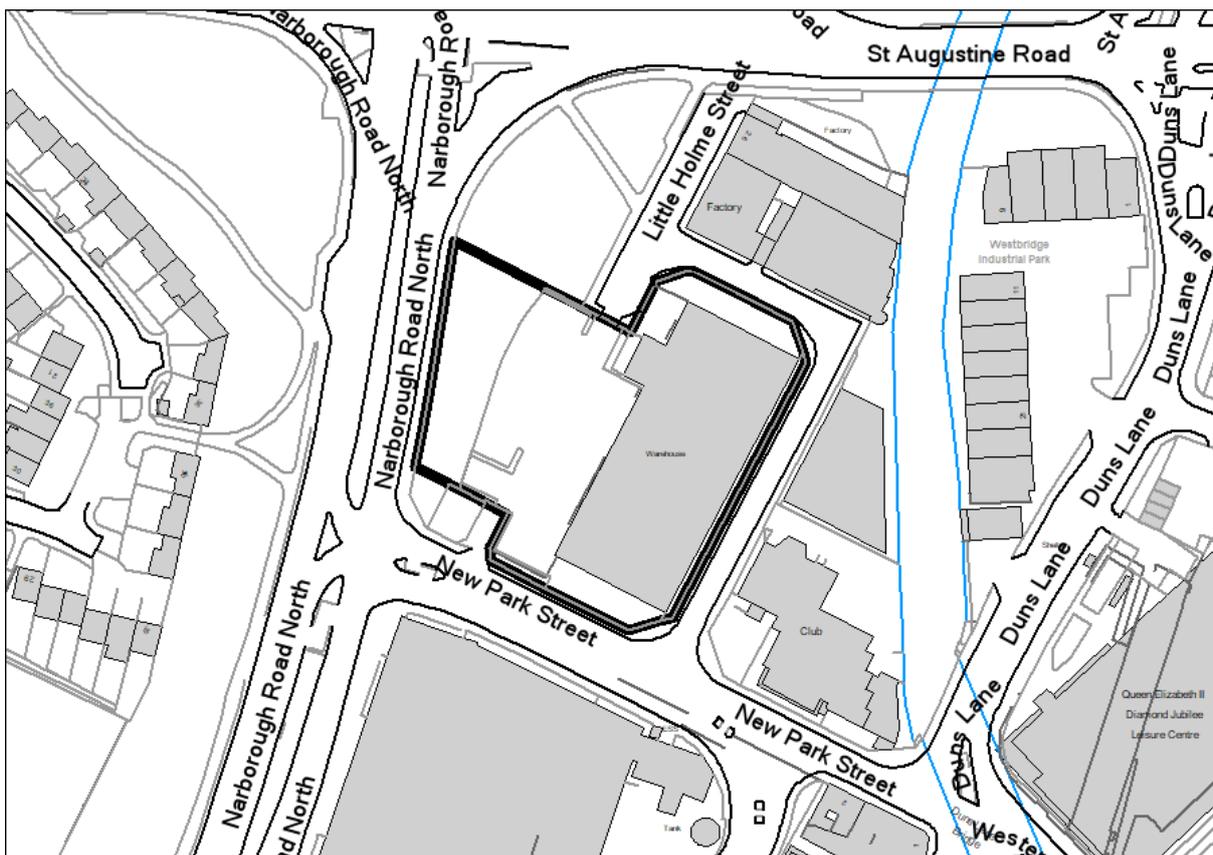


<b>Recommendation: Conditional approval and subject to a Section 106 Agreement/Undertaking</b>	
<b>20221898</b>	<b>48 Little Holme Street</b>
Proposal:	Demolition of factory (Class B2); construction of a 6 and 7 storey building containing student accommodation (Sui Generis), 2 storey building housing plant and cycle/bin storage, with associated ancillary works and landscaping (as amended) (S106 Agreement).
Applicant:	CC Leicester Limited
View application and responses:	<a href="https://planning.leicester.gov.uk/Planning/Display/20221898">https://planning.leicester.gov.uk/Planning/Display/20221898</a>
Expiry Date:	21 September 2023
SR	WARD: Westcotes



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## Summary

- The application is brought to the Committee as 12 objections have been received including those from Councillor Clarke and Councillor Russell.
- Twelve objections have been received regarding: the provision of student accommodation; issues relating to traffic, noise impacts; impact on existing business in the area; and the impact on historic environment.

- The main issues for this proposal are the design of the new buildings; built conservation impacts; archaeology; and residential amenity (specifically relating to noise impacts).
- The application is recommended for approval subject to conditions and a S106 Agreement to secure developer contributions towards open space, highways improvements and healthcare provision.

## The Site

The site is a previously developed urban site. In terms of the surrounding road network St. Augustine Road (A47) is located to the north, Narborough Road North (A5460) to the east, New Park Street to the south and Little Holme Street to the east. The land is situated in the defined Central Commercial Zone and the Strategic Regeneration Area.

The site is currently occupied by the Gill Knitwear building along with an associated car park to the west. Tesco is located to the south of the site, the 2 Funky Music Café to the east and industrial buildings to the north,

The Site lies within an Archaeological Alert Area, a Critical Drainage Area and is within flood zones 3a. The Air Quality Management Area is located to the north and west of the Site boundary.

## Background

Planning permissions of relevance to the Site are as follows:

- **20111214** – Change of use of part of car park ancillary to factory (class B2) to car rental (no use class); portacabin. Approved October 2011.
- **19850754** – Erection of knitwear factory including storage area two-storey office building and parking loading/landscaped areas. Approved July 1985.

## The Proposal

The proposal involves redevelopment and a change of use from the site's current occupation as a light-industry warehouse (Class B2) to student residential accommodation (Sui Generis). The initial application proposal (submitted in September 2022) comprised 646 beds of managed student accommodation, varying from studios to multi-level cluster apartments with the proposed building varying in height from seven to eleven storeys with a six-storey connecting spine.

However, the proposal was amended during the determination period. The amended proposal (provided in July 2023) comprises a development at primarily 6 storeys, but with a central element at 7 storeys comprising 466 beds of managed student accommodation, varying from studios to various cluster apartments. A separate single storey building is proposed to include the plant, cycle parking and bin storage. The buildings are supported by associated landscaping, ancillary and communal facilities.

The mix of studios/apartments to be provided as part of the proposal is as follows:

Type	Number	Bedspaces	Percentage
6 bed apartment	2	12	3%
7 bed apartment	10	70	15%
8 bed apartment	1	8	2%
10 bed apartment	12	120	26%
11 bed apartment	5	55	12%

Studio	201	201	43%
Total		466	

Documents submitted in support of the application are listed below. Those marked with an Asterix were updated during the determination period:

- Planning Statement (including Planning Obligations - Draft Heads of Terms)
- Design and Access Statement
- Design and Access Statement Addendum
- Sustainable Drainage Strategy\*
- Fire Statement\*
- Accurate Visual Representations\*
- Air Quality Assessment\*
- Dust Management Plan
- Arboricultural Assessment\*
- Archaeological Assessment
- Biodiversity Assessment\*
- Biodiversity Net Gain Assessment
- Building for a Healthy Life Assessment
- Daylight/Sunlight Assessment\*
- Statement of Community Involvement
- Flood Risk Assessment\*
- Below Ground Drainage Strategy
- Heritage Statement
- Heritage Statement addendum note
- Phase I Geo-Environmental Report
- Noise Impact Assessment
- Façade assessment
- Letter setting out position relating to the Overheating Assessment
- Statement of Student Need
- Sustainability Design and Construction Statement\*
- Transport Statement (TS) & Travel Plan\*
- Townscape and Visual Impact Assessment
- Townscape and Visual Impact Assessment - addendum note
- Design Principles
- Waste Management Plan

Pre-application advice was provided on the proposal in August 2022.

## **Policy Considerations**

### National Planning Policy Framework (NPPF) (revised 2023)

The relevant sections of the NPPF are as follows:

Section 1 – Introduction. Paragraph 2.

Section 2 – Achieving sustainable development. Paragraphs 7, 8, 11 and 12.

Section 4 – Decision-making. Paragraphs 38, 39, 40, 41, 42, 43, 47, 48, 55, 56, 57 and 58.

Section 5 – Delivering a sufficient supply of homes. Paragraphs 60 and 68.

Section 6 – Building a strong, competitive economy. Paragraph 81.

Section 7 – Ensuring the vitality of town centres. Paragraph 86.

Section 8 – Promoting healthy and safe communities. Paragraphs 92, 93 and 98.

Section 9 – Promoting sustainable transport. Paragraphs 104, 105, 110, 111, 112 and 113.

Section 11 – Making effective use of land. Paragraphs 119, 120, 123 and 124,

Section 12 – Achieving well-designed places. Paragraphs 126, 130, 131, 132, 134 and 135.

Section 14 – Meeting the challenge of climate change, flooding and coastal change. Paragraphs 152, 154, 157, 159, 167, and 169.

Section 15 – Conserving and enhancing the natural environment. Paragraphs 174, 180, 183, 185, 186 and 187.

Section 16 – Conserving and enhancing the historic environment paragraphs 194, 195, 197, 199, 200, 201, 202, 203 and 205.

### Development Plan policies

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

### Supplementary Planning Documents (SPD)

- Tall Buildings SPD (adopted 2007)
- Waterside SPD (adopted 2015)
- Student Housing SPD (adopted June 2012)
- Residential Amenity SPD (adopted 2008)
- Climate change SPD (adopted January 2011)
- Green Space SPD (adopted July 2013)
- Biodiversity in Leicester SPG (adopted 2003)
- Tree Protection Guidance SPG (adopted 2003)

### Other legal or policy context

- Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.
- Planning (Listed Buildings and Conservation Areas) Act 1990

### Other Guidance

- National Planning Practice Guidance (published 2016, as amended)
- City of Leicester Local Plan Appendix One – Vehicle Parking Standards.
- National Design Guide (published 2019, as amended)
- National Model Design Code (published 2021).
- Building for a Healthy Life (2020)
- Leicester City Council Waste Management guidance notes for residential properties.
- Emerging Leicester City Council Local Plan (Regulation 19 submission, January 2022)
- Local Plan evidence base document: Tall Development in Leicester (Regulation 19 submission, November 2022)
- Castle Conservation Area Character Appraisal (2007)
- Tall Buildings: Historic England Advice Note 4 (2002)

## Consultations

### Local Highways Authority

The highway authority does not object to the basic principle of the proposals. At the pre-application stage several issues of detail which were of potential concern were raised, which have been largely addressed as part of this submission.

### *Cyclists and pedestrians*

Pedestrian access arrangement to the site as shown on the proposals appear to be broadly acceptable. The footway along the western edge of Little Holme Street is currently relatively narrow. For much of this length this will not be a significant issue. It is not fully clear, however, from the proposed ground floor layout what the paved area will be at the main pedestrian entrance fronting Little Holme Street. It may require the adjacent section of the current highway verge behind the footway to also be paved and changes to the existing footway to create a continuous paved area with that entrance. It would also be advisable to visually delineate the highway boundary within the design of this continuous paved area for the purposes of future reference and maintenance.

Based on the information provided in the Transport Statement, the great majority of trips will be made wholly or partly on foot (more than 900 per day when the walking part of bus and train trips are included). And most of these will be either via New Park Street to/from its Western Boulevard end or via the footpath link to A47 St Augustine's Way. The latter would also be an attractive route for a substantial proportion of cycling trips to and from the site. It is considered there is a clear case to upgrade the pedestrian link from Little Holme Street to St Augustine's Road to make it suitable for cyclists as well as pedestrians to manage potential conflicts.

There is also a case for reconfiguring the Little Holme Street / New Park Street junction to better accommodate the increase in walking between the site and the De Montfort University main campus. A potential contribution towards the cost of a more extensive scheme would therefore be warranted. However, a scheme of this nature could require its own formal separate consultation and could be complicated with respect to the needs of trips associated with other businesses on Little Holme Street.

### *Section 106*

The cost of the two interventions recommended above are as follows:

- £20,000 – Upgrading the footpath link from Little Holme Street to A47 St Augustine's Road to safely accommodate cyclists.
- £50,000 – Reconfiguration of Little Holme Street to better ensure pedestrian safety (the contribution being to cover the costs of paving the western verge alongside the proposed building and measures at or close to the Little Holme Street / New Park Street junction where the majority of pedestrians will need to cross).

The mechanism for securing the costs of both of these mitigation measures would be a planning obligation.

### *Planning conditions*

Planning conditions are recommended to ensure street works and car parking is delivered in accordance with the Leicester Street Design Guide and to ensure the

development is not occupied until the secure and covered cycle parking and pool of loan bikes has been provided.

### Pollution – Land

The recommendation set out in the ground contamination report stating that no further intrusive ground works are necessary is accepted. A condition is required ensuring that any unexpected contamination previously unidentified shall be remediated.

### Air Quality

The application site is not located within the Air Quality Management Area (AQMA), where concentrations of nitrogen dioxide (NO<sub>2</sub>) are expected to exceed national air quality objectives, primarily attributed to emissions from transport. A change of use from industrial to residential represents the creation of sensitive receptors and where these end users may be exposed to pollutant concentrations in exceedance of national air quality objectives, mitigation must be applied.

Periods of demolition and/or construction may give rise to excess dust emissions (including PM<sub>2.5</sub> and PM<sub>10</sub> pollution) which could adversely impact on the amenity of those living nearby. The submitted Dust Management Plan (Air Quality Consultants Ltd, ref: J10/14034B/10A/1/F2, June 2023) concludes an overall Medium risk site for these emissions and suggests suitable methods of mitigation in Section 2. The conclusion of the report are accepted in that it is appropriate to request submission of a revised and site-specific Dust Management Plan by condition, once a suitable contractor has been appointed.

During the operational phase, additional vehicle movements generated by the proposal are expected to be minimal, largely due to the lack of car parking spaces. The air quality assessment (Air Quality Consultants Ltd, ref: J10/14034A/10/1/F2, July 2023) has scoped out an assessment of road traffic emissions on this basis, as the proposed does not meet the requisite criteria set out in EPUK/IAQM guidance. With regards to end user exposure, background concentrations of NO<sub>2</sub> and PM<sub>10</sub> are reported at below their respective air quality objectives meaning residents are unlikely to be exposed to pollutant levels exceeding national limits. Additionally, the site is set back from the main road network (and AQMA), likely resulting in dispersion of pollutant concentrations to levels below national air quality objectives.

Although mitigation of operational phase emissions is not strictly required, proposals to limit car usage and provide cycle storage spaces will encourage more sustainable methods of transport and may provide mitigation to any contribution to local NO<sub>2</sub> concentrations associated with the development.

### Archaeology

This proposal is located in an area with known and significant archaeological remains and deposits, and close to a number of nationally and locally designated heritage assets.

The archaeological desk-based assessment (dated January 2022) has placed the known archaeology with the local context and identified the recovery of items and the presence of archaeology within the site's boundary. Found below a riverine deposit c. 2.4m below the current surface, these finds attest to the presence here, or nearby, of pottery production, industrial and extra-mural settlement activity dating to the Roman period. Significant archaeological remains have been found to the south, around Great Holm Street (a historical street) and the present day Tesco store. The area is also

known as an extra-mural settlement dating to the Medieval period. It should also be noted that due to the site location waterlogged and preserved environmental evidence may also be preserved here.

Although the site's use history indicates there will be disturbance to archaeological remains, we know from this site, adjacent locations and elsewhere in the city that archaeological deposits survive in undisturbed areas and beneath foundations, cellars and basements.

Due to the scale and massing of the proposal it is anticipated that a pile construction technique will be required, with associated engineering and construction related activity. It is anticipated that the pile design will require the use of numerous clusters of piles and associated pile caps, with intervening pile locations. In addition, it is noted that new services, including modular attenuation tanks, will be required (Document: Below Ground Drainage Strategy). Consequently, there is considered to be significant cumulative impact upon any surviving archaeological deposits/remains.

Ideally, the pile design and related construction and services should be informed by the results of an archaeological evaluation. This is not currently possible due to a sewer and easement to the left of the current building, and access to the internal spaces of the structure on site would be needed; or demolition.

Guidance on piling and archaeology has been issued by Historic England and the principle here will be to strip the footprint of the building and attenuation tanks to the archaeological horizon to characterise the extent, extant and type of archaeology and excavate those areas and any significant archaeology affected by the construction, including areas beneath pile caps.

Due to the presence of the sewer west of the current building an evaluation along this zone will not be feasible. Archaeological mitigation will be required, and due to the depth of deposits this will be potentially logistically challenging (e.g. stepping/battering of sides for safety reasons, leading to further cumulative 'loss' of archaeology). Adequate resources must be submitted for approval prior to commencement of development through planning conditions to secure the successful implementation of a programme of archaeological works and post-excavation analysis.

### Parks and Green Spaces

The proposed residential development, within the Westcotes 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 limited and therefore we will be looking to make quality improvements to existing open space provision to minimise the impact of this development. Based on the formula from the Green Space SPD a contribution of £288,146.00 is required in response to this application. The contribution will be used towards one or more of the following open space enhancements:

- for replanting of over-mature shrub beds and seating improvements at Castle Gardens
- for the refurbishment/re-landscaping of the small plaza area on Western Boulevard
- for pitch improvements (including drainage works) at Victoria Park and/or towards the
- development of a new pump track at Rally Park.

## Police (Crime Prevention Design Advisor)

Crime in respect to cycle thefts is high when left in the public domain insecure, but in designated secure storage areas is low due to the additional security and potential for detection via CCTV and increased likelihood of detection on entry.

There is Open Space to the west side. Enclosure of the perimeter is recommended to 1.8m in materials in keeping with the site such as railings which allow a clear field of vision but do not look oppressive, whilst deterring potential offenders from accessing the cycle stores and other key areas.

Communal access points are recommended to be to BS6375 as listed below to allow effective communal access security for residents. Individual flats are recommended to have alarm systems to BS7958 in the event the communal access points are compromised.

CCTV coverage of the vehicle access points is recommended to include number plate recognition capability, and at communal door entry points the ability to capture facial recognition is recommended. Appropriate Data protection signage would be required.

Cycle storage facilities are recommended for CCTV coverage and any other vulnerable areas. Recording capability is recommended to be on site in a secure area without general public access. Consideration of off-site real time monitoring could be achieved using the Leicester City Council control room or appropriately approved private provision. Park Mark accreditation is recommended to maintain standards and deter potential offenders from accessing the car parking or cycle storage areas within the new development.

Also, pedestrian walkways are recommended to be included. In this case I do recommend consideration of CCTV prior to occupation as the level of occupancy would offer greatly improved levels of security for residents and their visitors should this be in place. Also, the system would deter potential offenders from committing crime within the site if CCTV was supported by effective illumination. Off-site monitoring of the CCTV system should be considered with the use of a communal alarm system which has a personal attack capability only by wall mounted activators. Individual flat alarms are recommended to BS7958.

A Section 38 Agreement is recommended at the nearest Lamppost to the Little Holme Street entry point to allow consideration of CCTV at that point should it be required externally to view the vehicle and pedestrian entry point in this area.

Lighting is recommended to be to BS5489 at the entry points as well as across the remainder of the site including pedestrian walkways. There are no permeability issues due to the single vehicle entry point to this site and the advantage of a single vehicle entry point.

Foliage at ground level to the front is recommended to be to 1m with trees trimmed to have no foliage lower than 2m. This will allow a 1m field of vision. Wheelie bins and Cycle storage are recommended to be secured in appropriate stores to avoid criminal use to climb into areas, remove property in or to ignite.

### *General Recommendations*

Door sets will be to PAS 24 (2022), which is now included in building regulations for doors and windows. There are other considerations such as BS 6375 Security Locking and Fire Security and BS EN 50486 in relation to Audio and Video door entry systems.

Consideration should be made to identify the most appropriate option for this site. Dwellings are recommended to have an Alarm System to BS7958, but there are other options on the Secured by Design portal which include BS6799 in relation to wire free alarm systems. Also, BS EN 50131 and PD 6662 in relation to wired systems. It is also recommended consideration be given to Secured by Design accreditation as a deterrent to potential offenders and to provide effective security for residents.

1. Street lighting columns to BS 5489 are recommended.
2. Appropriate fencing should be used to enclose the perimeter and is recommended to be 1.8m in height. This can be via planting or manufactured fencing.
3. Key access points leading into the development should be considered for CCTV coverage supported by lighting to allow identification during day and night. This would allow vehicle and facial recognition in key areas. Appropriate signage should be in place to be compliant with the Data Protection Act.
4. Lampposts at vehicle entry points recommended to have electrical spur to allow power supply for CCTV. (Section 38 Agreement Recommended)
5. Natural surveillance is possible via ground level foliage trimmed to 1m high. Trees to have no foliage lower than 2m from the ground to allow a clear field of vision.
6. Vehicular parking is recommended to be in curtilage as part of the dwellings where possible. Communal parking should be supported by natural observation, lighting and be set in clearly defined areas to deter unauthorised access.
7. Consideration of Secured by Design principles is recommended and information in respect to the different standards is available on request.
8. Opportunities to explore the potential for S106/CIL funding should be undertaken with relevant parties if appropriate.
9. Dwellings are recommended to have an Alarm System to BS7958 with coverage of garages included where applicable.
10. Consideration of Park Mark accreditation should be considered in the event of appropriate communal parking within the application.
11. Consideration of Safe Routes through open space and walkways should take account of the use by women and girls.

## Environment Agency

### *Flood Risk*

The original Flood Risk Assessment submitted with the planning application did not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist. The FRA did not therefore adequately assess the flood risks posed by the development. In particular, the FRA failed to demonstrate how the reception area and other areas below 55.64mAOD would remain resilient during the design flood.

The flood risk assessment during the determination period was updated to address this comment. The Environment Agency subsequently confirmed that the proposal will meet the NPPF's requirements in relation to flood risk and a planning condition should be included requiring the development to be carried out in accordance with the submitted Flood Risk Assessment and the submitted Landscape Strategy Plan.

### *Protection of controlled Waters*

The report 'Phase I Geo-Environmental Report', Ref.: MAN.160.001.GE.R.001.A' detail's the proposal, including previous historical use, geo-environmental settings, and associated risks. Previous contaminative use of the site poses potential risk from metals/metalloids and chemicals associated with previous work activities. These constitute potential sources of contamination to groundwater. In addition, the Old River Soar is located approximately 26 m east of the site. This will therefore require that a full assessment of the risks to controlled waters be undertaken.

The exploratory hole records indicated that the site is underlain by extensive made ground, relatively low permeability Alluvium deposits and Mudstone. This suggested surface water drainage is unsuitable for use with infiltration, SUDS infiltration or soakaway. In addition, a site-specific piling risk assessment will also be required to be undertaken to ensure that no creation of preferential pathways occurs during the piling works.

Overall, the Environment Agency consider that planning permission could be granted for the proposal as submitted if planning conditions are included relating to the following:

- Submission of a remediation strategy to deal with the risks associated with contamination of the site and a verification report demonstrating the completion of works set out in the approved remediation strategy.
- Control of piling or any other foundation designs using penetrative methods.
- Controls relating to contamination not previously identified.
- Ensuring no infiltration of surface water drainage into the ground via SUDS or soakaway on land affected by contamination is permitted other than with the express written consent of the local planning authority.

Without these conditions, the proposal poses an unacceptable risk to the environment and the Environment Agency would object to the application. The Environment Agency have also recommended a series of informatives be attached to any subsequent decision notice (which are included at the end of this report).

### Local Lead Flood Authority

The site is located within Flood Zone 3a. The fluvial flood risk (from Main Rivers) in this zone is between the 1 in 30 year (3.3%) and 1 in 100 year (1%) annual chance event. Therefore, the site is considered 'High' risk to fluvial flooding. The site is at 'Medium' risk to the impacts of pluvial flooding (from surface water), which means the pluvial flood risk is between 1 in 100 year (1%) and 1 in 1000 year (<0.1%) annual chance event. There is a modelled surface water flow route along Little Holme Street and New Park Street. Measures in the form of Flood Resilience Measures (FRM) should be integrated to address this flood risk.

The site is within a Critical Drainage Area (CDA), CDA's are the catchments associated with the modelled pluvial hotspots found in the 2012 Surface Water Management Plan (SWMP). Measures in the form of Sustainable Drainage Systems (SuDS) are required to limit surface water volumes and discharge rates. Below ground attenuation tanks are proposed within the Below Ground Drainage Strategy (ref: Issue P02 – 23rd June 2023) and it is also outlined within section 5.8 of the Design Addendum that soft landscaping, planters, permeable paving and green roofs have

also been proposed within the development. The use of these SuDS measures will need to be confirmed through condition.

The total site area has been defined as 0.46ha (4,468m<sup>2</sup>). Within the Below Ground Drainage Strategy (ref: Issue P02 – 23rd June 2023) it is stated that the existing site is entirely impermeable (hardstanding) and it is understood that the entire site is to remain as impermeable as proposed.

The site is considered Brownfield and to comply with Leicester City Council's Strategic Flood Risk Assessment (2022), a 50% reduction of current surface water runoff/discharge rates is required. The development should aim to achieve the Greenfield runoff rate of 5l/s/ha, where practically possible. It has been stated within the Below Ground Drainage Strategy (ref: Issue P02 – 23rd June 2023) that the proposed surface water discharge rate will be restricted to 2.2l/s. This will provide a minimum of 95.8% betterment on the existing surface water runoff rate.

The lifetime of the proposed development has been outlined as 100 years within the Flood Risk Assessment (ref: 21-340-60-030-02). Therefore a 30% climate change allowance for peak river flow has been included and 40% climate change allowance for peak rainfall intensity has been included within the Below Ground Drainage Strategy (ref: Issue P02 – 23rd June 2023).

The LLFA has no objection to the proposal subject to the inclusion of conditions requiring submission of additional detail relating to SUDs, drainage, construction method and emergency flood planning.

### Better Buildings (Sustainability)

Following the submission of the application, a number of items were raised in relation to sustainability, most notably on the following:

- Further consideration was required in relation to internal daylighting in particular the inclusion of windowless shared spaces on the first and fifth floors.
- Further details were requested in relation to the proposed heating controls to be fitted and whether the use of natural ventilation or heat recovery within the ventilation system.
- Further details relating to the extent of solar photovoltaic panels.
- Consideration given to whether demolition of the existing building can be avoided (as demolition and construction generally has a much higher carbon footprint than the re-use of existing buildings).

An updated Sustainability Design and Construction Statement was provided during the determination period addressing the above points. The proposal is acceptable from a sustainability perspective subject to the imposition of a planning condition requiring approval of full design details of on-site installations to provide energy efficiency measures.

### Pollution (Noise)

Following a review of the acoustic report by MACH Acoustics Ltd ref 1804 and the note about the overheating assessment, provided all the recommendations are installed as per these documents, there are no objections.

### Arboriculture

There are no objections to the plans and tree removals. The mitigation planting is acceptable and there are no objections to this proposal. Although, as trees on Council land require removing to facilitate a fire escape route, the contractor will need to contact the city council to either use the Council's trees teams to carry out the works or to find out what documentation is required to have an outside contractor carry out the works.

### Waste Management

Concerns have been raised in relation to the size of the bin store as it is not large enough for a once-a-week collection that would be undertaken by Leicester City Council (LCC). However, the applicant has stated that a private waste collection service will be used for the site, which mitigates the issues that could arise as LCC would have no responsibility for collection. The planning permissions would need to include that a private collection is the only option for the property.

### Health and Safety Executive (Fire Safety)

The fire statement states that the adopted fire safety design standards are British Standards 9991 and 9999, and Approved Document B. HSE has assessed the application accordingly.

Initial concerns were raised by the HSE following submission of the original proposal. Following a review of the amended proposal and the updated fire statement, the Health and Safety Executive is content with the fire safety design, to the extent that it affects land use planning. Drawings appear to show that the means of escape from clusters lead via corridors containing studio flats (for example the north east cluster on the fifth floor). The adopted fire safety design standard, BS9991, states: "*The cluster should be lobbied from any staircases serving the building (i.e. a protected lobby should be formed between the cluster front entrance door and the stair door)*". Accordingly, the clusters should be lobbied from the staircases. In this instance, however, the resolution of this matter is unlikely to affect land use planning considerations. This will be subject to subsequent regulatory stages.

### Drainage (Severn Trent)

Foul and surface water is proposed to connect into the public foul water sewer, which will be subject to a formal section 106 sewer connection approval (in line with the Water Industry Act).

Planning Practice Guidance and section H of the Building Regulations 2010 detail the surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public surface water sewerage system is considered.

An informative is suggested given the location of the public sewer within the site.

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

Housing/flat developments result in a population increase of patients and therefore put additional pressure on healthcare services and the infrastructures those services are delivered from. On the basis that there would be an expected minimum of 466 patients looking to occupy the development, the ICB seek developer contributions to help

mitigate any increased pressures arising from increased patient demand. As the development is student accommodation, it is expected that those patients will not necessarily be local resident and new population attracted by the University.

Due to the location of the development, there are a number of healthcare services / GP practices that could be impacted by increased patient registrations. GP practices are usually the first point of contact impacted by new housing developments due to new patient registrations. The ICB therefore seek Section 106 funding to help support and mitigate that impact and would look to invest in current healthcare facilities.

GP Practices are contracted to provide healthcare provision for its registered patients. A practice is not able to refuse registration of new patients unless they have gone through a rigorous process and have been given approval to have a 'closed list'. Such cases are very rare and Leicester, Leicestershire & Rutland (LLR) have 2 out of 130 practices with a closed list. Any increase in patient registrations at a practice impacts a GPs clinical capacity and adds to their need of increasing that capacity. Section 106 healthcare contributions are being requested to support that increase and improve primary care services for the area. Due to the length of time applications can take to reach formal approval, and Section 106 funds agreed and secured, LLR ICB will agree at that point as to where the funding is best placed. The Estates team welcome early engagement with the council to ensure the S106 agreement contains the right level of detail.

The contribution requested would be £70,347. The ICB have considered student will be at university for 9 months of the year which is worked out at 75% of the total cost. Even though students study for 3-5 years, there will continuous rotation of students coming into the university and therefore registering at the GP and local healthcare services. The ICB would also like the council to carefully consider the developer occupancy trigger points and have the opportunity to review the S106 agreement ahead of signing. Primary Care is experiencing significant capacity issues in relation to its premises and would need to increase access to facilities to meet the needs resulting from this development. Therefore both the ICB and the practice would wish for any contributions to be released prior to first occupation.

### Historic England

The proposal comprises the demolition of an existing warehouse and construction of a six and seven storey student accommodation building with an associated two storey building to house plant. Historic England understands that the design of the proposal has been revised following comments from the LPA, including a reduction in the maximum height from 11 storeys.

The application site falls within the setting of a number of designated heritage assets, including the scheduled site of Leicester Castle, Castle Conservation Area, and multiple listed buildings.

### *Significance of the Designated Heritage Assets*

From the east bank of the canalised River Soar, the land rises towards the core of the modern city of Leicester. It was on here with a commanding view across and downriver that Leicester Castle was established in the 11<sup>th</sup> century, on part of the earlier Roman town defences. The castle's role as a premier administrative centre adapted continuously over the medieval and post-medieval periods, and this is reflected in the evolution of the Grade I listed County Court building from the castle's great hall. The wider site of the castle is designated a scheduled monument in recognition of its

national importance.

Leicester castle sits within the Castle Conservation Area. There are a number of views from and through the conservation area that contribute to its character and appearance, and how it is experienced. This includes a view westwards from Castle Street towards Westbridge Place which is noted in the Castle Conservation Area Character Appraisal.

#### *Impact of the Proposed Development*

The application site sits within an area of relatively low-level structures, reflecting its development as a mainly residential area outside of the core of the city. The proposed six and seven storey structure would be prominent in the skyline in the context of the surrounding townscape and likely, when moving through it.

The provided Heritage Impact Assessment (HIA) and Townscape and Visual Impact Assessment (TVIA) include some visualisations, however in our view these are limited, including regarding views from within and towards the castle site across seasons, and important views from within the conservation area. Notwithstanding this, we would note that assessment of setting should account not only for static views, but also the way that a heritage asset is experienced and understood within its landscape context. This might include historic routes and approaches that reflect how they have historically been appreciated.

While a degree of consideration has been given to how some listed buildings may appear in views together with the development, the potential impact that the proposal might have on how the castle site is experienced within its setting, and on the ability to understand its relationship to the physical and historic social landscape, is not clear.

On the basis of the information available to date it appears that the proposal would be visible from the castle site in some views, including intervening to a degree in commanding views from the top of the motte. This would be particularly evident in winter when existing vegetation would be less abundant. It is likely therefore that the proposals would result in a low level of less than substantial harm to the significance that the scheduled and listed castle site derives from its setting.

The site also sits within an area of high potential for archaeological remains dating to the Roman and medieval periods, as indicated by the provided archaeological desk-based assessment (Cotswold Archaeology, January 2022). Such remains have potential to contribute positively to our understanding of Roman activity at Leicester and form part of the castle's archaeological setting. Such remains are likely to be damaged or removed during the construction of the proposed development, including engineering activities associated with the installation of its foundations. The damaging or loss of archaeological remains that contribute to our understanding of the castle site would result in a degree of harm to its significance.

#### *Policy Considerations*

Historic England's advice is provided in line with the importance attached to the significance and setting of designated heritage assets as set out in the NPPF 2023 and our Historic Environment Good Practice Advice in planning guidance.

Paragraph 194 of the NPPF states that local authorities should require applicants to describe the significance of any heritage assets affected by their proposals, including any contribution made by their setting, in a level of detail sufficient to understand the potential impact of the proposals on their significance.

Paragraph 195 of the NPPF requires local authorities themselves to identify and assess the particular significance of any heritage asset that may be affected by a proposal, including by development affecting its setting, taking into account any necessary expertise, in order to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 197(c) requires local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 requires that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Paragraph 200 NPPF states that any harm to the significance of a designated heritage asset (from development within its setting), should require clear and convincing justification.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (paragraph 202).

Paragraph 203 details 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.

#### *Historic England's Position*

Historic England advise that in determining the application your authority would need to be satisfied that it has sufficient information with which to understand and assess the impact of the proposal upon the significance of those heritage assets that have the potential to be affected by the proposal, pursuant to paragraph 194 of the NPPF.

On the basis of the information available, we consider it likely that the proposals would result in a low level of less than substantial harm to the significance that the castle derives from its setting, as set out above. Notwithstanding this, we would consider that the proposed six and seven storey heights would be the maximum that the site could accommodate.

We advise that your authority is guided by the detailed advice of your Archaeological Adviser with respect to the detailed requirement for investigation of, mitigation of impact to, and treatment of any non-designated archaeological remains within the development site.

In determining the planning application, your authority should seek further advice from your conservation and urban design officers.

It will then be for your authority to weigh all planning considerations and our advice above in determining the application, in line with Government legislation, policy and guidance concerned with the historic environment.

#### *Recommendation*

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed

in order for the application to meet the requirements of paragraphs 194, 195,197(c), 199, 200, 202 and 203 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, respectively.

### **Representations**

Nineteen representations were received on this application, twelve objecting to the proposal, four supporting and three offering comments. The reasons for objection are summarised as follows:

- More student housing is not required.
- There are way too many student schemes being put up when the demand is exaggerated, and nothing is being done to promote new home developments. No justification has been provided to show that there should be a removal of much needed employment space.
- The application should be brought to committee to discuss how student accommodation developments help the city's needs over the next 10 years.
- Too many student developments are in this area of the city. They operate differently and have different habits to typical private residents. They are extremely noisy, whilst the city is busy during term time it very quiet during summer and Christmas. It doesn't help the actual people of this city who love and care for it. We need proper housing in the city, not small student lets.
- Concerns over traffic issues causing a loss of business and blocking the road for customers and suppliers.
- An inadequate noise assessment has been undertaken and part of the noise surveys undertaken were on a night where no live events were taking place at the 2 Funky Music Café. A revised noise assessment should be undertaken with active consultation from the venue operator so that survey findings represent late night sound-system output.
- The application has not given adequate consideration to NPPF paragraph 187 (the Agent of Change policy).
- The Noise Assessment completely disregards any source of noise that would originate from nearby business premises.
- The application proposals as represented do not account appropriately for existing operations in area, nor is it considerate of the significant disruption that will arise to them.
- The site has a clear employment use and is, for all intents and purposes a substantial and highly functional employment premises which is considered attractive to the employment land market.
- The location of the proposal and the brutalism of its form in the landscape in an otherwise historic setting of the utmost significance will undeniably cause harm to the significance of existing heritage assets.

The reasons for supporting the proposal are as follows:

- The whole site is now in need of a major upgrade. It is considered that the artist impression of what the final construction might look is very modern and much in keeping with the new developments already within the area.
- Proposal a great opportunity for this city's growth especially the increase sight of land sculptures developed around the urbanisation of Leicester.
- Proposal represents a potential for our city to undertake a healthy course of growth & attraction for our city. The new studio flat planned in the architecture 3D Modelling is beautifully suited.

Comments raised on the proposal are summarised as follows:

- The city needs housing for working people. Not housing for students 7 months of the year.

2 of the representations were from LCC councillors. Comments were raised on the application, both objecting to the proposal:

- *Cllr Clarke* – Concerns relating to over-development, scale, massing, transport, loss of employment space, biodiversity, climate and the suitability of the site given existing uses of adjacent sites. Primary objection focuses on policy CS18 and the impact on listed, locally listed heritage assets and the Castle Conservation area. Concern that the HIA glosses over the fact that it relies on the screening of mature, dense tree coverage to mitigate the impact of this proposed development.
- *Cllr Russell* – Significant overdevelopment in an area that is already struggling with traffic and identifiable green space. There is little sense of how this impact on the existing local community could be mitigated.

The proposal was discussed at the Conservation Advisory Panel (CAP) meeting on 19<sup>th</sup> July 2023. No objections were raised. The Panel felt the amended proposal was a significant improvement on the initial proposal. The reduced scale of the building and revised design, notably the curved elements, represented a positive design development and addressed the previous harm identified to surrounding heritage assets. Upon a more detailed examination, the Panel noted the quality of the existing building and felt it was a good example of a late 20th century factory which can be attributed to a notable architectural firm. A request for a building recording survey to take place prior to demolition was made.

## **Consideration**

### Principle of Development

The site is designated in the saved local plan as part of saved policy PS09 (Potential Development Areas, map reference 10 St. Augustine's Road. The policy states that "*Where residential development is proposed as a priority or subordinate use, an appropriate living environment needs to be provided, which includes safe and convenient access to the development.*" PS09 (10) sets out priority land uses for this area as being residential, community facilities, waterside activities and moorings with subordinate land uses being offices, major leisure, pub/restaurant and hotel.

The Core Strategy is supportive of residential development on the site. Core Strategy policy CS01 (Location of Development) identifies that 54% of residential development is to take place within the Strategic Regeneration Area (SRA) (which the site is located within). CS04 (Strategic Regeneration Area) highlights that the SRA will be the focus of major housing development and physical change to provide the impetus for

economic, environmental, and social investment and provide benefits for the existing communities. New development must be coordinated, complementing and building on delivery programmes and Supplementary Planning Documents. CS06 (Housing Strategy) states that proposals for Purpose Built Student Accommodation (PBSA) will normally be accepted if they meet identified needs, are well designed and managed, can be well integrated with local built form and existing communities, and are within walking distance of the main campuses.

The site is proposed for allocation in the Draft Leicester Local Plan (2023) as part of a non-strategic development site (site number 15, Land to south of St Augustine Road/west of Duns Lane). The emerging draft local plan identifies the site as potentially being acceptable for residential development (subject to meeting other emerging policy requirements) albeit for a capacity of 44 dwellings which is less than identified in the proposal that is the subject of this application.

Currently Leicester City does not have a five-year housing land supply. I consider that the proposal would represent a significant contribution to meeting the City's five-year housing land supply.

Regarding the proposal's suitability for student development, the adopted Student Housing SPD identifies the criteria that any new student accommodation must meet. I have addressed below how the proposal addresses the criteria set out in the SPD

- *A. The development meets an identified need for the type of accommodation proposed* – The application is supported by the required Student Market Demand Report (Cushman and Wakefield December 2021). The report concludes a strong demand for student accommodation (particularly from International and Post Graduate students), a lower-than-average student to bed ratio (but still indicative of demand and relatively poor existing provision, especially in respect of the quality of accommodation available) and a large proportion of current students still living in House in Multiple Occupation (HMO) accommodation. If student numbers continue to increase as forecasted, rental growth will continue to be strong but further purpose-built accommodation will release HMOs back into the market. Taking this into account, it is thus considered that Criteria of the Student Housing SPD is satisfied.
- *B. Development is within reasonable walking distance of the two university campuses* – The site is approximately 0.4 miles (9 minute walk) from De Montfort University which is considered reasonable. and 1.6 miles (34 minute walk) from the University of Leicester.
- *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 criteria is addressed in more detail below in the 'Urban Design' section. Overall the design of the proposal is considered acceptable.
- *D. When considered with existing nearby student housing provision, the development should not have an unacceptable cumulative impact upon surrounding residential neighbourhoods* – The site is in proximity to the existing student accommodation located along Western Boulevard but it is considered that there is sufficient physical distance between the application site and the nearest next private student accommodation (Code or Unite Students – Newarke Point) so as to avoid forming an undue concentration in the locality.

- *E. The layout, standards and facilities provided in the development ensure a positive living experience* – This criteria is addressed in more detail below in the ‘Living Environment’ section. Overall, the layout, standards and facilities of the proposal are considered acceptable.
- *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* – This criteria is addressed in more detail below in the ‘Residential Amenity’ section. Overall, the proposal will secure a positive and safe living environment for students.

In summary, the proposal accords with the criteria as set out within the adopted Student Housing SPD.

I consider that the principle of development is acceptable, subject to consideration of other main issues including urban design, residential amenity, flood risk and drainage, built conservation, land contamination, access/highways, sustainability, ecology waste and archaeology. These are all considered in more detail below.

### Urban Design

Policy CS03 of the Core Strategy talks about designing quality places. It requires developments to be designed well and to contribute positively to the character and appearance of the local natural and built environment. Development should also respond positively to the surroundings and be appropriate to the local setting and context and take into account Leicester’s history and heritage.

New development should achieve urban design objectives detailed under the following criteria:

1. Urban form and character;
2. Connections, movement and inclusive design;
3. Public realm and open space;
4. Protect and where appropriate enhance the historic environment; and
5. To ensure high design standards and good place making, all proposals for 10 or more dwellings must demonstrate how they have been designed to meet Building for a Healthy Life standards.

Section 12 of the NPPF (Achieving well-designed places) states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Paragraph 41 of the National Design Guide (NDG) states that well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. Paragraph 42 goes on to state that well-designed development proposals are shaped by an understanding of the context that identifies opportunities for design as well as constraints upon it.

### *Discussions on the original proposal*

Following submission of the original application, a number of significant concerns were raised on the initial proposal in early 2023. These were as below:

- The initial proposal had both significant mass and scale that cannot be contextually justified and would not make a positive contribution to the character of the area, and moreover, would be harmful.
- Elements of the initial proposal would be considered a tall building in the Leicester context and the justification for this is poor and oversimplistic.
- In the emerging Local Plan evidence documents, this area is not identified as a location for tall development. There is a significant risk from the proposal would cause harm to the wider townscape.
- The applicant stated throughout the DAS that the initial proposal made a positive contribution to the area and provides regeneration benefits and yet it provides no notable benefits beyond the red line of the site, for example enhancing the public realm and pedestrian and cycle connections.
- The amenity of future residents would be poor. The quantum of external space was very limited given the number of bed spaces proposed. Additionally, a significant proportion of the homes experienced separation distances of 12m which is not comparable to other high density schemes in the city and can be justified.
- The appearance of the building was not considered to mitigate for the significant mass and scale or to provide a level of quality required for a building of such prominence.
- The proposal was considered to be contrary to CS03, NPPF Section 12 Achieving Well Designed Places and the National Design Guide, which is now very clear on defining the characteristics of well-designed places, expanding upon the NPPF, and is a material consideration.

The applicant considered these concerns and provided a revised set of plans in July 2023 with the aim of addressing these concerns. Key changes made to the design in the amended proposal were as follows:

- Reduction in maximum height of development by 12m to a revised maximum height of 23.48m (78.825m Above Ordnance Datum). This results in a development at primarily 6 storeys, but with a central element at 7 storeys to break up the roof line of the building.
- Reduction in the height of Block D to a single storey element (now comprising just plant/cycle parking/bin storage etc.).
- Reduction and softening in the mass of the built form through increased separation distance between the wings of the building along the east elevation. The introduction of curved elements to this elevation also helps to soften the appearance of the building along Little Holme Street and in passing along New Park Street.
- Improved elevation design and articulation with improved building proportions and rhythm, including use of deep recesses along the west elevation and recessed window headings.
- Improved street frontage through provision of a 3.5m set back of the building line from the road on the south façade (New Park Street).
- Increased public realm along New Park Street, and improvement to quality through removal of building overhang.
- Improved soft landscape proposals with increased planting within courtyards.

The amended proposal has significantly reduced in mass and scale, the western block has been removed and improvements to the built form have been undertaken. A

Design Addendum has been submitted which helpfully outlines the changes. The following considerations relate to the amended proposal.

*Scale: Height*

The proposal is 23.48m at its highest point but has a predominant height of 6 storeys at 20.55m. This is below 24m and therefore would not be considered 'tall for Leicester' for the Central Development Area (CDA). However, this area is not located within the CDA. The site is located within the CDA Fringe where a height of 18m and above could be considered 'tall'.

The development does have a predominant height exceeding 18m, which would be considered 'tall' for the CDA Fringe but having considered the transitional character of the site (as opposed to primarily 2 storey residential areas) the requirements to address flood risk and reduce the visual impact of the plant (which adds 2.4m to the overall height) and the AVR's and the 3D model I consider this to be acceptable in order to balance the required quantum for the proposals to be viable and the townscape context.

On review of the AVR View 04 from Western Boulevard it is clear that the revised proposal is much improved. Whilst the initial proposal was clearly not acceptable the amended proposal is higher than the surrounding area but not in a way that is considered substantially harmful to the heritage and townscape.

*Scale: Massing*

The mass of the proposal is acceptable. The design, with a north to south block with adjacent 3 wings forming an 'E' and curved edges to the wings 'softens' the mass of these sections of the buildings. The gaps between the wings are acceptable and the articulation of the proposal reduced the 'bulk' of the original proposal. In addition, the differences on materiality of brick and cladding help to break down the mass of the long north south block, with a further 6th floor set back to this block. The western block comprises a 'two-storey' building which is more acceptable.

In terms of the curved wings it is essential that the curves remain as proposed as I would consider them to be a crucial design aspect that supports the acceptability of the proposal and contributes to the higher quality. Any consequent change with regards to faceting or 'squaring off' the curves would be resisted.

*Layout: Connections (ease of movement, legibility), Urban Grain (arrangement of blocks, continuity and enclosure, frontages and thresholds, delineation of public and private space, legibility)*

Initial concerns were raised in relation to the connection between the site and the surrounding area. In order to overcome these, discussions have taken place regarding section 106 contributions to improve the cycling infrastructure and public realm adjacent to the site which will assist in improving the environment adjacent to the proposal and improving connections. These contributions are required for the proposal and will assist in addressing this issue (more detail is provided below in discussing the highways merits of the proposal). I also note street interfaces to provide a more generous and welcoming edge to the surrounding streets, particularly along Little Holme Street.

In terms of the external amenity space this is appropriate. In particular the two spaces on Little Holme Street, which are larger and will provide useable spaces for sitting. Clearly the substantial reduction in the height of the western block from the original

proposal and the reduction in height across the development will improve the level of sunlight experienced in these.

### *Character*

The proposal provides clear design principles and aims to secure a quality development and additionally it does provide a different character, in an area which has a diversity of building styles and materials, which will contribute positively if executed well.

### *Appearance: Details and Materials*

Information has been provided with the amended proposal included bay studies, 1:20 sections and more details on the materials proposed. The approach taken to the appearance of the amended proposal is welcomed and it is much improved from the initial proposal.

Given the reduction in scale, a more simplified, uniform, homogenous approach to the appearance is appropriate. The need to increase the level of articulation to mitigate for mass is also now not as great. That said, the 1:20 sections clearly show reveal depths of 350mm+ to the lower floors to the brick elevations and approximately 200mm to the upper floors. Additionally, there are variations in reveals depths to window headers and 'projecting' soldier courses which will add articulation and variation to give some richness. The elevations that are clad will also provide reveal depth of approximately 200mm. The design of the 2 storey plant building is simply designed with a cladding envelope and is complementary.

The materials proposed to be used are set out in the design principles document provided as part of the application. The materials are predominantly brick and cladding. They are acceptable and the quality of the brick, tone, face and the multi variation in tone is welcomed.

The stated commitment to quality materials and detailing is welcomed. It is important that the details and materials proposed are delivered and it is important that there is no reduction in quality of the materials post determination in line with NPPF para 135. Planning conditions are required to ensure a sample panel is constructed and approved and to finalise the materials specification.

### *Landscape and Quality of Public Realm*

The landscape strategy provides the basis for future landscape proposals but further detail should be provided prior to commencement of development relating to:

- Further detail on how landscape areas will be accessible including the seating types to be used and the heights of tables (to ensure these are accessible to wheelchair users).
- Final details of boundary treatments.
- The material types to be used for hard landscaping.
- The planting specification to be used.

A planning condition is required to secure this information.

### *Design Summary*

As set out above, significant amendments have been made to the design of the proposal during the determination period, including a reduction in height across the proposed buildings, improvements to the massing and the reduction in height of the

development block to the west. Therefore, the proposal is considered acceptable from a design perspective and accords with the Section 12 (Achieving well-designed places) of the NPPF and Policy CS03 of the Core Strategy.

### Building Conservation

Core Strategy Policy CS18 (Historic Environment) highlights that the Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. In addition, within regeneration areas particular importance will be given to the integration of the historic environment with new development. Section 16. Conserving and enhancing the historic environment of the NPPF, paragraphs 194, 195, 197(c), 199, 200, 202 and 203 are of particular relevance in considering the merits of the proposal.

The site does not contain any designated heritage assets, nor are there any designated heritage assets in the immediately adjacent area. The scale of the proposal in terms of its height and massing means that the settings of heritage assets further away from the site might be affected. The primary area of interest is the Castle Conservation Area and its environs. This area contains a Scheduled Monument and a number of statutorily listed buildings that have group value and potential sensitivity to larger scale developments nearby. Additionally, there is a small number of individual listed buildings that lie outside the Castle Conservation Area whose settings could potentially be affected by the proposal.

Historic England have provided a response on the application, advising that in determining this application, the authority would need to be satisfied that sufficient information has been provided to assess the impact of the proposal upon the significance of heritage assets (pursuant to paragraph 194 of the NPPF).

Significantly, Historic England consider the proposal would result **in a low level of less than substantial harm** to the significance that Leicester Castle derives from its setting, but consider that the six and seven storey height of the proposal would be the maximum that the site could accommodate. In setting out my considerations below, I will address the key points that have been raised by Historic England.

No objections have been raised by the Conservation Advisory Panel.

### *Considerations*

As part of the application, a Heritage Statement, Townscape and Visual Assessment and Accurate Visual Representations have been provided. I consider that this information adequately addresses the relevant heritage constraints and meets the requirements set out in paragraph 194 of the NPPF.

The existing building on the site is not of notable historic interest and its utilitarian light industrial appearance is not complementary to the setting of buildings in the wider area. However, the height of the building is modest enough to not impinge on longer distance views that relate to heritage assets in the wider area. I have no objections to their demolition, subject to an appropriately designed new scheme of development.

A range of material has been provided that aids the work of assessing the potential impact of the proposal on the setting of heritage assets located comparatively close to the site, including a series of verified views. In terms of the singular assessment of impact on heritage assets, the proposal would have no significant impact in itself. This

is largely due to the distances between the site and the other heritage assets, intermediate development and topography.

There are a large number of views within more sensitive locations, such as the majority of The Castle Conservation Area where the proposal simply will not be visible. There may be some limited views from the western edge of Castle Gardens or atop the motte, and the latter dynamic does not benefit from robust testing via a verified view. The heritage assessment does provide an assessment of this view using the 3D city model. When considering the initial proposal, it was advised to get clarity on this detail, but the reduction in building heights as a result of the amended proposal gives confidence that the setting impact will vary between very modest and no impact. The existing tree cover and other intermediate development limit visual connections, and this would result in a limited impact on the special significance of the Schedule Monument/Conservation Area.

The proposal would be visible in some views looking across the Grade II Listed West Bridge, and potentially in some views of other infrastructure that has heritage status, such as the locally listed bridge and bridge parapet by Western Boulevard, but the proposal would not cause clear harm to their setting or undermine their significance. The improved building design and materiality, as well as the reduced height of the amended proposal, have enhanced this dynamic. The group of locally listed buildings close to the junction of Narborough Road and Braunstone Gate would have some limited glimpsed views of the proposal at the periphery, but the distances are such that clear harm to their setting would be hard to justify. There is an argument that the domestic scale of properties here would be harmed to some degree by large scale development further to the north, especially if this led to more development of a similar scale, resulting in cumulative impact. However, the reduced scale of the amended proposal has reduced this issue.

Given the limited views of the proposal from the setting of heritage assets, more detailed comments on the elevational treatments and materiality are of limited relevance to the heritage assessment.

One of the recommendations from the CAP meeting on 19<sup>th</sup> July 2023 was for a building recording survey to take place prior to demolition. However, as the current buildings on site are not formally identified as heritage assets I do not consider it appropriate to request this as part of any subsequent planning conditions.

### *Summary*

I consider that sufficient information has been provided in order to establish the impact of the proposal on the historic environment. I acknowledge the views that have been provided by Historic England. I consider that although some long distance glimpsed views may be possible, the impact on the significance of the heritage asset would not be harmful especially given the reduction in height and mass that has been applied to the design of the proposal during the determination period.

The proposal is considered to be in accordance with the relevant policies and legislation from a built conservation perspective.

### Residential amenity

The City of Leicester Local Plan Policy PS10 (Residential Amenity and New Development) states that in terms of residential amenity any new development proposals should have regard to existing neighbouring and proposed residents in

terms of noise, light, vibrations, smell and air pollution, visual quality of the area, additional parking and vehicle manoeuvring, privacy and overshadowing, safety and security, the ability of the area to assimilate development and access to key facilities by walking, cycling or public transport. The section below identifies the key considerations relating to residential amenity.

### *Separation distance*

In terms of the separation distances, there is between 17m and 17.3m between the three wing blocks on the eastern side. This distance is challenging, however, the window locations have been amended from the initial proposal so they are staggered which helps prevent direct overlooking and the amended proposal has convincingly explained the constraints on the site and the difficulty of balancing the urban form, creating an efficient layout, meeting the required number of homes and the maximum separation distances that are achievable given those constraints.

Overall, I consider the separation distances in this location to be acceptable.

### *Light*

Two reports have been submitted as part of the application setting out the impact of the proposal in relation to daylight and sunlight for neighbouring properties and from within the development. The conclusion of each of the reports are summarised as follows:

- *Neighbouring properties* – The assessment demonstrates that the proposal will have a low impact on the light receivable by its neighbouring properties. The proposal sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties.
- *Within development* – The assessment concludes that the proposal achieves a high level of compliance with the BRE recommendations. Whilst a small number of rooms do not meet the recommendations, the results are not unusual in the context of an urban location. The proposal will provide the development's future occupiers with adequate levels of natural light.

Paragraph 12(c) highlights that in considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards). I consider the impacts of the proposal on neighbouring properties are acceptable. Whilst I acknowledge that a small number of rooms within the development do not meet the recommendations from within the development, overall I consider the proposal to be acceptable. Overall, I consider the proposal acceptable from a daylight/sunlight perspective.

### *Noise*

An initial noise assessment (reference RP 190612 – Little Holme Street – Environmental Noise Assessment, received 07/11/2022) was submitted with the planning application. However, the report was not adequate as it relied on out of date noise survey data that was gathered over too short a time period.

A revised noise assessment was provided in July 2023 (reference 1804 – Little Holme Street, Leicester – Façade Assessment, received on 07/07/2023) that aimed to address concerns raised. The revised assessment focussed on the potential impact of the existing 2 Funky Music Café on the proposal with updated surveys undertaken

between 16th June to 19th June 2023 (including the weekend period). In interpreting the measured noise levels, a further 9dB adjustment was made in the report to all frequencies to represent a worst-case scenario. The report recommended the following, which are integrated into the proposal:

- The façade adjacent to the 2 Funky Music Café integrates a fully sealed façade, with the aim of minimizing the adverse effect of club-generated noise on future occupants. This fully sealed façade and mechanical ventilation will enhance the sound reduction of these façades considerably. The façade will still have openable windows, for times when the club is not in operation and to provide a level of flexibility to occupants, however, the mechanical ventilation will remove the need for cooling through openable windows when the club is in operation.
- Bedroom's spaces (which are particularly susceptible to noise) have been relocated away from the façades having the greatest exposure to club noise. Instead, the kitchen, living room, and dining room spaces are arranged towards the 2 Funky Music Café.
- The TM59 condition is met by utilizing a sealed façade, ensuring that internal noise levels from the 2 Funky Music Café adhere to the BS8233 requirements.
- Windows will provide a minimum performance at 63Hz frequency to meet BS8233 requirements for indoor ambient noise levels in the bedroom.

The Façade Assessment includes a noise map establishing the noise environment in the vicinity of the site (see section 5.1 of the assessment). The main noise sources from the surrounding site include the music venue (2 Funky Music Café) and the surrounding road network. The employment units to the north are not identified as significant noise generating sources.

The City Council's noise environment team has confirmed that the proposal is acceptable from a noise perspective. A number of the representations received on the application raised concerns relating to the potential noise impacts of the proposal. Questions have been raised about the scheduling of the updated noise surveys undertaken as the events at the 2 Funky Music Café were amended on the dates that the surveys were undertaken as follows:

- Friday 16<sup>th</sup> June 2023 – Lucas D and the Groove Ghetto. Note this event was cancelled.
- Saturday 17<sup>th</sup> June 2023 – Paragon Presents #001: The Lone Soldier; Shrek Rave;

Despite the cancellation of the Friday event (a jazz and soul event), the "Lone Soldier" event did take place the following day. This event was expected to be the loudest among all events occurring during the survey period as it was a drum and bass event (i.e. music with a heavy bass track). Therefore, I consider that the recorded levels for the "Lone Soldier" event provide the worst-case measurement for the noise environment over the course of the survey dates and that these have been used to determine the appropriate mitigation.

NPPF paragraph 187 sets out that planning decisions should ensure that new development can be integrated effectively with existing businesses and that existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established (the 'agent of change' principle). I consider that adequate mitigation has been provided as part of the proposal to address this, provided that a planning condition is included requiring the mitigation outlined in

the updated noise assessment is provided. I therefore consider the proposal acceptable from a noise perspective.

### *Air Quality*

The application site is not within the Air Quality Management Area (AQMA) and therefore concentrations of nitrogen dioxide (NO<sub>2</sub>) are not expected to exceed national air quality objectives. The proposal represents a change of use from B2 industry to residential and therefore the creation of sensitive receptors. Where end users are exposed to possible poor air quality, suitable and proportionate mitigation must be applied. The Dust Management Plan (Air Quality Consultants Ltd, ref: J10/14034B/10A/1/F2, June 2023) concludes an overall Medium risk site for these emissions and suggests suitable methods of mitigation in Section 2. The conclusion of the report are accepted in that it is appropriate to request submission of a revised and site-specific Dust Management Plan by condition, once a suitable contractor has been appointed.

The proposal will be a largely car-free development. A large number of cycle bays are proposed, which combined with a resident's travel plan will promote the use of sustainable transport options and bring a local air quality benefit. I have no concerns with the proposal in relation to air quality.

### Living environment

The floor area of the proposed cluster flat bedrooms would mainly be between 13sq.m and 15sq.m. Each bedroom would contain en-suite facilities. There would be separate shared living/dining/kitchen areas with floor areas ranging from 55sq.m up to 58sq.m depending on the number of bedrooms it would serve. The provision of a mixture of studio flats and cluster flats is welcomed. The cluster flats provide greater opportunity for occupants to mix with others. The studio flats would be approximately 18sq.m to 22sq.m.

The flats/bedrooms are relatively small; however, this is a proposal for student accommodation. 430m<sup>2</sup> of communal and social facilities including a break-out space, cinema, laundry and a gym are incorporated into the proposal. This provision would benefit all residents in providing communal activity and break out space. Landscape areas are proposed immediately outside the main building, although the final details of these areas will be secured through a pre-commencement condition. These areas will provide additional areas for communal activity when weather permits.

I am satisfied that the proposal would provide an acceptable level of amenity for student occupants and conclude that the proposal complies with saved Policies H07 and PS10 of the Local Plan (2006) and Core Strategy (2014) Policy CS6.

### Archaeology

Core Strategy Policy CS18 (Historic Environment) identifies the need for an archaeological assessment where a proposal would affect a site which is known to contain below ground and low level archaeological remains or thought likely to contain below ground and low level archaeological remains. Groundworks relating to any planning consent will cause significant disturbance that has the potential to damage archaeological deposits on the site.

This proposal is located in an area with known and significant archaeological remains and deposits, and close to a number of nationally and locally designated heritage assets. The Archaeological Desk-Based Assessment provides details of the likely

archaeological value of the site. Given the anticipated use of pile design, careful consideration will need to be given to the impact on any surviving archaeological deposits/remains and suitable mitigation prior to these construction works commencing. The pile design and related construction and services should be informed by the results of an archaeological evaluation.

Adequate archaeological evaluation must be submitted for approval prior to commencement of development to secure the successful implementation of a programme of archaeological works and post-excavation analysis. This will be secured through a planning condition.

### Highways and Parking

Core Strategy Policy CS14 (The Transport Network) identifies the need for development to be easily accessible to all future users, including those with limited mobility. It should be accessible by alternative means of travel to the car and promote sustainable modes of transport (such as public transport, cycling and walking).

The site is in a location that has strong active travel and sustainable transport links. The proposal will be car free (aside from four spaces provided for management Staff), which is proposed to be managed through a site management plan that will include information on the drop-off / pick-up arrangements at the start and end of term, the restrictions placed on students with respect to car parking at the site, the initiatives and opportunities available to promote sustainable travel, and a summary of the Travel Plan. The proposal also includes a large cycle storage area in the single storey building to the west of the site with capacity for storage of 170 bicycles. Overall, the proposal will contribute towards the aims of national and local planning policy in terms of promoting sustainable travel.

The proposal will result in a net reduction in the number of vehicle trips on the local highway network from the current use of the site. The proposed development will also result in an increase in the number of active travel trips undertaken locally. In order to ensure the local highway network can accommodate this increase in active travel trips locally, the highways authority have advised that contributions are required to upgrade the existing footpath link from Little Holme Street to A47 St Augustine's Road to safely accommodate cyclist and a reconfiguration of Little Holme Street/New Park Street junction. These contributions will be secured through a Section 106 agreement.

There is an existing area to the north of the Site on Little Holme Street that has a parking restriction (Monday – Saturday, 9.30am – 4.00pm for 1 hour, no return within 1 hour). The submitted plans include for a section of this area to be changed to a single accessible parking bay. A Traffic Regulation Order amendment will be required in order to secure this change. A note to the applicant is recommended to ensure this is identified as a further requirement.

Overall, I am satisfied that the proposal is acceptable from a highways perspective.

### Nature conservation

Core Strategy Policy CS17 (Biodiversity) identifies the need to consider the potential impact of development on wildlife and for applications to be accompanied by ecological surveys and assessments of sites to establish the presence or absence of protected species or habitats of particular value prior to any development taking place.

An ecological assessment (Ecology Solutions - June 2023) has been provided which is based upon previous survey work undertaken in May 2019 and January 2022 but

has since been updated with a site walkover in June 2023. The report identifies no significant changes from the original surveys which confirmed the unlikely presence of protected or priority species within the development area.

However, the assessment does note that existing trees do provide limited nesting opportunity for birds and 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 and during the nesting season to damage or destroy an active nest or eggs during that time. As some trees will be removed as part of the development, the report recommends in Section 7.7 (Page 22) that *'The removal of any trees will therefore be undertaken outside of the breeding season or, alternatively, checks will be undertaken by an ecologist prior to commencement'*.

Further to this, if any nests or birds in the process of building a nest are found, these areas must be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone must also be marked out to avoid disturbance to the nest whilst it is in use.

This advice must be followed to comply with aforementioned protective legislation.

#### *Achievement of Biodiversity Net Gain (BNG)*

In accordance with the NPPF, the Local Planning Authority would find the proposed development acceptable if opportunities for securing measurable net gains for biodiversity are identified and pursued. The associated ecological assessment identifies potential impacts upon local biodiversity; including the loss of several trees along with suitable suggestions to be carried forward into a landscape plan to mitigate noted impacts and secure BNG.

The Applicant has provided a BNG Report (Ecology Solutions - July 2023) and accompanying DEFRA Metric (version 4.0) which is based upon proposed landscaping detailed by the Illustrative Landscape Masterplan (19-05-PL-201 - The Richards Partnership) provided. Although the provided Plan lacks detail, the BNG Report and accompanying DEFRA Metric confirms that the woodland area to the west of the development will not be affected and that proposed compensatory landscaping will deliver a BNG of 14.78% which is acceptable.

In order to fully demonstrate how the development will meet the proposed BNG, a detailed Landscape and Ecological Management Plan (LEMP) will be required to ensure that all habitats within the site are appropriately established and managed over a period of 30 years. A planning condition is recommended to ensure the LEMP is provided prior to the commencement of development. The Ecological Assessment provided also recommends that the development includes bat and Swift nest bricks as part of the design (Sections 7.6 & 7.7 - Page 22) which should be included. For a development of this scale, it is recommended that 4 x bat integrated bat bricks and 4 x swift nest bricks are included, the locations of which should be determined by an ecologist who should also supervise their installation.

A planning condition is recommended requiring updated protected species surveys to be prepared should the development not commence within 24 months of the date of the last protected species survey (June 2023)

I consider the proposal is acceptable from a nature conservation perspective and complies with Core Strategy policy CS17.

#### Fire Safety

Due to the scale of the proposal, a fire statement has been provided as part of the application. The health and safety executive have confirmed the proposal is acceptable at this stage subject to approvals through subsequent regulatory stages. I have no concerns relating to the proposal from a fire safety perspective.

#### Waste storage and collection

Concerns have been in relation to the size of the bin store as it is not large enough for a once-a-week collection that would be undertaken by LCC. However, the applicant has stated that a private waste collection service will be used for the site, which mitigates the issues that could arise as LCC would have no responsibility for collection. The planning permission would need to include that a private collection is the only option for the property. A planning condition is required to ensure a waste management plan is provided setting out the arrangements for private collection of waste.

Subject to inclusion of an informative making it clear that waste management will need to be managed by a private collection company, I consider the proposal to be acceptable from a waste management perspective.

#### Sustainable Energy

Core Strategy Policy CS02 (Addressing Climate Change and Flood Risk) states all developments must mitigate and adapt to climate change and reduce greenhouse gas emissions. A Sustainability Design and Construction Statement has been provided as part of the application which sets out the measures from a sustainability perspective that will be adhered to during the construction phase and embedded in the design. I consider the proposal is acceptable from a sustainability perspective subject to the imposition of a planning condition requiring approval of full design details of on-site installations to provide energy efficiency measures.

#### Flood risk and drainage

The site is located within Flood Zone 3a and within a CDA. The LLFA and EA have been consulted and both have confirmed the proposal is acceptable. A Flood Risk Assessment and Below Ground Drainage Strategy Report have been provided, which assesses the risk from flooding and proposes mitigation. I consider the proposal acceptable from a flood risk and drainage perspective, provided planning conditions are imposed relating to compliance with measures set out in the Flood Risk Assessment, SUDs, drainage, construction method and emergency flood planning.

#### Land contamination and protection of controlled waters

The Phase 1 Geo-Environmental Report submitted with this application concludes that development can be delivered under a suitable planning condition requiring ground investigation under conventional techniques. The report identifies potential future sources of contamination to groundwater. The Environment Agency have identified a requirement for a series of planning conditions that will ensure that any potential risk of contamination of controlled waters is avoided. The Environment Agency have highlighted the potential issue of that infiltration of surface water into the ground via SUDs or soakaway. In finalising the drainage design through discharging conditions recommended by the LLFA (which have been identified above), future developers will need to give full consideration to how this potential issue is managed and set out an acceptable approach to the Local Planning Authority and the Environment Agency.

Subject to the inclusion of the conditions recommended, I am satisfied that the proposal is acceptable from a land contamination/protection of controlled waters perspective.

#### Arboriculture

An Arboricultural Survey, Impact Assessment and Tree Protection Details report has been submitted as part of the application. The report identifies a requirement to remove 10 no. trees in total to facilitate the proposal, none of which are identified as being of significant value in the report. The proposal includes for a flood escape route, which will require the removal of trees in an area to the west of the site. The agent was asked to confirm what alternatives had been explored to avoid removal of these trees. However, the route that has been proposed is the only one that is available that is outside of flood zone 3a so is the only suitable location. Mitigation planting is proposed as part of the proposal and is set out on the landscape strategy plan. Further detail on the planting strategy will be secured through condition requiring submission of a LEMP. Overall, I consider the proposal acceptable from an arboriculture perspective.

#### Section 106 contributions

Contributions have been sought towards the following:

- Highways improvements (£70,000)
- Healthcare (£70,347).
- Open space (£288,146.00).

In order to comply with CIL Regulations, information on the potential candidate sites for healthcare investment which might be improved to support the development are required, and the Integrated Care Service has been requested to provide these details.

The s106 requirements have been discussed with the applicant during the determination period and will be secured through a section 106 agreement.

#### **Conclusion**

I consider the principle of development is supported by existing local and national planning policies. The proposal would make a significant contribution towards meeting the City's current identified shortage in the 5 year housing land supply. The proposal addresses the key criteria set out in the Student Housing SPD.

The site is located in a sustainable location with good access to existing services, bus provision and cycle routes. The proposal will be marketed as car free with a large cycle store to further promote sustainable travel. Section 106 contributions will further support sustainable travel through improving the local highway network from a pedestrian and cyclists' perspective.

Following extended discussions during the determination period and subsequent updates to the design of the proposal, I consider that the application is acceptable.

The initial proposal had a number of issues from an urban design perspective, most notably that the scale and massing was inappropriate for this location. However, the amended proposal has addressed the urban design concerns and the design represents a scale of development that is appropriate for the local context. The inclusion of curved wings is a positive design change that has been made and the reduction in mass has meant that appropriate landscaping and separation distances have been achieved. The proposal is acceptable from an urban design perspective

and accords with Section 12 (Achieving well-designed places) of the NPPF and policy CS03 of the Core Strategy.

In terms of the impact of the proposal on heritage assets, the proposal would have no significant impact in itself. This is largely due to the distances between the site and the other heritage assets, intermediate development and topography. I consider that sufficient information has been provided in order to establish the impact of the proposal on the historic environment. I acknowledge the views that have been provided by Historic England. I consider that although some long distance glimpsed views may be possible, the impact on the significance of the heritage asset would not be harmful especially given the reduction in height and mass that has been applied to the design of the proposal during the determination period. The proposal addresses Section 16 (Conserving and enhancing the historic environment) of the NPPF and policy CS18 of the Core Strategy.

I consider the proposal acceptable from a residential amenity perspective. I note concerns raised in the representations received relating to the potential noise impacts that future residents could experience from existing noise sources. However, I consider the updated noise report suitably addresses this point provided that the suggested mitigation is implemented. I consider the proposal accords with saved policy PS10 of the Local Plan and that the 'agent of change' principle has been suitably addressed (NPPF Paragraph 187)

The site is within an Archaeological Alert Area. Given the site is currently occupied by a building that is in use, it is not possible at this stage to fully establish the archaeological constraints associated with the site. Planning conditions are recommended to ensure that archaeological constraints are addressed and suitable mitigation is put in place at the appropriate stage during construction.

I recommend that this application is APPROVED subject to the following conditions and a SECTION 106 AGREEMENT/UNDERTAKING to secure contributions towards open space, highways improvements and healthcare provision:

### **CONDITIONS**

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990).
2. All street works shall be constructed in accordance with the Leicester Street Design Guide. (To achieve a satisfactory form of development, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3).
3. No part of the development shall be occupied until secure and covered cycle parking and pool of loan bikes have been provided, in accordance with written details previously approved by the local planning authority. These facilities 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).
4. The car parking area shall be provided in accordance with guidance in the Leicester Street Design Guide before the occupation of any part of the

development and shall be retained and kept available for that use. (To ensure that parking/servicing can take place in a satisfactory manner; and in accordance with policies AM01 and AM12 of the City of Leicester Local Plan and Core Strategy policy CS03).

5. Prior to the commencement of development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved in writing by the local planning authority. No flat shall be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (1) full design details, (2) a timetable for its implementation, and (3) 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).
6. Prior to the commencement of development details of drainage, shall be submitted to and approved in writing by the local planning authority. No flat shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
7. Prior to the commencement of development, a Construction Method Statement, with consideration being given to the water environment and flood risk management, shall be submitted to and approved in writing by the local planning authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Statement shall provide for: (1) the vehicle and pedestrian temporary access arrangements including the parking of vehicles of site operatives and visitors; (2) the loading and unloading of plant and materials; (3) a dust management plan; (4) the storage of plant and materials used in the development; (5) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (6) wheel washing facilities; (7) measures to control the emission of dust and dirt during construction; (8) a scheme for storage and management of waste resulting from excavation works (9) the proposed phasing of development and a detailed description of the works in each phase (10) the temporary access arrangement to the construction site; (11) procedures to ensure flood risk is managed on site during the period of works for personnel, plant and members of the public (12) the procedures to ensure flood risk is not increased anywhere outside of the site for the duration of the works; (13) 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; (14) 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, PS11 & UD06 of the City of Leicester Local Plan and Core Strategy policy CS02 & CS03). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

8. Prior to the occupation of development, an Emergency Flood Plan shall be submitted to and approved in writing by the local planning authority. The Emergency Flood Plan details shall include: (1) details of the flood risk posed to the site and the reasoning for an Emergency Flood Plan; (2) safe access and egress routes from the property and site and the return period to which this will remain 'safe' - describing the safety of the access and egress route using the Hierarchy [13.3] and the UK flood hazard rating [13.7], in accordance with the appropriate approach [13.4] as outlined in Environment Agency's Flood Risk Assessment Guidance for New Development (FD2320) [Section 13; Requirements for Safe Access and Exits]; (3) define the areas of safe refuge for residents and/or users of the development to use if safe access and egress is not possible; (4) location of utility meters and stop taps and procedure for turning off [electricity, gas and water]; (5) consider whether it would be safest for vehicles on site to be moved to areas at lower risk of flooding, and reflect this in the plan as appropriate; (6) include provision for the signing up to the Environment Agency's free Flood Warning service and the Met Office severe weather warnings email alert service – where available for the site; (7) the evacuation procedure, including activation and call off; (8) assembly points (if applicable) – position of assembly points on layout plan, colour and image of sign; (9) the procedure for starting and stopping the emergency flood plan; (10) outline how the site will be reoccupied and made safe after a flood event; (11) responsible person/organisation for implementing flood plan (Risk Owner); (12) how the emergency flood plan will be stored, how it can be accessed by residents, employees or suitable 3rd party's (Local Authorities, Emergency Services etc.) and how it can be obtained (downloaded or physical copy); (13) testing of the Emergency Flood Plan – overview of testing procedure, frequency and training required; (14) procedure for updating emergency flood plan – review period, amendment and version control; (15) emergency contact details – emergency services (999), utility providers (gas, electricity and water) etc. The development shall be managed in accordance with these details thereafter. (To minimise the risk of damage and to ensure the safety of occupants in times of flooding, and in accordance with policies PS10 of the City of Leicester Local Plan and policy CS02 of the Core Strategy).
9. The development shall be carried out in full accordance with the submitted Flood Risk Assessment (document ref 21-340-60, Revision No 05, Received on 17/08/23) and the submitted Landscape Strategy Plan (drawing no.19-05-PL-201 Rev G, created by the Richards partnership, received 11/09/2023) and the mitigation measures they detail, including finished floor levels shall be set no lower than 56.200metres Above Ordnance Datum (AOD). These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development. (To minimise the risk of damage in times of flooding, and in accordance with policy CS02 of the Core Strategy).

10. Prior to the commencement of development, a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, shall be submitted to and approved in writing by the local planning authority. This strategy will include the following components: (1) a site investigation scheme, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site; (2) the results of the site investigation and the detailed risk assessment referred to in (1) and, based on this, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and (3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme shall be implemented as approved. (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 developments 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 and paragraph 174 of the NPPF). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
11. Prior to occupation of any part of the development, a verification report demonstrating the completion of works set out in the remediation strategy approved under condition 10 (and the effectiveness of the remediation) shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. (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 developments 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 and paragraph 174 of the NPPF).
12. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. If Piling or any other foundation designs using penetrative methods is proposed to be used, a piling risk assessment shall be submitted and approved in writing by the local planning authority prior to the commencement of any development (other than demolition). The development shall be carried out in accordance with the approved details. (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 developments 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 and paragraph 174 of the NPPF).

13. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. (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 developments 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 and paragraph 170 of the NPPF).
14. Prior to commencement of above ground development, full design details of on-site installations to provide energy efficiency measures, including solar PV arrays, shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until evidence demonstrating the satisfactory operation of the approved scheme including on-site installation has been submitted to and approved in writing by the local planning authority. (In the interests of securing energy efficiency and in accordance with Core Strategy policy CS02).
15. Before the development is begun on any relevant phase, all existing trees, shrubs or hedges to be retained on the site shall be protected by fences erected not within the root protection area in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. 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 saved policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
16. Prior to the commencement of development, a detailed landscape and ecological management plan (LEMP) showing the treatment and maintenance of all parts of the site which will remain unbuilt upon shall be submitted to and approved in writing with the local planning authority. This scheme shall include details of: (1) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (2) new tree and shrub planting, including plant type, size, quantities and locations; (3) means of planting, staking, and tying of trees, including tree guards; (4) other surface treatments; (5) fencing and boundary treatments, including details of the entrance gates; (6) any changes in levels; (7) the position and depth of service and/or drainage runs (which may affect tree roots); (8) a detailed plan of the biodiversity enhancements on the site such

as meadow creation and hedgerow improvements including a management scheme to protect habitat during site preparation and post-construction; (9) details of planting design and maintenance; (10) details of the make and type of 4 x bat integrated bat bricks and 4 x swift nest bricks under the guidance and supervision of a qualified ecologist. The approved LEMP shall contain details on the after-care and maintenance of all soft landscaped areas and be carried out within one year of completion of 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 saved policy UD06 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS17). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

17. Should the development not commence within 24 months of the date of the last protected species survey (June 2023) then a further protected species survey shall be carried out of all by a suitably qualified ecologist. The survey results and any revised mitigation shall be submitted to and approved in writing with the local planning authority and any identified mitigation measures carried out in accordance with the approved plan. Thereafter the survey should be repeated annually and any mitigation measures reviewed by the LPA until the development commences. (To comply with the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000), the Habitat & Species Regulations 2017 and CS 17 of the Core Strategy).
18. Notwithstanding the approved plans, prior to the commencement of any above ground works, a materials schedule for the development shall be submitted to and approved in writing by the local planning authority in general accordance with the submitted Design Principles document (received 01/09/2023). All materials for use on the buildings and surface treatments shall be provided, including the product and manufacturer specification. (In the interests of visual amenity and character and appearance of the area and in accordance policy CS03 of the Core Strategy and saved policy UD06 of the City of Leicester Local Plan).
19. Prior to the commencement of the development above ground level, samples of the materials to be used on all external elevations and roofs, and the construction on site for inspection of sample panels (size, number and detail to be agreed) showing (but not necessarily limited to) brick, bonding & mortar, window frames, reveals, ventilation panels/louvres and cladding shall be provided and approved in writing by the local planning authority. No works shall be carried out other than in accordance with approved details. (In the interests of visual amenity and character and appearance of the area and in accordance policy CS03 of the Core Strategy and saved policy UD06 of the City of Leicester Local Plan).
20. No groundworks or development shall take place or commence until a programme of archaeological investigation has been agreed in accordance with

a prepared Written Scheme of Investigation submitted to and approved in writing by the planning authority. The scheme shall include: (1) an assessment of significance and how this applies to the regional research framework; (2) the programme and methodology of site investigation and recording; (3) the programme for post-investigation assessment; (4) provision to be made for analysis of the site investigation and recording; (5) provision to be made for publication and dissemination of the analysis and records of the site investigation; (6) provision to be made for archive deposition of the analysis and records of the site investigation; and (7) nomination of a competent person or persons or organization to undertake the works set out within the Written Scheme of Investigation (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

21. No demolition or development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 20 above. (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18).
22. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 20 above, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced; and in accordance with Core Strategy policy CS18).
23. The development shall be carried out in full accordance with the submitted Façade Assessment (document ref 1804 – Little Holme Street, Leicester – Façade Assessment, received on 07/07/23) and the mitigation measures that are detailed, including the façade treatment adjacent to the 2 Funky Music venue. These mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development. (To minimise noise impacts for future residents, and in accordance with the Leicester Local Plan saved policy PS10 and NPPF paragraph 187).
24. The flats shall only be occupied by students enrolled on full-time courses at further and higher education establishments or students working at a medical or educational institution, as part of their medical or education course. The owner, landlord or authority in control of the development shall keep an up to date register of the name of each person in occupation of the development together with course(s) attended, and shall make the register available for inspection by the local planning authority on demand at all reasonable times. (To enable the local planning authority to consider the need for affordable

housing and education provision and to assess floor space standards and the suitability of the accommodation for general residential purposes in accordance with policies CS06, CS07 & CS19 of the Core Strategy and policies PS10 & H07 of the City of Leicester Local Plan).

25. The details of the accommodation approved by this decision are 231 student flats providing 466 bedspaces (201 studios, 2 x 6 bed cluster, 10 x 7 bed cluster, 1 x 8 bed cluster, 12 x 10 bed cluster, 5 x 11 bed cluster). (For the avoidance of doubt).
26. The development shall not be occupied until a waste management plan (in accordance with the submitted waste management plan, reference W0382-0250, issued 29/08/2023) has been submitted to and approved in writing by the local planning authority. The Plan shall include details of:
- (a) location and surfacing of refuse collection point(s) and refuse store(s);
  - (b) signage directing residents/users/occupants to the refuse collection point(s)/refuse store(s) and advising them of contact details for the management company, such signage to be retained throughout the lifetime of the development and updated within seven days when such contact details change;
  - (c) provision for persons with mobility and other limitations to use the refuse collection point(s) and refuse store(s);
  - (d) arrangements for cleaning and maintenance of the refuse collection point(s) and refuse store(s);
  - (e) contact details for any management company responsible for the site; and
  - (f) provision for any change to the management company, or change to contact details for that company, to be advised to the local planning authority within seven days of the change of responsibility or details taking effect.

The development shall not be occupied or used other than in accordance with the approved plan. (To ensure adequate facilities for the storage and collection of refuse and to protect the amenity of the area in accordance with saved policy H07 of the City of Leicester local plan and Core Strategy policy CS03).

27. The development hereby permitted shall at all times be managed and operated in full accordance with a Management Plan, the details of which shall be submitted to and approved in writing by the local planning authority before the first occupation of the development. The management plan shall set out procedures for: (i) how the arrival and departure of students at the start and end of tenancies will be managed; (ii) how servicing and deliveries will be managed; (iii) the security of the development and its occupiers; (iv) maintaining the external areas of the site; (v) restriction of car ownership / use of the car parking area; (vi) cycle parking and cycle storage including provision for use of the cycle parking by employees; and (vii) dealing with any issues or complaints arising from the occupiers of nearby properties, including details of how management contact details will be made available to neighbours. (To ensure the development is properly managed so as to minimise its effect on the surrounding area and in the interests of the safety and security of its occupiers

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

28. Each student on first occupation shall be provided with a 'Residents Travel Pack' details of which shall have previously been submitted to and approved in writing by the local planning authority. The contents of the Travel Pack shall consist of paper and/or electronic information promoting the use of sustainable personal journey planners, walking and cycle maps, bus maps, the latest bus timetables applicable to the proposed development, details of local car clubs and ride-share facilities, and public travel and cycle discount information. (In the interest of promoting sustainable development, and in accordance with saved policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy).
29. Development shall be carried out in full accordance with the following approved plans:
- W0382-0111 Proposed Site Plan (received by the City Council 07/07/2023)
  - W0382-0220 Ground Floor Layout (received by the City Council 07/07/2023)
  - W0382-0221 First Floor Layout (received by the City Council 07/07/2023)
  - W0382-0222 Second Floor Layout (received by the City Council 07/07/2023)
  - W0382-0223 Third Floor Layout (received by the City Council 07/07/2023)
  - W0382-0224 Fourth Floor Layout (received by the City Council 07/07/2023)
  - W0382-0225 Fifth Floor Layout (received by the City Council 07/07/2023)
  - W0382-0226 Sixth Floor Layout (received by the City Council 07/07/2023)
  - W0382-0227 Roof Layout (received by the City Council 07/07/2023)
  - W0382-0320 Contextual Elevations (received by the City Council 07/07/2023)
  - W0382-0321 City Wide Elevations (received by the City Council 07/07/2023)
  - W0382-0327 Bay Elevation 01 (received by the City Council 07/07/2023)
  - W0382-0328 Bay Elevation 02 (received by the City Council 07/07/2023)
  - W0382-0329 Bay Elevation 03 (received by the City Council 07/07/2023)
  - W0382-0330 Bay Elevation 04 (received by the City Council 07/07/2023)
  - W0382-0331 Bay Elevation 05 (received by the City Council 07/07/2023)
  - W0382-0322/A Streetscene Elevations 01 (revision A, received by the City Council 16/08/2023)
  - W0382-0323/A Streetscene Elevations 02 (revision A, received by the City Council 16/08/2023)
  - W0382-0324/A Streetscene Elevations 03 (revision A, received by the City Council 16/08/2023)

- W0382-0325/A Sectional Elevations 01 (revision A, received by the City Council 16/08/2023)
- W0382-0326/A Sectional Elevations 02 (revision A, received by the City Council 16/08/2023)
- W0382-0332/A Plant (Western) Building Elevations (revision A, received by the City Council 16/08/2023)
- W0382-0333/A Bay Elevation - Upper Link (revision A, received by the City Council 16/08/2023)
- W0382-0334/A Bay Elevation - Lower Link (revision A, received by the City Council 16/08/2023)
- W0382-0335/A Bay Elevation - Principle Facade Lower (revision A, received by the City Council 16/08/2023)
- W0382-0336/A Bay Elevation - Principle Facade Upper (revision A, received by the City Council 16/08/2023)
- W0382-0337/A Bay Elevation - Lower Typical Façade (revision A, received by the City Council 16/08/2023)
- W0382-0338/A Bay Elevation - Upper Typical Façade (revision A, received by the City Council 16/08/2023)
- 19-05-PL-201/G Landscape Strategy Plan (revision G, received by the City Council 12/09/2023)

(For the avoidance of doubt).

### **Notes to Applicant**

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process and 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 2023 is considered to be a positive outcome of these discussions.
2. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at: <https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/> As this is a new document it will be kept under review. We therefore invite comments from users to assist us in the ongoing development of the guide.
3. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway. For new road construction or alterations to existing highway the

developer must enter into an Agreement with the Highway Authority. For more information please contact [highwaysdc@leicester.gov.uk](mailto:highwaysdc@leicester.gov.uk).

4. An accessible car parking pay is proposed to the north of the site (outside of the red line boundary) on an area of existing parking. The costs for the alterations of the existing Traffic Regulation Orders (TROs) in this area should be funded by the Applicant. The average cost of a TRO scheme is currently in the region of £6,000, but this cost may rise depending on the complexity. The Applicant is advised to contact [trafficmanagement@leicester.gov.uk](mailto:trafficmanagement@leicester.gov.uk) to discuss the requirements to enable the TRO to be processed.
5. A surface water pumping system has been proposed within this development. However, pumping systems require ongoing maintenance and in the event of a malfunction could increase flood risk. It is recommended that Severn Trent Water are consulted to determine whether a gravity connection into the public sewer can be made to manage surface water runoff, providing an alternative to a pumping system.
6. The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:
  - excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution;
  - treated materials can be transferred between sites as part of a hub and cluster project; and
  - some naturally occurring clean material can be transferred directly between sites.
7. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
8. The Environment Agency recommends that developers should refer to their:
  - Position statement on the Definition of Waste: Development Industry Code of Practice and;
  - website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for further guidance.
  - Duty of Care Regulations 1991
  - Hazardous Waste (England and Wales) Regulations 2005
  - Environmental Permitting (England and Wales) Regulations 2010
  - The Waste (England and Wales) Regulations 2011
9. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the

permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500 kg or greater in any 12-month period, the developer will need to register with the Environment Agency as a hazardous waste producer. Refer to our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

10. Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If the applicant proposes to divert the sewer, the applicant will be required to make a formal application to the Company under Section 185 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting our Developer Services Team (Tel: 0800 707 6600). Please be advised that it is an offence under S174(1) of the Water Industry Act 1991 to intentionally or recklessly interfere with any structure, installation or apparatus belonging to a water undertaker without consent.
11. Based on the approved plans, waste collection for the development will need to be undertaken by a private waste management company given the proposed bin storage is not suitable for the once-a-week collection service offered by Leicester City Council.
12. No infiltration of surface water drainage into the ground via SUDS or soakaway on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

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

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|-----------|---|
| 2006_AM01 | Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.     |
| 2006_AM02 | Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations. |
| 2006_AM12 | Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.   |
| 2006_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_H07	Criteria for the development of new flats and the conversion of existing buildings to self-contained flats.
2006_PS09	Development, regeneration and refurbishment will be encouraged within Potential Development Areas requiring a high standard of design and sustainable development.
2006_PS09a	Table 1 indicates Priority and Subordinate land uses for PDAs identified inside the Strategic Regeneration Area.
2006_PS10	Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
2006_PS12	Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.
2006_UD06	New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
2014_CS01	The overall objective of the Core Strategy is to ensure that Leicester develops as a sustainable city, with an improved quality of life for all its citizens. The policy includes guidelines for the location of housing and other development.
2014_CS02	Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
2014_CS03	The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
2014_CS04	The Strategic Regeneration Area will be the focus of major housing development and physical change to provide the impetus for economic, environmental and social investment and provide benefits for existing communities. New development must be comprehensive and co-ordinated. The policy gives detailed requirements for various parts of the Area.
2014_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_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_CS10	The Council will seek to ensure that Leicester has a thriving and diverse business community that attracts jobs and investment to the City. The policy sets out proposals to achieve this objective.
2014_CS11	The Council supports a hierarchy of retail centres in Leicester. The policy sets out measures to protect and enhance retail centres as the most sustainable location for retail development.
2014_CS12	In recognition of the City Centre's role in the City's economy and wider regeneration, the policy sets out strategies and measures to promote its growth as a sub-regional shopping, leisure, historic and cultural destination, and the most accessible and sustainable location for main town centre uses.
2014_CS13	The Council will seek to maintain and enhance the quality of the green network so that residents and visitors have easy access to good quality green space, sport and recreation provision that meets the needs of local people.
2014_CS14	The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.

- 2014\_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.
- 2014\_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.