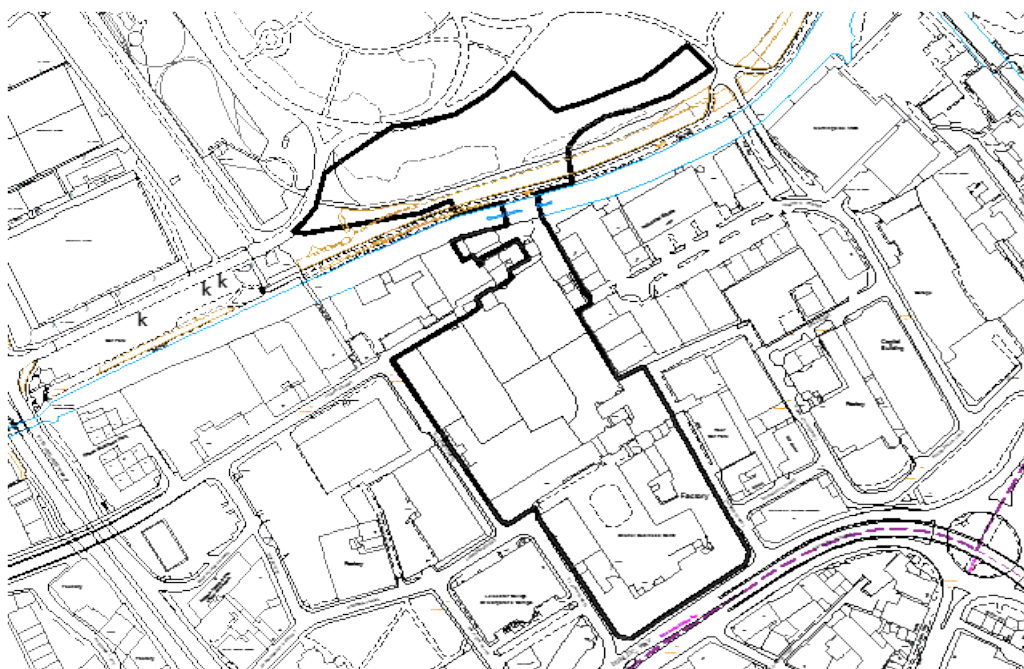


COMMITTEE REPORT

20220709		
Burleys Way, Corah Factory Site		
Proposal:	Hybrid planning application comprising: FULL Planning Permission for the demolition of all buildings on site (excluding 2 chimneys and façade of the 1865 OTB building); alterations to the southern façade of the 1865 building (OTB); erection of 6 storey building at rear of retained facade to provide 45 flats (20 x 1 bed and 25 x 2 bed) (Class C3) with a mix of commercial, amenity and service areas on the lower levels; single storey side extension to retained façade and building; and up to 366sqm of commercial uses (Class E and F2) and OUTLINE permission for the construction of buildings up to 18 storeys to provide up to 1,100 dwellings (Classes C2 and C3), commercial uses (Classes E, F2 and Sui generis (public houses, wine bars, drinking establishments and hot food takeaways)), hotel (Use Class C1), multi-storey car park, pedestrian footbridge across Grand Union Canal with associated landscaping, public realm and associated infrastructure (with all matters reserved). (amended plans) (subject to a Section 106)	
Applicant:	CityRegen Leicester Ltd and Galliford Try Investment	
App type:	Operational development - full application	
Status:	Largescale Major Development	
Expiry Date:	22 August 2025	
PK	TEAM: PM	WARD: Abbey



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Summary

- The application is a significant regeneration and substantial and redevelopment proposal in the City.
- This application is brought to committee as 72 letters of objection have been received from more than 6 different city addresses to the originally submitted scheme and a further 32 letters of objections have been received on the amended proposals.
- Letters of objection have also been received from the following external consultees: Leicester Civic Society, Council for British Archaeology, Twentieth Century Society and Historic Buildings & Places.
- The objections relate to issues of impact on heritage, loss of historic industrial buildings, lack of affordable housing, public realm, quality of proposed development, sustainability concerns from extent of demolition, lack of re-use of buildings.
- 31 letters of support have been received on the grounds that the site and area more generally needs to be regenerated, need for housing, provision of a new pedestrian / cycling link to Abbey Park, and improved connectivity to City Centre.
- The main issues relate to heritage, design, townscape, connectivity, ecology and public realm.
- The application is recommended for conditional approval subject to concluding detail to be secured by a Section 106 Agreement.

The Site

This application relates to the former Corah Factory site. It is roughly rectangular in shape and is bound by Burleys Way, Thames Street, St John Street, Watling Street and extends up to the Grand Union Canal. The red line of the application includes a section of Abbey Park which is located to the north of the site beyond the canal. The majority of the site, to the south of the Grand Union Canal is owned by the applicant, the Grand Union Canal is owned by the Canals and River Trust and Abbey Park is owned by the City Council. The site is wholly located within the Council's Abbey Ward.

The site is located immediately adjacent to the City Centre. It is surrounded by commercial uses and is located in the Strategic Regeneration Area (SRA) as identified in Appendix 3 of the Core Strategy.

The site is covered by an Article 4 Direction (added in 2016) which removes permitted development rights for the demolition of all buildings on site. The Old Textile Building (located in the centre of the site) and the Shipping and Printing Department building (located adjacent to Thames Street) are recorded Local Heritage Assets. The southern part of the site lies within an Archaeological Alert Area. Abbey Park to the north is a Grade II* listed Park & Garden. There are a number of other locally and nationally listed buildings in the wider St Margaret's character area, with the most significant being the Grade I Listed St Margaret's Church, which fronts onto St Margaret's Way to the west of the site.

The site is within an Air Quality Management Area, in a 250m buffer of a known air contaminants, and the canal area is within a Biodiversity Enhancement Site. The area around the canal is within Flood Zones 3 with a larger proportion of the site being in

Flood Zone 2. The northern part of the site is also within an area prone to Surface Water Flood 1 in 1000 and a Critical Drainage Area.

Background

The Corah site has been the subject of a number of previous planning applications for various commercial uses and advertising signage. None of these are relevant to the current application.

In 2006 an Environmental Impact Assessment Screening Opinion (20062149) was submitted to seek a formal Screening Opinion for a previous mixed use development proposal. That application was determined as not requiring an Environmental Impact Assessment.

In 2010 an application (20081362) was approved for a mixed use development comprising retail (class A1) leisure (class D2), residential (class C3), offices (class B1), financial and professional services (class A2), food and drink (classes A3, A4, A5) ; community / education uses (class D1); ancillary car parking, servicing, landscaping, public spaces; remodelled Friday Street / St Margaret's Way junction; new walkway linking Burleys Way to St Margaret's Pastures; works to canal bridge; new crossing facilities at Burleys Way / Abbey Street (amended plans) (subject to section 106 agreement & 278 agreement). This application included demolition of all the buildings on site. This permission has not been implemented and has lapsed.

In 2021, as a precursor to the current planning application, a Screening Opinion was submitted (20212603) to seek a formal Environmental Impact Assessment Screening Opinion for the redevelopment of former Corah factory site comprising of the demolition of all buildings; the retention of the Old Textile Building facade; construction of buildings to provide up to 1,193 dwellings (Classes C2 and C3); ground floor mixed uses (Class E and Sui Generis – public houses, wine bars, drinking establishments and hot food takeaways); a footbridge across Grand Union Canal to Abbey Park; public realm including a linear park; associated landscaping, infrastructure, access works and parking. The application was determined as not requiring an Environmental Impact Assessment.

In 2023 a further Environmental Impact Assessment Screening Opinion was submitted (20231896) to seek a formal Screening Opinion for the construction of a new residential-led scheme at the Former Corah Factory site at Burley's Way, Leicester. The application was determined as not requiring an Environmental Impact Assessment. This was submitted following the amendments made during assessing this current planning application, and as such this is more relevant to this application as it stands.

The Abbey Park part of the site has no relevant planning history, apart from its inclusion in the more recent Screening Opinions with regard to a potential new pedestrian / cyclist bridge link from the Corah site.

The Proposal

This is a hybrid planning application comprising of combined Full and Outline elements:

- **Full planning permission** for demolitions, façade retention and alterations of the Old Textile Building, and a new-build 45 dwelling residential and commercial development.
- **Outline planning permission** with all matters reserved for the construction of new buildings to accommodate 1,100 dwellings, commercial uses, a hotel, a multi storey car park to serve the development, a new pedestrian / cyclist bridge to link with Abbey Park, and associated landscaping, public realm, and associated infrastructure.

The proposals for both the Full and Outline elements are summarised below:

Full planning permission: Demolition of all buildings on site other than the 2 factory chimneys and the façade of The Old Textile Building. Alterations to the retained The Old Textile Building façade; construction of a six-storey building at the rear of the retained façade comprising of 45x flats (20x 1 bed and 25x 2 bed) and mixed commercial and service uses on the ground and basement floor and a single storey side extension to the retained façade.

For the avoidance of doubt, full plans and details have been submitted for this Full part of the application.

The demolition works would include the full clearance of the site to ground level, except for the 2 factory chimneys at the rear of the site and the façade of the Old Textile Building (OTB) located centrally within the site.

Behind the retained OTB façade the applicant proposes to construct a six-storey building and an associated single storey fence enclosure which would accommodate non-residential / commercial uses and ancillary facilities at basement and ground floor level with residential flats on the upper floors.

The proposed building would have a maximum height of approximately 21 metres. The overall development depth would be 18.3 metres and the width would be approximately 45 metres.

On the north elevation, the ground floor would be recessed by approximately 2 metres beneath the upper floors with the central archway re-instated to provide a pedestrian and cycling through-route. The top storey would also be recessed by 1.7 metres to either side providing occupiers of the flats at that level with outdoor balconies. The ground floor is intended to provide some commercial uses and indoor amenity space for occupiers of the floors above. To the side of the OTB façade the fence enclosure is proposed to accommodate plant, cycle parking and bin storage for occupiers. No vehicle parking is proposed within this plot.

A small section of the existing basement level to the front of the building is to be partially used to provide commercial space to one side and shared indoor amenity space and a plant room for the residential accommodation. This would be accessed from inside the building. The remainder of the basement would be filled in.

The residential accommodation would comprise of 45 residential apartments. It is proposed to construct 19x 1 bed units of which 10 would be duplexes and 26x 2 bed

units. All of the units would have outlook north or south. The floor plans include indicative layouts of the units. 24 units out of the 45 would not comply with the Nationally Described Space Standards. This is due to the heritage design constraints and ensuring the windows in the retained facade would have principal room windows behind them to avoid blank openings.

The duplex units are proposed to make best use of the OTB frontage and avoid any blank walls behind the existing window openings. The ground floor level has been split where the commercial space is proposed, also to allow the upper floors to make best use of the existing window openings.

Centrally at ground floor level it is proposed to open the original archway to create a pedestrian and cyclist route through which would link the proposed 'Corah Green' public realm with 'Corah Park'. Within the archway there would also be an entrance into both the commercial space and a foyer for the flats.

With respect of the elevational treatment, the retained front elevation would be cleaned and repaired to essentially re-create the OTB as close to its original appearance as possible. Insulation would be installed behind the OTB façade and double-glazed windows are proposed to the openings to ensure the building would comply with Building Regulations Standards. The sides would comprise of brick-built gables to reflect the original design of the OTB. The corner stone returns will be reinstated, and the applicant proposes to use reclaimed bricks for both sides of the new build element.

The north elevation is proposed to be of a light-weight modern design. At ground floor it is proposed to install all glazing which would be recessed to provide an active frontage for a future commercial use. Above this would be two metal shingle projecting elevations with a central recessed glazed plinth above the archway which would provide glazed balconies for the residential flats above.

With regard to landscaping, the plot area for this full element is limited in size and thus there will not be a large area of external landscaping included within this part of the application. To the north-east, between the OTB and plot OP3 (Multi-Storey Car Park) there are two small areas shown for soft landscaping; however, the details for these spaces are not yet submitted.

Outline planning permission: With all matters reserved for the construction of buildings ranging between 4 and 18 storeys in height to provide up to 1,100 dwellings (Classes C2 and C3), commercial uses (Classes E, F2 and Sui Generis (public houses, wine bars, drinking establishments and hot food takeaways)), hotel (Class C1), multi-storey car park to serve the development, pedestrian footbridge across Grand Union Canal with associated landscaping, public realm and associated infrastructure.

This part of the application establishes the principle of development as described above. Detailed designs will follow at the Reserved Matters stages and these will need to comply with these elements of the current application:

- site wide Design Code,
- more detailed Design Codes for plots OP1, OP2, OP3
- the Public Realm Design Code, and

- Parameter Plans which outline the minimum and maximum building lines, heights public realm areas etc.

These documents describe the parameters that the Outline elements of the proposal must or should adhere to when designed for subsequent Reserved Matters Applications. A must is a design principle that is mandatory and will be required to be complied with when Reserved Matters are submitted whilst a should is a design principle that is preferred or suggested. Each plot's Design Code has a check list which outlines specific design principles. The proposal also includes the maximum quantum of floorspace and maximum heights.

Where detailed Plot design codes are not submitted at this stage, they will be required by condition before submission of future reserved matters applications for those plots.

Uses and Floorspace (Outline Element)

The table below identifies the maximum floorspace figures sought for each use:

Land Use	Use Class	Maximum GEA sqm
Living accommodation comprising of:	C2/C3	121,403sqm
	C1 (Hotel)	17,299sqm
Commercial Uses	E(a, b, c, d, g, i) C1, F2 and Sui Generis (Public Houses, Wine Bars, drinking establishments and hot food take-aways)	2,000sqm
Car Park	Sui Generis	9,252sqm

For the avoidance of doubt, the proposed Use Class C1 use for hotel (if implemented) would replace the corresponding amount of residential accommodation in Plot 1. Similarly, the commercial uses proposed are an estimate and would replace potential residential floorspaces across the various blocks if the commercial option was developed.

The Outline part of the application has been divided up into five plots and within each plot, the applicant has identified the maximum height and ground area to be built upon. This summarised in the table below:

Plot	Block	Plot Size	Storeys	Maximum GEA
OP 1.1 & OP 1.2	A	1,922 sqm	7-18	17,299sqm
OP 2	B	6,081sqm	5-9	42,320sqm
OP 3	Multi-Storey Car Park	1,320sqm	7	9,252sqm
OP 4	E	5,868sqm	7	32,871sqm
OP 5	F+G	5,617sqm	7-8	28,913sqm

Plot Development Proposals (Outline Element)

A plan of the plots is included below for reference:



Plots OP 1.1 and OP 1.2 are located to the south-west of the site. Plot OP 1.1 would be located on the corner of Burleys Way and St John Street and Plot OP 1.2 would be

located along St John Street up to the junction with Canning Street. It is proposed that these plots would provide commercial uses at ground and/or lower levels with residential above. The residential accommodation would fall within either Use Class C1 Hotel, C2 Residential Institutions or C3 Dwellinghouses.

Plot OP 1.1 is where the applicant proposes a 'tall' building for some of the plot up to 18 storeys in height. This plot would not provide any car parking on site and details of cycle parking would come forward with any Reserved Matters application. A Design Code has been submitted for this plot.

Plot OP 2 would front Burleys Way and Thames Street. It is proposed that this is a residential building with commercial uses on the ground floor facing the public realm. Building(s) on site are proposed between 5 to 9 storeys. It is proposed to provide 98 car parking spaces within this plot, and details of both the vehicle and cycle parking would need to be secured as part of a Reserved Matters application. A Design Code has been submitted for this plot.

Plot OP 3 is proposed as a multi-storey car park with 239 spaces to serve the site only. It is not proposed to be used as a public car park. The car park is proposed to be 7 storeys in height. Details of cycle parking within this plot will come forward as part of a Reserved Matters application. This plot is supported by a Design Code.

Plot OP 4 would be located behind the OTB and would sit along Watling Street. It is proposed that this block would be residential with some commercial uses at ground/lower levels. No on-site vehicle parking is proposed for this plot at this stage. However details for both vehicle and cycle parking can be secured as part of reviewing a future Design Code for this Plot as this plot has not been submitted with a Design Code.

Plot OP 5 would be located to the north of the site wrapping around Watling Street and Friday Street. This would also be largely residential with some commercial uses if there is a demand. It is proposed that this plot provides 100 car parking spaces, however this can only be secured with a Design Code for this plot as this plot has not been submitted with a Design Code. Further details would be secured by condition as with Plot OP4.

Public Realm (Outline Element)

A Design Code has been submitted for the public realm serving the whole development, which would be in five separate locations. These spaces have been divided into character areas, as follows:

- Harcourt Place / Corah Way: Harcourt Place and Corah Way are located to the south and south west linking Burleys Way and St John Street up to Corah Green. This area is referred to as a 'gateway' into the site.
- Corah Green: Corah Green is the main open space, located to the front of the OTB. It is intended that this would be a multi functional open space which would be tree-lined. This would wrap around the OTB and include the rear of the same building.
- Corah Park: Corah Park, located to the eastern side of the site, north of the OTB and Plot OP3 would be a linear park with soft landscaping which would provide some ecological value. The park would be located adjacent to a main footway

and cycleway leading towards the proposed bridge linking to Abbey Park and it is also proposed to provide some form of play equipment.

- Wool Street: Wool Street is proposed as an east to west route which would sit between plots OP4 and OP 5. This public realm area would be multi-functional providing access to pedestrians, cyclists and vehicles.
- Grand Union Canal Park / Abbey Park Bridge: To the north of the site, and leading to the access to the bridge across to Abbey Park, it is proposed to provide a larger open space called Grand Union Canal Park. This space would provide informal seating which overlooks the canal.

Pedestrian / Cyclist Bridge to Abbey Park

The applicant has submitted indicative details of a bridge connecting Grand Union Park to Abbey Park; however, these are for illustrative purposes only at this stage. The bridge development will require the removal of trees within Abbey Park to provide a landing space for the bridge, along with some removal of grassed areas to insert pathways for ongoing movements. At this stage it is unclear if or to what extent re-grading of land will be required for the bridge as it is not yet fully designed, but the indicative drawings suggest a bridge width of 3 metres. The detailed design and delivery of the bridge and associated works would be controlled by condition and s106 Agreement.

Parameter Plans, Design Codes, and Design & Access Statement

Whilst the Reserved Matters of access, layout, landscaping, scale and appearance would be determined at a later stage, approval is sought for a number of principles established through the Parameter Plans, Design Code documents and Design & Access Statement and these would be approved documents for the later Reserved Matters applications to adhere to:

- Parameter Plans: These define the physical envelopes of the plots in terms of their footprint, mass and height, public realm, landscape, access routes into the site and the uses applied for.
- Design Code: This provides a set of mandatory design requirements that will instruct the future physical development of individual buildings and areas of public realm when determined through Reserved Matters applications.
- Design & Access Statement: A statement in which the applicant/agent outline the development proposals have been reached and how their scheme responds appropriately to the site and its constraints.

Supporting Information

The application is submitted with the following supporting information:

Accurate Visual Representations
Archaeology Written Scheme of Investigation
Acoustic Design Report
Development Specification
Design Code Guide
Design Codes for Plots OP1, OP2 & OP3
Economic & Social Benefits Statement
Environmental Impact Assessment (EIA) Screening Letter
Financial Viability Statement
Heritage Impact Assessment

Independent Testing of Design Codes
Indicative Delivery Programme & Phasing
Outline Demolition Approach
Planning Statement and Addendum
Planning Design & Access Statement
Public Realm Character Areas
Retention Feasibility Analysis
Statement of Community Involvement
Sequential Assessment
Site Wide Principle for Buildings Design Code
Site Wide Principles for Public Realm Design Code
Structural Inspection
University of Leicester Archaeological Service (ULAS) Borehole Survey

OTB Design & Access Statement
OTB Floorspace Schedule
OTB Materials

Air Quality Assessment
Arboricultural Survey
Arboricultural Impact Assessment
Badger Mitigation Strategy
Bat Survey
Bats Phase 2 Surveys
Black Redstart Survey
Biodiversity Net Gains Assessment
Contamination Assessment
Daylight, Sunlight & Overshadowing
Ecological Impact Assessment – Site Wide & Bridge
Flood Risk Assessment
Geo-Environmental Survey
Noise Impact Assessment
Noise Survey & Addendum
Odour Survey
Overshadowing Assessment
Phase 1 Environmental Report
Phase 2 Environmental Investigation Report
Sustainable Energy Statement – Site Wide
Sustainable Drainage Strategy
Transport Assessment & Addendum
Travel Plan
Wind Assessment & Addendum
Wind Microclimate Desk Based Statement

During the course of the application some of the documents above have been amended or new supporting information has been submitted to take account of comments and discussions from Officers. These relate to amendments to the Parameter Plans, amendment to the 'rules' in the Design Codes and updating surveys which are time sensitive such as the Ecology surveys. Amendments to Plot OP1 have also been made to allow a chamfer on the plots northern side allowing greater views towards the OTB. For the avoidance of doubt, re-consultations have been held for all

of the updated information submitted, where necessary with relevant specialists and with all those who have submitted representations on the application.

Policy Considerations

National Planning Policy Framework (NPPF) 2024

Chapter 1 – Introduction

Paragraph 2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

Chapter 2 – Achieving Sustainable Development

Paragraph 7 - The purpose of the planning system is to contribute to the achievement of sustainable development. Including reference to the United Nations 17 Global Goals for Sustainable Development.

Paragraph 11 – Presumption in Favour of Sustainable Development. For decision-taking this means:

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

Chapter 4 – Decision Making

Paragraph 39. Local planning authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 40. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

Paragraph 41. [Local planning authorities] ... should also, where they think this would be beneficial encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.

Paragraph 42. The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits.

Paragraph 44. The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible.

Paragraph 48. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 49. Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

Paragraph 56. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Paragraph 57. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 58. Planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Paragraph 59. Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

Chapter 5 – Delivering a Sufficient Supply of Homes

Paragraph 66. Where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.

Chapter 8 – Promoting Healthy and Safe Communities

Paragraph 96. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.
- c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.

Chapter 9 – Promoting Sustainable Transport

Paragraph 116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual

cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Paragraph 117. Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements.
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive.
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Paragraph 118. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored.

Chapter 11 – Making Effective Use of land

Paragraph 124. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 125. Planning decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Achieving Appropriate Densities

Paragraph 129. Planning policies and decisions should support development that makes efficient use of land, taking into account:

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

Paragraph 130. Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of

land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

Chapter 12 Achieving Well-designed places

Paragraph 131. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 133. To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design.

Paragraph 135. Planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 136. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change.

Paragraph 137. Design quality should be considered throughout the evolution and assessment of individual proposals.

Paragraph 139. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Paragraph 140. Local planning authorities should ensure that relevant planning conditions refer to clear and accurate plans and drawings which provide visual clarity about the design of the development, and are clear about the approved use of materials where appropriate. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Chapter 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change

Paragraph 161. The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Paragraph 163. The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts.

Paragraph 164. New development should be planned for in ways that:

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems; and
- b) help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings in plans should reflect the Government's policy for national technical standards.

Paragraph 166. In determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 167. Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework.

Paragraph 168. When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future

Planning for Flood Risk

Paragraph 181. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

Paragraph 182. Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should:

- a) take account of advice from the Lead Local Flood Authority;
- b) have appropriate proposed minimum operational standards; and
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

Chapter 15 Conserving and Enhancing the Natural Environment

Paragraph 187. Planning decisions should contribute to and enhance the natural and local environment by:

- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Habitats and Biodiversity

Paragraph 193. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other

developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Ground conditions and pollution

Paragraph 196. Planning decisions should ensure that:

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

Paragraph 197. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Paragraph 198. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Paragraph 199. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

Paragraph 200. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Paragraph 201. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

Chapter 16 Conserving and Enhancing the Historic Environment

Proposals affecting heritage assets

Paragraph 207. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 208. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 210. In determining applications, local planning authorities should take account of:

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

Paragraph 212. 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 215. 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 including, where appropriate, securing its optimum viable use.

Paragraph 216. 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.

Paragraph 217. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

Paragraph 218. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

Paragraph 221. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Supplementary Planning Documents / Guidance (SPD/ SPG)

- Affordable Housing SPD – 2011
- Biodiversity in Leicester SPG – 2003
- City Centre Car Parking Strategy SPD - 2011
- Climate Change SPD – 2011
- Employment Land SPD – 2007
- Green Space SPD – 2013
- Residential Amenity Guide – 2008
- Tall Buildings SPD – 2007
- Tree Protection Guidance SPG – 2003

Other legal or policy context

- Conservation of Habitats and Species Regulations 2017 / Protection of Badgers Act 1992,
- Habitat and Species Regs (2017)
- Natural Environment and Rural Communities Act (2006) – Priority Habitat and Species
- Planning (Listed Buildings and Conservation Areas) Act 1990 Section 66 (1) - to have special regard to the desirability of preserving listed building or their setting or any features of special architectural or historic interest which they possess.
- Town and Country Planning (Environmental Impact Assessment) Regulations 2017
- Wildlife and Countryside Act (1981) as amended

Other guidance

- City of Leicester Local Plan Appendix One– Vehicle Parking Standards.
- Economic Development Needs Assessment (EDNA) 2020
- Leicester City Council Waste Management guidance notes for residential properties.
- Leicester Street Design Guide June 2020
- National Design Guide (MHCLG)
- Sustainable Drainage Systems (SuDS) Technical Guide
- Tall Development in Leicester: Draft evidence document (2024)

Consultations

The below table provides a summary of the internal and external consultee responses.

	Consultee	Comments
External Consultees	Historic England	Concerns, request for amendments
	Secretary of State	No comments received
	NHS	No comments received
	Leicester Civic Society	Objections
	Leicestershire Police	No objection subject to further information. Request for S106 contributions
	Canals & River Trust	No objections subject to conditions, informative and request for further information
	Council for British Archaeology	Objections
	Environment Agency	No objection subject to conditions
	20 th Century Society	Objections
	Historic Buildings & Places	Objections
	Planning Gateway HSE	No objection subject to further information being submitted
	Gardens Trust	No objection subject to conditions
	Cadent Gas	No objection subject to informative
	Society for Protection of Protected Buildings	No comments received
	Georgian Society	No comments received
	Victorian Society	Seek Amendments
	Severn Trent Water	No comments received
Internal Consultees	Pollution (Noise)	No objection subject to conditions
	Pollution (Land)	No objection subject to conditions
	Lead Local Flood Authority	No objection subject to conditions
	Bridges	No objection
	Air Quality	No objection subject to conditions
	Waste Management	No objection subject to conditions
	Sustainability	No objection subject to conditions
	Trees	No objection subject to conditions
	Open Space	No objection subject to securing contributions via Section 106

	Housing	No objection subject to conditions and request for affordable housing review mechanism to be included in Section 106
	Education	No comments
	Highways	No objection subject to conditions

For the avoidance of doubt, the following consultation responses are from the original consultation in May 2022 and the full re-consultation in November 2023. Some individual consultations have taken place outside of these dates too where input from specialists has been required. All of the responses have been combined to avoid duplication of comments.

External consultees:

Historic England (HE) - Concerns, request for amendments.

The site adds to the appreciation and understanding of Leicester's hosiery industry and is very important locally both for its architectural and historic interest. The proposals seek permission to demolish the majority of the buildings on the site and create a residential led mixed-use scheme under a hybrid application.

Summary of HE Position

HE continue to advise that the proposals would cause harm to the significance of the Grade II* Abbey Park registered park and garden, and the significance that the Grade I Listed St Margaret's Church and Abbey Park derive from their setting. The proposals could also impact on nationally significant undesignated archaeology and the resultant loss of the majority of the locally listed buildings would result in the loss of an important heritage site in Leicester.

In terms of the viability of achieving greater retention of the historic factory HE also question the benefits of the permeability of the site and the need for this to make the site successful. HE query the requirements for heights and volumes proposed, as well as the lack of inventive adaptive reuse of the existing building volumes to achieve the development quantity sought. HE have serious concerns regarding the proposed height of the southern tower which would detrimentally compete with the Grade I listed St Margaret's Church tower and spire.

The Local Planning Authority will need to have regard for the findings of the economic assessment of the viability report, and if the findings of the report satisfy the need for convincing justification in terms of the NPPF. The Local Planning Authority will also need to have regard to the design codes proposed, and if they are adequately set out to limit open ended development at the site under the Outline application. An open ended undefined Outline approval has the potential to result in altered and increased impact and harm levels to those identified in the Heritage Impact Assessment (HIA) and this letter.

Historic England has concerns regarding the application on heritage grounds. HE consider that the issues and safeguards need to be addressed in order for the application to meet the requirements of paragraphs 189, 199, 200, 202, 203, 204, and 206 of the NPPF (these paragraph numbers relate to the 2023 NPPF version).

In determining this application the LPA should bear in mind the statutory duty of section 66(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.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

Leicester Civic Society – Objections to the total loss of the buildings on site especially the Horseshoe building. Concerns over the loss of the cultural loss of the buildings and history of the site. Request to speak at Planning Committee.

Leicestershire Police – No objection subject to detailed design comments for safety. Request for S106 contributions.

Canals & River Trust – No objections subject to conditions for further surveys of the canal from development immediately adjacent to it. Details requested of the bridge part of the application. Informative recommended and request for further information as the CRT own the canal and thus separate permission will be required from them for the bridge proposals.

Victorian Society – Seek amendments to increase the number of buildings to be retained on site. The Horseshoe building is in good condition and to many people is 'Corah' the loss of this building will be significant on the City's heritage.

Council for British Archaeology – Objections on the approach of this application and loss of buildings. Recommend an alternative approach for place making that would retain the manufacturing history of Leicester.

Environment Agency – No objections subject to conditions requiring soil, leachability, groundwater, surface water and ground gas sampling /monitoring. The inclusion of SuDS is also recommended to be secured by condition.

Twentieth Century Society – Objection to the demolition of all buildings on site given that the buildings are currently in use. The site presents an opportunity for heritage-led regeneration of the kind encouraged in CS Policy 18: Historic Environment of the Council's Core Strategy. The demolition of these locally listed NDHAs would result in substantial heritage harm and is not acceptable. From an environmental as well as a heritage standpoint, it is essential that buildings like these are reused rather than replaced. Reusing and retrofitting an existing building can result in a 70%-85% reduction in embodied carbon emissions compared to new construction. Currently, building construction and material procurement is responsible for 40% of global greenhouse gas emissions.

Historic Buildings & Places – Objection to the total loss of all buildings. Some of the buildings on site have a group value which contribute to the importance of the Old Textile Building. The surviving buildings of this site are impressive, and they contribute to the understanding of this site and its historic development. Their loss will remove key evidence of Leicester's important textile industry.

Planning Gateway HSE – No objection subject to a fire statement being submitted with Reserved Matters Applications.

Gardens Trust & Leicestershire Gardens Trust (joint response) – No objection subject to condition to ensure ongoing maintenance and management of the wooded area along the canal. The application site is currently in poor condition and overdue for improvement and is substantially hidden from the Grade II* registered park and garden (RPG) of Abbey Park by the naturalized band of trees on the elevated embankment adjacent to the northern boundary of the canal separating the application site from the RPG. Should your Officers approve this application, the RPG will be drawn far more into the urban area of the city, especially with the inclusion of a new bridge, where it was formerly quite separate. This difference in emphasis of the relationship between the park and the application site is not necessarily a bad thing, but it will change the experience of the RPG. The wire frames provided within the HIA indicate that the visibility of the new buildings will not be substantially different to what currently exists, even if Option 1, the High Rise version, is chosen.

Cadent Gas – No objection subject to informative to advise developers where Cadent Gas may have an interest in the land and also contact details for the relevant team.

Internal Consultees

Pollution (Noise) – No objection subject to conditions requiring a further Noise and Odour Impact Assessment to be carried out and the recommendations within those assessments to be installed on site for each relevant phase of development. A condition to control demolition noise and overheating assessment is also recommended.

Pollution (Land) – No objection subject to a condition requiring contamination survey of the site with suitable mitigation if required.

Lead Local Flood Authority – No objection subject to conditions to secure acceptable sustainable drainage and flood risk measures across the site.

Bridges - No objection.

Air Quality - No objection subject to conditions requiring further details on the control of demolition dust. Mitigation measures for the occupation stage of the development to ensure good air quality for future residents are also recommended.

Waste Management - No objection subject to conditions requiring details of waste storage and management for each plot.

Sustainability – With respect of the ‘full’ application, the applicant has submitted an Energy Statement and Retention and Re-Use document demonstrating how the buildings cannot be re-adapted efficiently. As such a condition for the ‘Full’ application is required to ensure the development is carried in accordance with the measures outlined in the relevant Energy Statement. For the ‘Outline’ part of the application it is recommended that each application for Reserved Matters is submitted with an Energy Statement for that plot.

Trees - Within the site there are minimal trees and thus no objections are raised in this respect. However, the development proposals for the bridge are likely to require significant tree removal and land re-grading. A condition for a tree survey, tree protection and replacement when the bridge proposals come forward is recommended.

Open Space - No objection subject to securing contributions via Section 106.

Housing - No objection subject to conditions and request for affordable housing review mechanism to be included in Section 106.

Education – No comments or contribution sought.

Highways - No objection subject to conditions requiring a site wide Travel Plan to which each Plot will need to comply with. Details of cycle parking and highways works will be conditioned to be submitted with each Reserved Matters Application.

Representations

Conservation Advisory Panel Comments: Objections

Comments made on 15th June 2022 initially. The latest comments on the revised scheme were made on 13th December 2023 and are detailed below:

The Panel had fundamental concerns about the proposed development, principally the demolition of the majority of the locally listed buildings on the site, the loss of the majority of the existing Corah Green, the impact of the proposed new tower block on the Grade I Listed St Margaret's Church and the impact of the proposed bridge on the Grade II* Registered Park.

The Panel recognised the important social history of the site to the city of Leicester and noted the group value of the remaining buildings. Members feel this was a once in a generation opportunity to enhance the area and were disappointed that limited amendments had not been made following the initial consultation response to the application. The Panel argued that the important historic significance of the site was not recognised in the submitted material and the significant harm caused by the loss of the majority of buildings on site was underplayed.

Members acknowledged that the indicative tower design had been amended; however they considered that it did not go far enough to alleviate concerns about the impact on the medieval tower of St Margaret's Church, a Grade I Listed Building. In particular they had concerns about views along Sanvey Gate, where the scale of the new residential tower block would compete visually with the heritage asset and would disrupt the relationship between the church and its setting. They also noted concerns about the fact this element of the application was Outline only, stating that the highly graded nature of the church warranted a full application to understand the precise form and appearance it would take.

Although members voiced some discomfort at the idea of facadism in respect the former headquarters building, they acknowledged it has been subject to significant damage and its condition was challenging. They were disappointed to see more emphasis had not been placed on the retained arch as a destination within the site,

feeling it was hidden away behind the somewhat crowded new blocks. They also expressed some concerns about the new internal floor levels cutting across the historic arrangement. Finally, members questioned the location of the new multi-storey car park immediately adjacent to the retained facade, which is arguably the most historically sensitive part of the site.

Members had less concerns about the northern half of the site, feeling it was more capable of change. However, they noted it was impossible to fully appreciate the impact on Abbey Park, a grade II* Registered Park and Garden, due to the outline nature of the application. While they could understand the desire of the applicant for a new footbridge into Abbey Park, they questioned its need given the proximity of the existing bridge nearby. They also raised concerns about how many trees would be lost to achieve this element of the scheme and what the effect of this loss of mature trees and vegetative screening would have on the significance of the park and the resulting impact of the new development on its setting.

Members were in agreement that the application had not meaningfully progressed beyond the initial application and that sufficient justification for the large-scale demolition of the remaining buildings had not been provided. As such the initial heritage concerns remain, and they object to the application.

Letters of Objection

A total of 243 Letters of Objection have been received from more than 6 city addresses on the original and amended proposals. It should be noted that many comments have also been received from outside of the City boundary. The objections raise the following concerns:

- Queried need for this scale of demolition and why buildings could not be repurposed. The current state of the buildings and site is due to deliberate neglect;
- Provide details (including photos and extracts from magazines and books) on the history of the site and its significance in the history of manufacturing in Leicester and nationally. Many objectors have had ties to the manufacturing industry historically with family members being employed at the site;
- Demolition of all buildings seem excessive and unnecessary. The proposals are considered a missed opportunity in terms of being a landmark/flagship for sensitive regeneration;
- Questions raised on the possibility of converting the buildings into flats and family sized units;
- Comparison of this site and other cities where heritage-led regeneration has taken place and resulted in many old factories and manufacturing buildings repurposed;
- Environmental impact from the demolition with respect of carbon emissions, waste, dust etc
- The buildings to be demolished are unique in their appearance, the loss of heritage is a significant loss for the city and its residents;
- Concerns on the height of the buildings proposed;
- No details of the size of the flats/houses to be built, queries on whether any affordable housing will be available for families;
- High density development will mean lack of ownership of residents and thus risk of high levels of anti-social behaviour; and

- The latest objections state that the amended proposals are only marginally different to the originally submitted plans and details.

Letters of Support

A total of 56 Letters of support have been raised on the following grounds:

- Need for the site and area to be regenerated;
- Need for housing needs to be met and good to see this would not be student accommodation;
- Link to Abbey Park would be good considering the smaller bridge from Friday Street is not perceived to be safe;
- Plans show well designed development; and,
- If a cycle route is allowed through the site it would be a good connection to city centre and beyond.

Consideration

This section of my report is divided by each material planning issue with an assessment of the Full and Outline parts of the application under each section. A conclusion to each material planning consideration will be covered at the end of each section. The overall conclusion at the end of the report will provide a planning balance and conclusion of the entire scheme.

Principle of Development

Position around 5-year land supply

Paragraph 11 of the NPPF (2024) states:

Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

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

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (Footnote 8), granting permission unless:

i. **the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (Footnote 7);** or

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

Footnote 7 states:

The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 187) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; **designated heritage assets (and other heritage assets of archaeological interest** referred to in footnote 72); **and areas at risk of flooding** or coastal change.

Footnote 8 states:

This includes, for applications involving the provision of housing, situations where:

- (a) the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 78); or
- (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.

Leicester does not currently have a 5-year housing land supply so the 'tilted balance' needs to apply to the consideration of the application. The draft Local Plan was subject to a Public Examination in November / December 2024 and as part of this the Council has shown that it can provide a 5-year land supply to enable the new Local Plan to be found 'sound'. This position will only be confirmed on the adoption of the Local Plan which is likely to be around autumn 2025. Since the hearing, the Inspectorate has issued a post-hearing letter where "the Plan is capable of demonstrating a 5-year housing land supply" (paragraph 6). The main modifications consultation period has now closed and the representations are being collected to send to the Inspectorate.

The nature of the City's emerging housing land allocations will mean that the Central Development Area (CDA) will be expected to provide a significant part of the emerging City housing supply in this early part of the plan period before the larger new greenfield allocations come forward in the later part of the plan-period. Therefore, in terms of housing land supply, the proposal would contribute significantly within the CDA and should be looked upon as a significantly positive factor in the planning balance.

Principle of mixed-use residential led development within this location

Adopted Core Strategy policy CS01 'Location of Development' states that the majority (at least 54%) of the housing requirement for Leicester will be met within the Strategic Regeneration Area (SRA) which is where this site is located.

Adopted Core Strategy policy CS04 – 'Strategic Regeneration Area' states 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 existing communities. New development within the SRA must be comprehensive and co-ordinated, complementing and building on delivery programmes and Supplementary Planning Documents.

Core Strategy policy CS12 - 'City Centre' further highlights the importance of the 'edge of City Centre' playing an important role in developing a strong and vibrant City Centre with pedestrian links to connect the City Centre to Abbey Park and beyond.

Within the area defined as 'St Johns', which is where the site is located, Policy CS04 goes on to state that it 'presents the opportunity for some mixed-use development where this will improve connectivity along key routes between Abbey Park, Waterside, the City Centre, and existing communities. Furthermore, the policy states that 'Development should ensure that viable employment uses are protected'.

Whilst it is acknowledged that a significant proportion of the Corah 'complex' has either been destroyed or is in a poor condition, a large proportion of the 'Horseshoe' building which fronts onto Burleys Way is currently occupied by a mixture of uses including some small-scale general employment. Whilst these employment uses appear not to be of particular high quality, they do at least seem to be viable. Taking this into account and the fact that the policy for this area is for a mixed-use regeneration then the

principle of some form of residential led development which has the capacity to include suitable employment uses within this location would be acceptable.

Heritage Assets

The remaining Corah buildings are not formally designated assets in terms of national Listing, but they are included on Leicester's 'Local Heritage Asset Register' (the Local List), with the site being separated from the Grade II* Abbey Park only by the Grand Union Canal. The Article 4 direction does not prevent the site from being redeveloped, the site's inclusion on the list (similar to other sites in the city) was to ensure the buildings on site are not demolished in the absence of planning permission and to ensure that due consideration to the site's local heritage value as the Article 4 direction includes a description of the site and its local heritage value.

The site is also in proximity to the Grade I listed St Margaret's Church on which any proposal of height would have potential to cause significant impact. It is clear therefore that the design of the proposal needs to have some degree of sensitivity to avoid unnecessary and unacceptable impact to these important heritage assets.

Adopted Core Strategy Policy CS 18 'Historic Environment' adds to the requirements of Policy CS4 by stating that 'within the regeneration areas particular importance will be given to the integration of the historic environment with new development through encouraging heritage-led regeneration' and (the Council) 'will support the sensitive reuse of high-quality historic buildings and spaces, promote the integration of heritage assets and new development to create attractive spaces and places'.

The NPPF in paragraph 217 states that "*a balanced judgement will be required*" where there are impacts on non-designated heritage assets such as the Corah site, and any harm to designated heritage assets "*should require clear and convincing justification*" (paragraph 213).

Emerging Policy Position

Since this planning application has been received the Local Plan has completed both a Regulation 19 (draft plan) consultation as well as the Local Plan Examination in Public (EIP), which includes the public Hearings. The Main Modifications consultation with the public has now ended.

Planning legislation, guidance and the NPPF is clear that as the Local Plan progresses through its preparation stages that increased weight can be attributed to its principles and policies, though the Local Plan will only carry full weight from the point of Formal Adoption. Further to discussions with the Planning Inspectorate following the EIP hearings it is understood that Local Plan principles, particularly around matters such as housing strategy and housing numbers are now likely to be established.

This means that some weight can be attributed to the updated housing requirements for the city as well as expected site numbers. As part of the provision of evidence to support the EIP hearings the council was requested to submit emerging numbers for sites that were likely to come forward within the CDA. With regard to the Corah site, the council used the proposed housing delivery number from the planning application rather than the figure from the CDA capacity study as this was taken to be a more realistic number for this site. This information was formally published on the Local Plan EIP website.

The Council is targeting Local Plan adoption in Autumn 2025. At this point, it is expected that all existing adopted planning policy including the Core Strategy, the remaining saved policies from the 2006 plan and the majority of SPDs will be superseded and/or revoked depending on context.

Whilst it is pertinent to give weight to the strategic aims of the emerging Local Plan, particularly around the approach to housing delivery within the CDA, the site-specific policies and particularly those found in the CDA chapter have only limited weight at this time. Instead, the existing Core Strategy and 'saved' 2006 Local Plan policies should take precedence until the time when further clarity has been received around their content as part of the ongoing Local Plan EIP process.

Conclusion to Policy

The proposed development offers a mixed-use, residential led redevelopment of a substantially large site adjacent to the City Centre that is allocated for such development. The provisions of the NPPF in terms of para 125 give a very strong emphasis on encouraging housing development on brownfield land. Whilst the proposals include the loss of most of the locally listed heritage assets on site, the proposal would make a substantial contribution to the housing land supply of the City of up to 1,100 dwellings in a comprehensive redevelopment. The proposal would meet policy objectives in the provision of the connectivity between the City Centre, Abbey Park and the residential areas beyond the park. The detailed matters of heritage, design, sustainability amongst other material planning considerations are assessed below but great weight should be given to meeting the City's housing need.

Heritage

Key policy points from Core Strategy Policy CS18 (Historic Environment) include:

- 'The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. We will support the sensitive reuse of high quality historic 'buildings and spaces, promote the integration of heritage assets and new development to create attractive spaces and places, encourage contemporary design rather than pastiche replicas, and seek the retention and re-instatement of historic shop fronts and the protection and where appropriate, enhancement of historic public realm.'
- 'The Council will pro-actively engage with local communities to protect and enhance the quality and diversity of Leicester's historic environment, in particular through the production of Conservation Area Character Appraisals incorporating management strategies, other development plan documents and guidance notes' and;
- 'We will consider the advice of statutory and local consultees in considering applications affecting designated and other heritage assets.'

Policy CS18 also identifies the need for an archaeological assessment where a proposal would affect a site which is known or thought 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.

Chapter 16 of the NPPF includes national policy on 'Conserving and enhancing the historic environment', covering local character and distinctiveness, impact / harm and significance of designated heritage assets, the setting of heritage assets, Conservation area and Listed Buildings

The site is on the Local Heritage Asset list which identifies heritage assets which are of importance locally. The register is used to describe the significance of those buildings and other assets and any restrictions which may be placed on the sites from a planning perspective. The Corah site is covered by an Article 4 Direction which removes permitted development rights for demolition of the buildings unless planning permission is secured.

Built Heritage Heritage

The site represents an important aspect of Leicester's industrial heritage and features a group of buildings that are included on the Local Heritage Asset Register covered by an Article 4 Direction to prevent demolition. The Corah site is adjacent to Abbey Park, which lies to the north of the site across the Grand Union Canal, and which is a Grade II* Registered Park containing a large number of locally and nationally listed heritage assets including the Scheduled Ancient Monument of Leicester Abbey and 17th century mansion. There are a number of other locally and nationally listed buildings in the wider character area, with the most significant being the Grade I Listed St Margaret's Church, which lies to the south west of the site.

The redevelopment of the site is promoted as an opportunity to improve the character and appearance of the area. The currently cleared sections of the site have poor amenity value and do not enhance the setting of the nearby heritage assets. The surviving building stock within the site appears to have some harm to its physical condition.

In terms of submitted documentation, the applicant has provided sufficient description of the significance of the heritage assets that would be impacted on by the development and meet the test listed in para 207 of the NPPF. A detailed Heritage Statement has been produced which also meets the requirements detailed in paragraph 207 of the NPPF.

Summary of key heritage issues:

- Extent of demolition across the site
- Old Textile Building facade retention and design
- Impact on Grade I listed St Margaret's Church
- Impact on Grade II* listed Abbey Park Registered Park & Gardens
- Impact of new bridge on Abbey Park landscape and trees

Full Application

Extent of Demolition

As part of the 'Full' application, the applicant is seeking permission for the demolition of all buildings on site except the façade of the Old Textile Building (OTB) and the two former factory chimneys at the rear. The Heritage Assessment (HA) is a credible piece of work and identifies buildings that have greater heritage significance on site and that should be retained. The Structural Survey is a comprehensive document covering the whole site and provides a significant amount of detail on each building and its condition. The applicant has further submitted a Retention Feasibility document which demonstrates how the refurbishment of the buildings would not be suitable. Whilst the latter report is appreciated, from a heritage perspective its assessment and conclusion with regard to the demolition of the buildings which are of most significance is not accepted.

The proposals in the 'Full' application do not retain the most valuable heritage assets on the site and instead include just a façade retention of the oldest and most significant building and total demolition of the second oldest structure to its rear. The Shipping and Printing Department building is detailed in the HA of being a 'fine addition', with 'high architectural and historic interest'. However, despite being detailed as structurally sound in the Structural Survey, this building is proposed for demolition, even though it is adjacent to the retained facade and is of value in a restored central group. The two chimneys are described in the submitted Heritage Statement as being 'architecturally plain and unremarkable', but due to their historic interest, are considered to be of 'sufficient' interest to merit being identified as heritage assets. In heritage terms it is considered that there is a disconnect between the supporting information submitted and the proposed development.

The supporting information, including the development proposal fail to refer to or identify the importance of the 'group value' of the locally listed buildings. Individual buildings do not sit in a vacuum and in this instance, the importance of the Corah site is derived not just from one building, but the group of buildings all which were used for different purposes and were built at different times, are part of the industrial history of the site.

However notwithstanding the substantial harm from demolition of most of the historic built fabric, I do consider that the proposed design has engaged with the retained façade of the OTB with some degree of success. The proposed reused brickwork on the two side elevations of the OTB would be visually acceptable. The revised design has resolved one of the most harmful aspects relating to the previous iterations and is more coherent and less harmful in terms of the junctions between old and new. It is unfortunate that rather than repair/reinstate timber windows in the existing openings, which would be the optimum solution, a new top hung metal window design is proposed. Similarly some of the doorways to the public facing areas are proposed in divergent materials; however, this is accepted given the overall design of the OTB. The scheme details modest restoration of the historic form and the proportions of the new elements have been improved. Overall the retained facade proposal details work well from a heritage perspective.

To the rear the new build element of the design firmly goes for a more contemporary style, and it is appreciated that getting this juxtaposition right is challenging. The revised proposal is markedly improved over the previous iteration and the materiality and detailing are sharper and better considered. As detailed by the Council's Conservation Advisory Panel, it is less clear whether this represents 'outstanding

design', but it can be assessed to cause limited harm in terms of being a new element. The revised roof form is more successful and some of the other aspects to reinstate small areas of degraded material on the frontage would be positive. The internal layout avoids some of the awkward junctions between the retained façade and the new building – such as those relating to new floor levels.

Whilst the proposed design of the Old Textile Building is much improved and well considered, the partially retained façade and new build are specific elements of a much larger scheme and consequently they do not sit in a vacuum. The cumulative impact of the extent of the demolition across the whole site is harmful from a built heritage perspective.

The façade retention of the central OTB building involves not only the demolition of most of the host building, but also the loss of the historically contiguous structures around it. Whilst it is positive that the OTB façade is proposed to be retained, it will appear in isolation and void of the context of the historical buildings around it. The submitted documentation states that the demolition would allow views of this locally listed façade which is currently not appreciated by the public due to its location centrally within the site on private land, and that the creation of the public realm around this building will improve the public's appreciation of this building. Whilst this is appreciated to a degree, the retained façade would be viewed in isolation and as such the appreciation of this view would be questionable. Elsewhere, although the potential landscape works immediately adjacent to the two retained chimneys may enhance their setting, and thus their appreciation by the public, the loss of the related historic structures on the wider site will cause harm in heritage terms.

In summary, the heritage impact of the demolition and re-development of the Old Textile building, being the 'Full' application, is assessed as being of substantial harm.

Outline

In built heritage terms, the scale of development proposed is disproportionate with its context and as a result there is a risk of harming the setting of nearby heritage assets. This is assessed below.

Impacts of the proposed buildings on Grade I listed St Margaret's Church

The proposed layout demonstrates that the tallest new buildings (the proposed tower at approximately 18 storeys high) are located on Plot OP1.1 closest to the highest graded designated heritage asset, St Margaret's Church. The height of the taller proposed elements will harm the setting of the Grade I Listed St Margaret's Church, which is detailed as a high value landmark building in the Heritage Assessment and benefits from the highest grade of listing available.

The visual impact on the Church is most prevalent when it is viewed from Sanvey Gate. The applicant has submitted Actual Visual Representations (AVR's) which identify the harm with a wire frame of the maximum extent sought permission for. In the initial submission, Plot OP1.1 which contains the tall tower, was shown to fill the gap to either side of the Church tower in a sequence of views, thus the development would essentially create a 'halo' effect to the Church tower. This impact combined with the visibility of the existing Thames Tower to the north-east of the site on Burleys Way, would erode the visual prominence of the church's tower thus causing harm to the setting of the Grade I Listed Church.

The revised indicative Corah tower block scheme has reduced some of the visual impact on St Margaret's Church. The revised indicative proposed 18 storey tall Corah tower block would remain as a clearly visible element from one side of the existing church tower, but through being repositioned within Plot OP1 the halo effect on the other side would be reduced to a lower height that would sit roughly halfway up the church tower. There is still a harmful cumulative impact with the existing Thames Tower in views looking eastwards and a key sequence of views, on the historic 'processional route', demonstrates that the setting of the Grade I Listed Building will be compromised by the addition of the proposed tall Corah tower block. The location of the proposed tall tower means that other views of St Margaret's Church will not be harmed and the level of harm in views looking east is diminished somewhat by the height of the tower not projecting above that of the church tower.

The submitted Heritage Assessment details that the proposed tall tower building to the front of the site will be harmful to the setting of St Margaret's Church, concluding that there will be less than substantial harm to the significance of the heritage asset, but at the 'higher end of the scale', which is also the view of Historic England. As the final design of this plot is part of the Outline application, it will depend on the final design for the tower whether the threshold of harm would be between the higher or lower end of the scale of less than substantial harm. In either case, this is a significant impact and one that is demonstrably harmful to setting of the church as a Grade I listed designated heritage asset.

In summary, the heritage impact of the proposals on the significance of the Grade I listed St Margaret's Church, is assessed as being of less than substantial harm but at the 'higher end of the scale'.

Impacts of the proposed buildings on Grade II Listed Tomb in St Margaret's Churchyard

By virtue of its location, the Grade II Listed tomb in the churchyard will not be significantly impacted by the development. I consider that the development proposals would not harm the Grade II listed Tomb.

Impacts of the proposed buildings on the Grade II Registered Park, other Listed Buildings and heritage assets, and the Scheduled Ancient Monument at Abbey Park*

In terms of the proposed taller elements in the northern part of the development site (Plots OP4 and OP5), these will be visible from the park and will have some impact on the setting of the adjacent Grade II* Registered Abbey Park as well as further heritage assets, such as the Grade II Listed South Lodge. Abbey Park is an urban landscape feature and is of a scale that allows development at its periphery to be assessed in a nuanced manner against what are quite wide and expansive views. The more sensitive parts of the park are located in its northern aspect, where the various Grade I Listed buildings and structures form part of the Scheduled Ancient Monument. The verified views suggest the impact on the setting of these assets will be relatively limited and this dynamic is not one of the more dominant narratives in terms of heritage harm.

In summary, the heritage impact of the proposals on the significance of the Grade II* Registered Park, other Listed Buildings and heritage assets, and the Scheduled

Ancient Monument at Abbey Park, is assessed as being of less than substantial harm, at the lower end of the scale.

Impacts of the proposed new bridge over the Grand Union Canal to Abbey Park

The proposed new bridge linking the development site with Abbey Park will have a direct impact on the Registered Park, with a bridge landing location in the park and a setting impact from the scale and mass of its indicative design. This part of the park comprises a bund and is heavily vegetated with many mature trees. For the avoidance of doubt, it should be noted that these trees are not protected by a Tree Preservation Order. Some indicative design material for the bridge is provided but the final bridge design will be subject to approval at Reserved Matters stage. Therefore, it is not clear at this stage what the final visual impact of the bridge will be in terms of the full extent of loss of trees, alterations to the levels within Abbey Park and introduction of related elements such as lighting and street furniture. Objectively, the location of the proposed bridge is less sensitive than some other parts of the park, as detailed above.

In summary, on the basis of the submitted indicative bridge designs, the heritage impact of the proposals on the significance of the Grade II* Registered Park, other Listed Buildings and heritage assets, and the Scheduled Ancient Monument at Abbey Park, is assessed as being of less than substantial harm. However whether this would sit at the higher or lower end of the scale is not yet clear.

Impacts on other nearby heritage assets

The development would be visible from the rear of the Grade II Listed Lodge building in Abbey Park and this would impact on its setting, but the scale and distance are such that it would not be dominated visually. I do not consider that the scheme will have a significantly harmful impact on the setting of other more peripheral heritage assets, which are not discussed in detail above.

The heritage impact of the proposals on the significance of the Grade II listed Lodge building in Abbey Park is assessed as being of less than substantial harm but at the lower end.

Assessment of heritage impacts

Although a wide range of heritage assets have the potential to be impacted by the proposed development, the primary harm will be the demolition of the non-designated heritage assets on the site itself. The buildings and structures on the site were assessed using the revised criteria for inclusion on the local heritage assets in 2014 and were included because they achieved the requisite number of points in the scoring system. The buildings scored strongly on a range of criteria of historic interest, such as architectural interest and age. Their status as non-designated heritage assets is clear and is detailed on page 52 of the Leicester Local Heritage Asset Register (2023). The current owner of the site was the owner at the time of the making of the Article 4 Direction and did not object to it or comment on the detailed document on all local heritage assets in the city that was adopted in 2016.

The value of the heritage assets does not simply relate to their external appearance but reflects a significant aspect of the industrial heritage of Leicester. The submitted Heritage Statement reflects much of this, from noting the visit to the factory by King George V in 1919, to the detail that by 1920, the factory was the largest of its type in Britain. The site has a rich history that is integral to the story of Leicester, but with a

global impact from the scale of production on site. The range of different buildings identified by the Heritage Assessment as being of value are diverse in their architectural styles but have a continuity that the applicant acknowledges. The group value is therefore a key component of the heritage significance of the site and the minimal retention of buildings on site fails to engage with the special character of the site as a whole.

The impact of the proposal on designated heritage assets relates to their setting and a full assessment of that harm can only take place when Reserved Matters application(s) are submitted for the finer grain detail; however through this Hybrid application a significant amount of detail has been submitted to provide a level of comfort of the ultimate form and scale of development. The Design Codes and Parameter Plans submitted provide sufficient information at this stage that the finished development, whilst of a higher density than desired, could provide a well-designed scheme that could minimise harm to the setting of the designated heritage assets.

Conclusions on Significance of Harm to Heritage Assets

The proposals would represent the following levels of harm to heritage assets:

- Substantial harm to the non-designated Local Heritage Assets on the site through the loss of most of the historic fabric and its significance as a cohesive group.
- Less than substantial harm, to the setting of the Grade I Listed Church of St Margaret, but at the higher end.
- No harm to the setting of the Grade II listed Tomb in St Margarets churchyard.
- Less than substantial harm to the significance of the Grade II* Registered Park, other Listed Buildings and heritage assets, and the Scheduled Ancient Monument at Abbey Park, albeit at this stage it's unclear if this would be at the higher or lower end.
- Less than substantial harm caused by the re-development at the rear of the site with the new bridge across the canal into Abbey Park, at the lower end.
- Less than substantial harm to the significance of the Grade II listed Lodge building in Abbey Park, at the lower end.

Archaeology

With respect of the below-ground heritage assets, preservation in situ of significant archaeological remains is the preferred default option and foundation/building design and the construction methodology of any consented scheme should take this principle into consideration. Foundation design and construction methods should thus be informed by the results of the field evaluation and deposit model, with mitigation of any loss of below-ground archaeology to be achieved through preservation by record.

An archaeological field evaluation should occur prior to determination of a full application so that any significant findings can inform design changes to the scheme to ensure significant archaeological remains are preserved in situ. However, the 'Full' element of this application is a small area located centrally, and it is considered that such a field evaluation would need to include wider sections of the site.

The Heritage Assessment dated May 2020, amended November 2022 and revised again in August 2023, has been supplemented by the Written Scheme of Investigation (WSI) dated 28.02.2022 (received March 2022) and borehole assessment (received May 2022). Although the Heritage Assessment recognises that there is a high potential for archaeological remains on site, the report concludes that mitigation measures should be addressed post-determination.

Whilst it is not ideal, it is widely accepted and common practice that these works are conditioned for sites as large as this. In the absence of this information before the determination of the application, I consider it reasonable and necessary to attach a condition for archaeological investigations prior to groundworks.

Urban Design

Core Strategy Policy CS03 focuses on designing quality places. It requires developments to be well-designed 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.

The Draft Local Plan St Margaret's Townscape Analysis and Design Guidance (November 2022) and the Tall Development in Leicester (November 2022) were considered at the Local Plan EIP in November 2024. The site falls within the area covered by the design guidance.

Full Application (Urban Design Matters)

The sensitive insertions and retention are respectful to the retained façade of the OTB. Additionally, the roofscape proposals are equally sensitive as amended. As such from an urban design perspective the works to the retained façade of the OTB are acceptable.

Generally, the narrative in the Design and Access Statement is accepted for the north elevation of the OTB in that it should not be a pastiche and that there is an opportunity for a newer contemporary design for this element that offers some contrast to combine the best of the old and best of the new and variety across the development as a whole. This is a critical elevation and will orientate people through the site and south-facing views from Abbey Park.

The design of the north elevation has been amended with proportions and patterns of the openings revised, greater articulation and depth, and a positive change in materials. The previously proposed central expression of the archway with eaves height brick piers which was over dominant has now been removed. The building line on the ground floor central pedestrian route has been chamfered to create a more open and legible connection, complemented by the removal of an apartment to create a space which is more generous in height, only interrupted by a sensitively designed glazed bridge needed for circulation. Visually this part of the development is successful in design terms.

The previously proposed single storey extension linking the OTB with the Multi-Storey Car Park has now been removed for an enclosure (the material of which needs to be conditioned). This is a significant and substantive improvement in design terms and would ensure the OTB will be viewed as an individual building.

The detailed sections and materials specification supplied are acceptable in principle. The window reveal depths of the north façade are labelled on the section drawings, a sample panel and an accompanying sample panel drawing should be submitted prior to commencement of construction to secure a benchmark quality of the external materials. Subject to a condition for material samples and associated information I consider the proposed full part of this application to be acceptable from an urban design perspective.

As a hybrid application the 'Full' element of the application should provide a design quality benchmark for the rest of the Outline application, the details of which will be submitted as Reserved Matters. The details of the 'Full' part of the application must be representative of the finished development in terms of both size and quality. Whilst in terms of its size the 'Full' element is not representative of the overall scale of development, it relates to the only retained heritage asset on site which is the most sensitive and it goes some way in fixing development parameters in the central part of the site, allowing future development plots to respond to the OTB redevelopment.

Outline (Urban Design Matters)

The Design Codes have been considered in conjunction with the Design and Access Statement and other supporting information. The Design Codes support the hybrid planning application by providing a comprehensive framework for future Reserved Matters applications to deliver the phased development. It covers architectural principles including scale, depth, appearance, roofscape, terraces, and roof plant. It covers landscape (hard and soft), access and approaches, cycle strategy, wayfinding strategy, and lighting. These principles are site wide and, on a plot-by-plot basis. Parameter Plans and Design Codes establish key principles to guide the preparation of subsequent applications for Reserved Matters approval. Currently, Design Codes have been produced for the following plots only:

- Plot OP1: Along the Burleys Way frontage and adjacent to St Johns Road;
- Plot OP2: Along Burleys way and adjacent to Thames Street;
- Plot OP 3: Multi-storey car park adjacent to Thames Street; and,
- Public Realm Areas.

Whilst Plots OP4 and OP5 to the rear of the site, do not currently have Design Codes they are included in the Parameters Plans. Design Codes for these plots will be conditioned to be submitted in advance of any Reserved Matters applications for these plots so that the design principles can be established in advance of any Reserved Matters application.

Design Codes

The applicant has positively engaged with the Local Planning Authority through pre-application discussions and following the submission of the planning application to develop and amend the Design Codes. Whilst it is noted that there are limitations in what the Design Codes can achieve by themselves, they go some way to secure appropriate principles for the overall development.

Following discussions, the Design Codes have been amended to do the following:

- Include a rule that long elevations over 50m should be 'broken up' vertically to reduce the mass;
- Elevations requiring vertical emphasis and three tiered expression;
- Rules where the plots have facades facing onto existing streets and how integrating with the surrounding context;
- Rules for improvements around active frontages at ground floor level;
- Rules for individual context, for example, integrating to the existing street network, or proximity to other heritage assets, may inform a different approach and make them unique;
- Increased references to balconies (OP1), surveillance / interaction from upper floors, the provision of ground floor colonnades, the opportunities for expressed windows breaking the 'normal' rules and the creation of legible entrances;
- Higher level design rules at a variety of scales to ensure Design Teams for Reserved Matters applications consider how 'visual richness' and contextually responsive design can be achieved;
- Provide a chamfer to the northern side of Plot OP1.1 to allow increased views to the OTB.

These amendments, amongst many others, have gone some way in mitigating concerns raised to improve design quality across the site. Overall the submitted Design Codes form a credible body of work and set an acceptable standard from which detailed Reserved Matters applications for Plots OP1.1, OP1.2, OP2, OP3 and the Public Realm can be developed. Each Design Code includes a checklist at the end to which each Reserved Matters Application will need to adhere to. Conditions are recommended to secure compliance with the Design Codes.

Parameters Plans

The Parameter Plans become Approved Plans for the purposes of the Outline application and all subsequent Reserved Matters applications will also need to comply with them. They provide added 'rules' for Reserved Matters applications.

As with the Design Codes, the Parameter Plans have also been amended during the course of the application. They provide clear parameters for building heights, building lines, plot extents, public realm and access. These plans have been part of the ongoing discussions and as amended they provide clarity for future applications to be submitted. A condition is required for compliance with the Parameter plans.

Layout

The heritage assets in the area and on the site are assessed and contained within the St Margaret's Townscape Analysis and Design Guidance. The current proposals include the demolition of all heritage assets apart from the façade of the OTB and the two factory chimneys. The proposed development is not heritage led regeneration and the extent of demolition proposed is unfortunate as it does not align with the principles set out within the Townscape Analysis guidance.

However notwithstanding this, the proposed layout of the site would significantly improve the connectivity across the St Margaret's area, both north-south and east-west, and this is a clear townscape objective for redevelopment of this area. There is a desire for Abbey Park and the wider St. Margaret's area to be visually and physically integrated into the City, including the creation of a network of improved cycle and pedestrian connections to Abbey Park. This has already started with the delivery of the Charter Street bridge. In addition, with comprehensive redevelopment of the Corah site, opportunities exist to improve and further enhance the existing links so they become safe, overlooked, welcoming and pedestrian and cycle friendly; which is welcomed from a townscape perspective as providing substantial benefit to be considered in the planning balance.

Scale

The Evidence document 'Tall Development in Leicester' makes the following observations on the Central Development Area (CDA);

- 'Tall' for Leicester is 8 storeys (24m) and above (*note this has been updated to above 24 metres*)
- 'Supertall' for Leicester is 15 storeys (45m) and above. They are rare in the Leicester context. Opportunities are likely to be very limited and only allowed in exceptional circumstances.
- Tall can still be defined as a development that is taller than its surroundings but may not be 8 storeys ie. a 6 storey proposal in an area of predominantly 3 storeys.
- The ambient height of Leicester is 4-5 storeys (the calculated figure is 14.85m)

The current proposal ranges in height from a general maximum permitted height across the development of 8 residential storeys (24.15m) to up to 18 residential storeys for the tall tower block (58m).

A 'tall tower' of 18 storeys (58 metres so is equivalent to 19 residential storeys) is proposed to the corner of St John's Street and Burleys Way. At 18 storeys, the

proposed building would be 'supertall' in the Leicester context. The corner of Burley's Way and St. John Street is not identified as appropriate for tall development and is instead identified as 'constrained', mainly due to the heritage assets within the area and prioritising heritage-led redevelopment through the retention of the locally listed buildings.

Appearance

The Plot OP1 Design Code contains rules regarding materiality and location, elevational design, and tall building design principles, however, only with a detailed application can the proposed appearance be fully understood, and the impact assessed. Additional 'testing' regarding materiality and the impact on Abbey Park and St. Margaret's Church is included in the OP1 Design Code (page 63 to 68) which shows some success of the tower element. There is much more detail in the revised Design Code for OP1 on the design, built form and articulation of the tower element. The more slender built form is 'locked-in' to the maximum permitted extents parameter plan for both its scale and mass.

Following suit with the Design Code of Plot OP1, the other Design Codes also have dedicated sections on materials and what would be suitable on each plot and public realm area. Each document presents an acceptable approach to each development phase which would ensure some visual differences between the plots.

Views to the Site

Revised proposals have brought improvements to the original proposals as is illustrated by the revised Accurate Visual Representations (AVRs) and 3D Model. To note, the scale remains unchanged, however the reduced mass and built form of the tall tower is slightly more slender which assists in reducing the harm from views along Sanvey Gate and other east/west views. This can be seen in AVRs VP13, VP12, VP06A VP06B VP06C, VP06D, which are the sequence of views along Soar Lane and Sanvey Gate (moving west to east) with the clearest improvement to AVR VP06C where the mass of this element is no longer forming a 'halo' of new development that would be seen behind the church tower and maintains a 'gap' between the proposed development and Thames Tower. Again, the 'gap' between the church tower and Thames Tower is maintained in AVR VP06D. It should be noted that as the views down Sanvey Gate are dynamic, and for the purposes of the AVRs there is only a selection of static viewpoints, a variation in level of harm on the setting of St. Margaret's Church will be experienced along this route.

The frontage proposed to Burley's Way is a maximum permitted height of 30.8m (approximately 10 residential storeys) in Plot OP2. The Plot OP2 Design Code (page 23) states that the '8th and 9th floors must be set back by a minimum of 2.5m which may mitigate the visual impact of this height adjacent to the ring road. As with Plot OP1, the success of the Design Code will only be seen when the detailed design comes forward.

The vision for 'tall' buildings along the canal was based on modelling at 5- 10 storeys, depending on the location along the canal and also to respect the existing tree canopy, providing a human scale and in particular for this site to respect the setting and be subservient in height to the existing factory chimneys which are currently a prominent landmark to Leicester's industrial heritage and can be seen from a number of significant views.

Previously, the 'tall element' proposed to the Plot OP5 had an originally proposed permitted maximum height at 33.4m (approximately 11 residential storeys) which has been reduced in height by 6m to a proposed permitted maximum height at 27.4m (approximately 9 residential storeys). Further, the footprint area of the component has been reduced by approximately a third. The subsequent impact of this reduction in scale and mass is evident in the revised AVR's VP03, VP16 and VP17 where the impact on the setting of the chimneys is reduced and the new scale better respects the existing tree canopy of Abbey Park. Additionally, this change enables the chimneys to retain their prominence from Abbey Park and become the prominent landmark in south facing views.

There has been an improvement overall in Design terms, especially in respect of scale but whilst it is understood that there is a requirement for a tall tower for viability reasons the townscape concerns regarding the harmful impact of Plot OP1 cannot fully be addressed by the Outline application and therefore they remain to be weighed against the benefits of the development.

Character

The National Design Guide (NDG) is explicit about the role that well-designed places have in respect of identity (paragraph 50). Well-designed places, buildings and spaces:

- Have a positive and coherent identity that everyone can identify with, including residents and local communities, so contributing towards health and well-being, inclusion and cohesion
- Have a character that suits the context, its history, how we live today and how we are likely to live in the future; and
- Are visually attractive, to delight their occupants and other users.

The NDG is also explicit about well-designed places have in respect of context (paragraph 39).

The extent of the loss of the heritage assets on the site which make a significant contribution to the character and identity of the area, and Leicester, will always make this objective particularly difficult to meet. Whilst the application commits to retaining the two factory chimneys and the OTB façade everything else on the site is proposed to be demolished. These retained elements are minimal compared to the heritage assets, character, history and identity that will be lost with the removal of all the other heritage assets. It would be difficult for any proposal involving almost total demolition to recreate the character and identity that will be lost.

The revised Design Codes provide more information and rules regarding Character and Identity and they provide greater reference to specific contexts, human scale elements, taking visual cues from existing buildings (to be demolished) and variation of materiality within plots. Rules have been added to ensure these finer grain elements that provide richness, character and texture that are so important are provided, which is welcomed. High level rules are now included in the Design Codes to enable the Local Planning Authority to work with future design teams with the aim to avoid a homogenous and monolithic group of buildings. The Public Realm Design Codes are

more successful in this regard and there is generally an increase in the 'must' rules / commitments from the previously submitted version.

Density & Mix

The NDG is explicit about the role that well-designed places have in respect of uses (para 111). A well-designed place will have:

- A mix of uses including local services and facilities to support daily life;
- An integrated mix of housing tenures and types to suit people at all stages of life; and
- Well-integrated housing and other facilities that are designed to be tenure neutral and socially inclusive.

This proposed mixed-use development based on 1,000+ dwellings is one of the largest that will come forward in the Central Development Area of the City and meeting the objectives above must be a major consideration and is essential to creating well-design places. High level statements are made in the Design and Access Statement about creating a development which attracts a variety of people to create a society, however information about appropriate design mixes and densities is lacking at this stage and will only become clearer at Reserved Matters stage. For a scheme of this size and scale, this is accepted.

Building for Life

A Building for Life Assessment has not been submitted for the Outline application and it would not be expected at this stage as the details of each plot are not available. I consider it reasonable to attach a condition for each subsequent Reserved Matters Application to be submitted with this detail.

Urban Design Conclusions

There are concerns regarding aspects of the whole proposal such as the height, density and finer grain detail. However, the detailed proposals put forward in 'Full' for the OTB provide a good reference and starting point for subsequent Reserved Matters applications to respect and use as a baseline for achieving good design quality throughout the implementation of the proposals across the site. The Design Codes and Parameter Plans go some way in setting the high level details and provide confidence that if followed through, the resultant development would be well designed.

Nature Conservation/ Trees/ Landscaping

Core Strategy Policy CS03 'Designing Quality Places' states – Good quality design is central to the creation of attractive, successful and sustainable places. We expect high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment.

To achieve this new development should promote the image of Leicester as an exciting modern city, acknowledging its archaeological, landscape, historic and cultural heritage and the need to improve the quality of life of the City's residents.

New development should achieve the following urban design objectives:

3.Public Realm and Open Space:-

- Create high quality public spaces with full consideration given to the relationship between buildings and the spaces between them and to make best use of landscaping, lighting and public art;
- Promote active frontages onto public spaces, streets and waterways, an uncluttered street scene and a clear distinction between public and private spaces.

Core Strategy Policy CS17 'Biodiversity' states - The Council will expect development to maintain, enhance, and/or strengthen connections for wildlife, by creation of new habitats, both within and beyond the identified biodiversity network. In Leicester's urban environment private gardens, previously developed land, buildings and built structures can also provide important habitats for wildlife. Such sites that are either connected to the overall biodiversity network or act as wildlife refuges for animals moving out from these sites across the broader network of green spaces in the City will also be assessed for their biodiversity value.

Saved City of Leicester Local Plan Policy UD06 'Landscape design' states - Planning permission will not be granted for any development that impinges directly or indirectly, upon landscape features that have amenity value including areas of woodland, trees, planting or site topography whether they are within or outside the site unless:

- a) the removal of the landscape feature would be in the interests of good landscape maintenance; or
- b) the desirability of the proposed development outweighs the amenity value of the landscape feature.

Where development is permitted that results in the loss of a landscape feature with amenity value, compensatory landscape works will be required to an agreed standard.

New development must include planting proposals unless it can be demonstrated that the scale, nature and impact of the development or character of the area do not require them.

Planting proposals should form part of an integrated design approach which includes overall layout, access routes, fencing, hard landscaping, lighting, services and street furniture and should be submitted as part of the planning application.

Development proposals will require maintenance of existing and new landscape for the first ten years after implementation during which time all dead or vandalised stock will need to be replaced (where appropriate with additional protection).

NPPF paragraph 187 states that decisions should contribute to and enhance that natural and local environment and paragraph 193 states the principles local planning authorities should apply.

Ecology - Full

The site is predominantly brownfield land comprised primarily of derelict buildings and hardstanding, with interspersed patches of amenity grassland, scattered and dense scrub. Generally, the site is considered to offer limited value for biodiversity but is well

connected in part to existing ecological networks via the Grand Union Canal and River Soar LWS beyond.

The Grand Union Canal watercourse runs along the factory site's northern boundary and is directly linked to the River Soar Local Wildlife Site (LWS) and supports a wide range of species. Mitigation is required in the form of a comprehensive Construction Environmental Management Plan (CEMP) to ensure that potential impacts on the watercourse including pollution and impacts on other species are avoided. This will be required up front prior to the demolition taking place.

Ecology surveys have been submitted in support of the application. A number of these suggest mitigation for various protected species. Some of the surveys are valid only for a short period and thus conditions to re-do these surveys prior to demolition and subsequent construction commencing on site should be attached to any permission granted.

With respect of the OTB redevelopment the mitigation outlined in the associated ecology reports are acceptable and the conditions for repeat surveys and if required, mitigation, are adequate. The site area of the OTB redevelopment is relatively small and thus no further requirements are needed on this particular plot.

Outline

The Outline part of this application extends over the Grand Union Canal and includes works within Abbey Park which will require a number of trees to be lost and potential regrading of land at Abbey Park. In light of this most of the conditions recommended for the re-surveys and mitigation measures will also be applicable for the Outline element and as such any conditions should be drafted to include the Outline plots.

Biodiversity Net Gains

The applicant has provided a biodiversity metric spreadsheet with accompanying report, proposing that a level of net gain can be achieved on-site, amounting to 11.19 habitat units - or an overall net change of 10.33% gain. This calculation is on the basis of the site wholly to the south of the canal. An assessment which includes the bridge and any associated development to the north cannot be carried out until the bridge part of the proposal is designed and submitted as part of a Reserved Matters application.

This application was submitted in 2022 prior to the Environment Act which requires compulsory Biodiversity Net Gains. In consideration of the net gains to the southern part of the site and the surveys carried out by the applicant with respect of protected species, in this instance it is considered acceptable to require a BNG calculation for the bridge development at a later stage. At that time the applicant should engage with the Local Planning Authority to ensure a satisfactory outcome in this respect.

Landscaping/Public Realm

Trees - Full

The majority of the Corah site does not contain trees or planting as existing. As such there are no concerns to raise with respect of the demolition of the buildings on site with respect of trees. The OTB is located centrally and surrounded by the public realm areas. There is very little open space included within the boundary of the OTB part of

the development and thus there are no comments to make with respect of trees and planting.

Outline

There are concerns regarding the development proposals which relate to the Outline application and specifically the bridge element. The plans show that the proposed bridge would land within Abbey Park in a location that is vegetated with mature trees. As this part of the development proposals is in Outline, there is only indicative detail in relation to the proposed bridge's landing point and other work required to facilitate this. The applicant has submitted an Arboricultural Assessment in support of the bridge development, however as the information relating to the bridge is indicative the detail of this report cannot be relied upon to fully assess the impact on the trees in Abbey Park.

I consider it reasonable and necessary to require the submission of an Arboricultural Assessment at the time when the details of the bridge are finalised. Tree loss should be minimised wherever possible, especially given the age of the trees in this location. Where trees will need to be removed for the bridge, any associated paths for safety and security, replacement trees of a suitable size will be required somewhere else within the red line plan. This will need to be agreed within any application approving the detail of the bridge. On the basis of such conditions, I consider the principle of a bridge in this location is acceptable.

Public Realm - Outline

There are now five (originally four) areas of public realm proposed within the development, and each has been given its own character and intended formal or informal use. The public realm is a key component of the proposed development which provides the majority of the public benefit in justifying the heritage harm.

The public realm provision is varied and the approach of different character areas and uses (both formal and informal spaces) is successful in providing future residents and the public a variety of open space and a rich environment. The Design Codes for the Public Realm contain acceptable 'rules' which would create a real sense of placemaking around the built environment.

There is a concern that due to the potential height of built form, combined with the size of some of the public realm areas, the spaces would be overshadowed for much of day and may create wind tunnels which would lessen their appeal for use. With tall development an element of overshadowing is expected and thus I do not consider that this in itself would deter people from using the public realm available.

Whilst a Wind Assessment (WA) has been submitted, it will be for the final detailed design of each development and the public realm itself to demonstrate how any such impacts can be minimised. I consider it appropriate for Reserved Matters applications for the Outline plots should be accompanied with a WA to ensure that all measures have been undertaken to create an appropriate wind environment around these plots and thus the public realm.

As noted above, the Public Realm is a key justification for the demolition of the non-designated heritage assets and therefore it is considered reasonable and necessary to control the delivery of the public as far as possible within the Planning System.

Additionally understanding the phasing of the public realm will be key in ensuring that the design objectives for place-making are achieved alongside new development and site users. A condition is recommended to secure phasing and delivery details which is considered reasonable given the importance of the public realm.

Sustainable Energy/Carbon Reduction

Core Strategy Policy CS02 'Addressing Climate Change and Flood Risk' states - All development must mitigate and adapt to climate change and reduce greenhouse gas emissions.

The following principles provide the climate change policy context for the City:

2. Best practice energy efficiency and sustainable construction methods, including waste management, should be incorporated in all aspects of development, with use of locally sourced and recycled materials where possible, and designed to high energy and water efficiency standards.
3. Wherever feasible, development should include decentralised energy production or connection to an existing Combined Heat and Power or Community Heating System.
4. Development should provide for and enable, commercial, community and domestic scale renewable energy generation schemes.

NPPF Paragraph 166 states - In determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 167 states that - Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework.

Full

In principle, it would be preferable that existing buildings would be retained and reused, to reduce the embodied emissions from new construction materials wherever possible. However, the existing buildings are in commercial use and the redevelopment would provide predominantly residential uses which requires a completely alternative layout and internal treatment amongst other things for efficient use. A number of the buildings on site whilst in use are not efficient in terms of heating, cooling, ventilation and lighting energy efficiency and thus the building does not lend itself to residential conversion as easily.

The buildings are of heritage importance and due regard is given to the Heritage Assessment in terms of demolition above; however, the amount of retrofitting that

would be required to bring the buildings to habitable standards would erode the quality of the historic fabric and require significant internal and external alterations and subdivisions which would further affect the historic value of the buildings. In addition to this, any subsequent layout is unlikely to meet updated Building Regulations Standards in terms of Heating, Cooling, Fire Safety and Ventilation amongst other things. The applicants submitted Feasibility Study provide further details in terms of conversion and the options that have been considered by the applicant which is accepted. It should be noted that this document pre-dates some of the more recent changes to Building Regulations which are stricter in terms of the overall build quality of residential accommodation.

The applicant has submitted a Sustainability Statement for the 'Full' element which includes measures on how any demolished materials would be re-purposed for re-use on site to in-fill the significant basement areas, or for other uses which would reduce the amount of waste generated and also the number of trips to and from the site of large vehicles. The pre-demolition estimates undertaken by the applicant has estimated that 51,000 tonnes of the total demolition arisings will be reused on site. 100% of steel will be recycled and 99% of general waste will be recycled, with a commitment to identify and reuse key architectural elements within the site. These measures are contained within the Sustainability Report which is welcomed and should form an approved document to ensure compliance. In this instance, the applicant has demonstrated that the re-use of the buildings on site would not result in efficient use of buildings that could provide a suitable living environment for future occupiers and this is accepted. The demolition of the buildings, whilst not presenting best practice where it relates to the UK's transition to zero-carbon economy would provide buildings on site that over their lifetime would use significantly less carbon whilst also achieving suitable conditions for occupiers. In this instance the demolition of the buildings on site are considered acceptable.

With respect of the OTB redevelopment specifically, the proposed u-values for the building fabric in all cases exceed both the limiting parameter under the Building Regulations, and the value for the notional building. As such, I am satisfied that this represents a good approach to thermal efficiency. Other measures outlined in the Sustainability Statement relate to the following:

- Heating, Cooling, Ventilation and Lighting Energy Efficiency;
- Renewable / Low Carbon Energy Supply; and,
- Construction Materials and Waste Management.

The measures outlined in the Statement are acceptable and I consider a condition is reasonable to secure these measures.

Outline

A Sustainable Energy Statement which has regard to the principles set out in the site wide Statement as submitted with this application will be required to accompany any RM application. Such documents shall include within each phase of development further details of low carbon options for heating. Further details will be required on the use of low carbon technologies and the consideration of decarbonisation, water source heat pumps and connections to the District Heating systems. I recommend a condition in this respect.

Living conditions (The proposal)

Saved City of Leicester policies H07 'Flat Conversions and New Build Flats' states - Planning permission will be granted for new flats and the conversion of existing buildings to self-contained flats, provided the proposal is satisfactory in respect of:

- a) the location of the site or property and the nature of nearby uses;
- b) the unacceptable loss of an alternative use;
- c) the loss of family accommodation;
- d) the creation of a satisfactory living environment;
- e) the arrangements for waste bin storage and car or cycle parking;
- f) the provision, where practicable, of a garden or communal open space;
- g) the effect of the development on the general character of the surrounding area (where a property is already in multiple occupation, this will be taken into account in assessing the impact of the proposal); and
- h) the proposed or potential changes to the appearance of the buildings, and their settings.

Saved Policy PS10 'Residential Amenity and New Development' states - In determining planning applications, the following factors concerning the amenity of existing or proposed residents will be taken into account:

- a) noise, light, vibrations, smell and air pollution (individually or cumulatively) caused by the development and its use;
- b) the visual quality of the area including potential litter problems;
- c) additional parking and vehicle manoeuvring;
- d) privacy and overshadowing;
- e) safety and security;
- f) the ability of the area to assimilate development; and
- g) access to key facilities by walking, cycling or public transport.

Full

The layout of the OTB flats is considered acceptable with a reasonable level of light into and outlook from the proposed flats. Approximately half of the units would fall short of the Nationally Described Space Standards by between 1-5 sqm. Whilst this is unfortunate, due to the constraints from the front façade with window openings aligning I consider that this is unavoidable if a viable scheme is to be secured for this important asset. Given the retained façade of the OTB it is appreciated that the provision of private balconies cannot be secured for the south facing units, however it is unfortunate that this has not been provided for all of the north facing units which are subject to a new elevation. The flats located on the top floor and those which are located centrally in the north elevation would have private balconies. These balconies are a useable size and as such I consider these to be acceptable.

The ground and basement floors of the building would provide not only a formal entrance to the building but also separate and secure bike and bin store with space available for amenity use by residents of this building. At this stage no information is available to suggest what the amenity space would be used for. If used to provide a separate laundry facilities and flexible amenity space, then the OTB would overall provide an acceptable living environment. The plans indicate the amenity area could be used by the commercial space or in association with the flats. However, given that there is limited private external space and the smaller size of units I consider it

reasonable to attach a condition requiring the amenity space to be retained for use by residents only.

With respect to noise and disturbance, I consider it reasonable to restrict the hours of use of the commercial space at ground floor to ensure that future occupiers are not adversely affected. A condition would suffice in this regard.

Outline

The proposal is for a high-density development with most of the proposed development in Outline, therefore at this stage limited information is available with respect of the proposed living environment for future occupiers. However, as a hybrid application which is supported by Parameter Plans and Design Codes, there are some 'rules' to which future detailed proposals will need to abide by. The Parameter Plans show 'minimum' and 'maximum' extents in terms of buildings lines, there are also height parameters which the detailed Reserved Matters applications must adhere to. In addition, within the Design Codes there are the specific 'codes' to which development within a specific plot must comply with; for example, in the Design Code for Plot OP2 there is a code which states "Minimum separation distance **must** be at a distance to allow adequate daylighting and amenity". These 'rules' provide an additional level of control to the Local Planning Authority to ensure future Reserved Matters application on the site would comply with these agreed rules.

The applicant has submitted overshadowing report by BWP which shows modelling using maximum permitted extents. It identifies (page 4) that (according to BRE guidance (BRE BR209 2022) *'for an amenity space to appear adequately sunlit throughout the year, at least half of the space should receive at least 2 hours sunlight on March 21 From 8am to 5pm'*. The assessment has been undertaken for Corah Park (3 hours), Corah Green (2 hours) and Grand Union Park (6 hours) of which all meet the BRE criteria. Whilst this does not set a high bar for the development, it does show an acceptable quality of external living environment would be achieved. I also consider that this would be acceptable for development close to the City Centre.

On the basis of the approval of the Parameter Plans and Design Codes, I consider subsequent applications for Reserved Matters can secure a good living environment for future occupiers but I do recommend a condition be applied to require all C3 dwellings to be in compliance with the Nationally Described Space standards to secure this.

Residential amenity (neighbouring properties)

The saved 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.

Full

There are no residential neighbours within or adjacent to the site that may be affected by the proposed residential accommodation within the OTB. It is unclear if the OTB development would come forward first, but it appears unlikely due to the location of

the OTB. Notwithstanding this, I am confident that the Parameter Plans clearly demonstrate how adjacent plots can be developed to ensure no harm to amenity between the development plots.

Outline

As noted above there are no residential neighbours within the site that may be affected. Thames Tower is located adjacent to the site beyond Thames Street. I consider that some noise and disturbance may be caused during the demolition and construction phases, especially for the development along Thames Street, however this would be relatively short-lived and is to be expected during redevelopment. I consider conditions to control hours of work on site, and securing an appropriate Construction Management Plan is sufficient to avoid any significant harm.

As the redevelopment of the site progresses there are likely to be some residents occupying completed parts of the development whilst construction work is ongoing. Any conditions to control the parameters plans include Building Heights and plot parameters which would secure appropriate separation distances and height of buildings to avoid creating a poor living environment. These plans must be adhered to as part of the ongoing redevelopment and should be included in an approved plans condition.

Waste storage and collection - Full

The plans for the OTB include the location of bins at ground floor. The City Waste Management Team have no objections to this subject to a condition. It is recommended that the waste management details should be included in a plan for how the site would be managed more widely for both the residential and commercial uses within this plot. This can be secured by way of condition.

Outline

Details of the waste storage for the remainder of the plots shall be conditioned to come forward as the Plots are built out. The management of waste shall be conditioned prior to occupation of the relevant residential and commercial spaces. Such conditions should also include interim arrangements in the instance that some plots may be completed and/or occupied whilst other plots are still being developed.

Drainage

Core Strategy policy CS02 states - All development must mitigate and adapt to climate change and reduce greenhouse gas emissions.

The following principles provide the climate change policy context for the City:

5. Development should be directed to locations with the least impact on flooding or water resources. Where development is proposed in flood risk areas, mitigation measures must be put in place to reduce the effects of flood water. Both greenfield and brownfield sites should be assessed for their contribution to overall flood risk, taking into account climate change. All development should aim to limit surface water run-off by attenuation within the site as a means to reduce overall flood risk and protect the quality of the receiving watercourse by giving priority to the use of sustainable drainage techniques in developments.

Full

The Lead Local Flood Authority have recommended conditions to secure SuDS and Drainage on the basis of which there are no objections from the perspective of flooding and drainage.

Outline

Details regarding flooding and drainage for each individual plot are most reasonably secured with the submission of the Reserved Matters application for each built plot and the public realm areas. An appropriately worded condition to secure this information is considered acceptable.

Highways and Parking

Core Strategy policies CS14 states - Development should be easily accessible to all future users, including those with limited mobility, both from within the City and the wider sub region. It should be accessible by alternative means of travel to the car, promoting sustainable modes of transport such as public transport, cycling and walking and be located to minimise the need to travel.

Policy CS15 states - To meet the key aim of reducing Leicester's contribution to climate change, opportunities should be provided that will manage congestion on the City roads. This will be achieved by:

- Requiring travel plans for large scale development;
- Ensuring the provision of high quality cycle parking to encourage a modal shift away from the car; and
- Ensuring that parking for residential development is of the highest design quality and use land efficiency does not compromise viability and the need for high quality regeneration. It should be appropriate for the type of dwelling and its location and takes into account the amount of available existing off street and on street car parking and the availability of public transport.

The adopted parking standards are contained within Appendix 1 of the 2006 City of Leicester Local Plan. The Leicester Street Design Guide (June 2020) provides guidance to developers on highways adoptable standards.

Full

The OTB development is coming forward with no vehicular parking due to its location centrally in the site and also given the site's proximity to the City Centre. There is secure cycle parking proposed to the side of the main building and the supporting statement also includes cycle provision within Plot OP3 (Multi-storey car park) for the OTB residents. Final detailed design for cycle parking will be required prior to first use/occupation of the OTB with details of interim arrangements should plot OP3 not be completed by this stage. This will be secured by way of condition.

Outline

The wider redevelopment of the site is welcomed as a largely car free development very close to the City Centre. A total 497 vehicle parking spaces are proposed within the site overall which is considered reasonable in the multi-storey car park and some of the individual plots, which does not include what may come forward as part of plots OP4 and OP5. The development would encourage the use of the nearby public transport hub of St Margaret's Bus Station and the cycling routes in and around the area. For the site to work successfully from a Highways perspective, it is advised that

a Travel Plan for the whole site is developed and each Reserved Matters application should demonstrate how it would meet the over-arching objectives within the 'Site-Wide' Travel Plan. Also, conditions requiring appropriate cycle parking for each plot and suitable emergency vehicle access throughout the development must be secured by conditions. This will need to include interim arrangements whilst development of the various plots is ongoing.

Notwithstanding the development proposals being car-free, there will be some parking within the site which will need access of the existing street network. Conditions to ensure appropriate highways standards for vehicular accesses will be secured by way of conditions.

Plot OP2 and OP3 (multi-storey car park) would most likely appear to be accessed of Thames Street which is a private road. The applicant will need to discuss any arrangement directly with the owners of the street. However, the parking within the site would need to remain for use by residents, occupiers and staff of the commercial units of the site free of charge to ensure that the development does not result in on-street parking within the area. These details can be secured as part of the Travel Plan.

Air Quality

The application site is partly located within an Air Quality Management Area (AQMA), where concentrations of nitrogen dioxide (NO₂) are expected to exceed national air quality objectives, primarily attributed to emissions from transport. The proposed use as predominantly residential represents the creation of typical sensitive receptors with regards to air pollution exposure and where end users may be exposed to pollutant concentrations in exceedance of national objectives, mitigation must be applied.

Full

Extended periods of demolition and/or construction may give rise to excess dust emissions which could adversely impact on the amenity of those living nearby. The submitted Air Quality Assessment (BWB Consulting Limited, ref: BWBNTS2873- 001, April 2022) concludes a 'High' risk site for impacts of dust soiling and human health with suitable methods of mitigation for demolition and construction provided in Table 5.5 and Table 5.6 (pages 28-31) of the report. The Outline Demolition Approach and Methodology document (Total Reclaims Demolition, ref: T321.1, Feb 2022) lists some suitable measures of dust suppression in section 7.1.7.1, with further detail provided on the means of demolition in section 7.9. The document also states that an Environmental Management Plan (EMP) is to be drawn up following the appointment of a contractor. These submitted surveys should be conditioned as approved documents and a condition for an EMP (as part of a Construction Management Plan) shall also be included.

Outline

For the Outline permission, a Construction Method Statement should be submitted prior to commencement of each Reserved Matters approval. The Statement shall provide for, but is not limited to; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; wheel washing facilities; measures to control the emission of dust and dirt during construction; a scheme for recycling/disposing of waste resulting from construction works; and hours of construction.

With respect of Air Quality for future occupiers each Reserved Matters will need to include details of Noise and sustainability measures that that will need to consider issues such as ventilation and glazing for residential units and therefore a separate condition is not required for this consideration.

Viability and Developer Contributions

The viability appraisal shows that that the proposed development is not viable under the criteria set in the NPPF guidance. The report was completed in 2022 and does not reflect the current economic uncertainty combined with regulatory changes in Building Control. Therefore the viability position, whilst out of date, demonstrates that it will only get worse in the short to medium term.

The applicant has submitted a Feasibility analysis whereby conversion of the buildings on site was considered. This included a few options for layouts including some upwards extensions to increase the number of units proposed. These options all show that such schemes would not be viable.

The Viability Appraisal (VA) shows the high-rise scheme proposed as part of plot OP1.1 may just about break even. This scheme makes over 8% profit on cost and may be deliverable if the developer takes a view on profit levels. Even if a positive view is taken, there is no case to ask for affordable units on viability grounds under the framework in which these issues are assessed.

Notwithstanding the current viability position of the scheme, a Section 106 agreement has been drafted that will seek each Reserved Matters application to be submitted with a viability re-assessment so that should there be an opportunity to secure financial contributions or affordable housing in the development in the future, there is a mechanism to do so. In addition to this, the Section 106 includes provision for the developer to deliver the bridge in accordance with adopted highways standards and maintenance of the same before it is adopted formally by the City Highway Authority.

Other Matters

Canal and River Trust (CRT) – The CRT have an interest in the development insofar as it relates to the development around the Grand Union Canal, including the Bridge. The CRT are a party to the Section 106 agreement as the developer will need the CRT's permission as a landowner of the Canal to carry out those works. The CRT have recommended conditions and an informative to ensure that any works close to the canal include necessary surveys of the canal washwall to avoid harm to the same. This condition is considered reasonable and has been included.

Cadent Gas - Cadent Gas has commented and suggests a note to applicant regarding easements and covenants.

Neighbour Representations – The volume of representations received demonstrate the importance of the site with existing and former residents of Leicester to the city's manufacturing past. These representations have been taken into consideration while considering the merits of the scheme. The role of the Local Planning Authority is to consider submitted planning applications and not to suggest alternative development proposals to applicants. In this instance the applicant and their representatives have positively engaged in pre-application discussions and amended their development proposals during the planning process. The loss of the visually dominant buildings is

an acknowledged loss from a heritage perspective; however this must be balanced against all benefits that the proposed development would bring to the City.

The Planning Balance

Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that *'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*

The starting point is the development plan, and the proposed hybrid development would accord with a number of Core Strategy Policies by providing the following benefits:

- Comprehensive regeneration of a substantial and part derelict site in the St Margaret's area
- Construction of up to 1,100 homes which would be a significant contribution to the current shortfall in housing land supply
- Delivering connectivity for walking and cycling through this part of the City
- Providing new areas of public realm and providing a connection through the site for the City Centre and Abbey Park.

There are however conflicts with the Development Plan. Core Strategy Policy CS 18 states that *'The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. We will support the sensitive reuse of high quality historic 'buildings and spaces, promote the integration of heritage assets and new development to create attractive spaces and places, encourage contemporary design rather than pastiche replicas, and seek the retention and re-instatement of historic shop fronts and the protection and where appropriate, enhancement of historic public realm.'* It is considered that there would be harm to designated and non-designated heritage assets as set out below:

- Demolition (full) of non-designated heritage assets on site other than the Old Textile Buildings facade and two chimneys – substantial harm from the total loss of these buildings which represent an important part of Leicester's manufacturing history;
- Plot 1 (outline) fronting Burleys Way – less than substantial harm, although at the higher end of the scale to the setting of the Grade I listed St Margaret's Church Tower; and
- Plots 4 and 5 (outline) to the north of the Corah site – less than substantial harm, at the lower end of the scale to the setting of the Registered Park and Garden, Abbey Park

Paragraph 215 of the NPPF states that *'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 including, where appropriate, securing its optimum viable use'*. Paragraph 216 goes on say 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’.

In consideration of the above, the proposed development would provide the following benefits:

Environmental Benefits

- Creation of a new residential area for the City;
- New pedestrian and cycling routes through the site providing new connectivity east to west within St Margarets area;
- New pedestrian and cycling routes through the site providing new connectivity north to south between the City Centre and Abbey Park;
- Creating new public realm areas, open spaces and opening up the canal to the north of the site;
- Increasing opportunities for public art;
- Creating and enhancing the habitat along the canal to deliver long term benefits to biodiversity;

Heritage Benefits

- Retained facade of the Old Textile Building, the oldest building site and its re-instatement and subsequent redevelopment
- Retained two factory chimneys and increased access through the public realm;
- Re-instatement of Corah Green and increased access to it and use of it as part of the public realm;
- Increasing access to the retained non designated heritage asset and thus increasing the appreciation of the history of Corah
- New pedestrian / cyclist access to Abbey Park from the site;

Economic Benefits

- Redeveloping the site will ensure the Old Textile Building facade is retained;
- Creation of new commercial floorspace within the development providing business opportunities;
- Generating new jobs during the construction phase of the development;
- Potentially delivering a hotel on site;
- Generating new jobs once the site is occupied;
- Potential for the site to act as a catalyst for further regeneration of other sites in the St Margaret's area;

Social Benefits

- Increasing the level of activity and vibrancy to the area by creating a mixed use area with new homes, retail and leisure uses;
- Delivering up to 1,100 new homes to help meet the City's housing need;
- Creation of new areas of public realm for residents and those working in the area to socialise, relax and enjoy the enhanced environment, leading to improved health and well-being;
- Improving access to Abbey Park for socialising and relaxing;

- Building community cohesion through the provision of opportunities for on-site community facilities and access to St Margarets Church.

Whilst attaching weight and importance to the less than substantial harm that the development would cause to the setting of the heritage assets, it is concluded that the public benefits of the development identified above outweigh such harm.

Furthermore the amount of housing proposed and the strategic objective of regenerating the area, is capable of being afforded substantial weight in the context of the current housing land supply position in the City. In considering the supporting information submitted by the applicant and having regard to all comments received, the proposed development would deliver a number of benefits which collectively carry significant weight in favour of the proposed development.

Conclusion

This hybrid planning application has complex issues, raising numerous planning issues for consideration and provoked a significant level of substantive objections as set out above. It has required a complex evaluation of many impacts, both positive and negative, which has taken into account the fact that as with any outline proposal, many details are, at this stage, unknown; however with the application being submitted with Design Codes and Parameter Plans the high level parameters for future redevelopment has been secured to a certain degree and provides the Local Planning Authority some comfort and level of control. The supporting information demonstrates that the proposed finished development would comply with local and national policies.

This assessment has taken into account relevant Development Plan policies, the NPPF and information in the Environmental Statement and considers the three elements of sustainable development, the economic, social and environmental impacts. The representations received have been carefully and fully considered in this relevant policy context.

The proposals detailed in the hybrid planning application would deliver a significant contribution to the wider regeneration of the St Margaret's Area, delivering a significant number of new homes alongside potentially new retail/ hotel/ leisure and, or community opportunities. As such it would provide an effective use of previously developed land at a sustainable location and meet important local growth objectives

In order to secure the weighting afforded to the benefits outlined above the conditions and Section 106 agreement will ensure that the physical benefits to the public realm are delivered. The Section 106 would further allow a mechanism under which financial and Affordable Housing contributions could be secured if future phases of development are viable.

The aim of the hybrid planning application is to ensure flexibility while establishing a coherent approach across the site that allows individual development plots to come forward within an agreed set of site wide principles. Whilst some of this redevelopment is contrary to Policy, it is considered that the Local Planning Authority would have sufficient control through the Development Specification, Parameter Plans and Design Codes to ensure that the redevelopment is of high quality and creates a place that is

attractive to residents, businesses and visitors alike. Having undertaken a thorough and considered assessment of the planning balance it is concluded that there are sufficient material considerations to outweigh the harm to heritage assets and the conflict with the development plan.

I recommend that this application is APPROVED subject to the following conditions and a SECTION 106 AGREEMENT.

CONDITIONS

1. That part of the development hereby approved in full, as defined on drawing OTB-AHR-XX-SC-DR-A-0550- S2 Rev P1 (hereby referred to as the Old Textile Building (OTB)) shall be carried out in accordance with the approved plans outlined in condition 72.

(For the avoidance of doubt and to ensure a satisfactory standard of development).

2. The OTB development shall be begun within five years from the date of this permission.

(To comply with Section 91 of the Town & Country Planning Act 1990.)

SITE WIDE CONDITIONS – PRIOR TO DEMOLITION

Development Delivery

3. In the instance of phased demolition, prior to any works on site including demolition, and with each reserved matters application(s), a phasing development plan (or plans) and indicative build out programme shall be submitted to and approved in writing by the local planning authority. The phasing development plan shall:

- i) Include details of how the proposed development Outline Plots/Development Plots are anticipated to be brought forward for approval of reserved matters including an indicative build out programme and an anticipated construction timetable;
- ii) Demonstrate the relationship between the proposed development and any completed plots or phases and the OTB;
- iii) Demonstrate the relationship between the proposed development and the completed or phases of public realm

Once approved it shall be known as the 'Approved Phasing' Plan unless or until a further iteration is approved. The subsequent demolition and redevelopment shall be carried out broadly in accordance with the approved plan.

(To ensure that the benefits of the Scheme which are relied upon to justify the demolition of buildings of heritage value are delivered. In accordance with Core Strategy policies CS03, CS04 and CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

4. In the instance that demolition is carried out as one building operation, no demolition of any building (other than works to the OTB) shall take place until details of the development contract for the redevelopment of either Plots OP1.1 or frontage development on Plot OP2 has been submitted to and approved in writing by the local planning authority pursuant to a reserved matters application(s). The development contract shall include an indicative build out programme and an anticipated construction timetable. The subsequent demolition and redevelopment shall be carried out broadly in accordance with the approved contract.

(To ensure the satisfactory redevelopment of the application site prior to the existing building loss in accordance with Core Strategy policies CS03, CS04 and CS18, the NPPF. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

Archaeology (Investigations & Reporting)

5. A) No demolition shall take place until a Programme of Archaeological Work has been submitted to and approved in writing by the Local Planning Authority in general accordance with the submitted Written Scheme of Investigation (dated 29/02/2022). The Programme 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;
- (7) nomination of a competent person or persons or organization to undertake the works set out within the Written Scheme of Investigation.

B) No demolition or development shall take place other than in accordance with the Programme of Archaeological Work approved under (A) above.

C) No part of the development (Full or Outline) shall be occupied until the site investigation and post investigation assessment for that Plot has been completed in accordance with the Programme approved under (A) 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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

Archaeology (Ground Disturbance)

6. Before any demolition or development is begun within each Development Plot, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- i. Details of all below ground disturbance including but not limited to basement, foundations, piling configuration, drainage, services trenches and temporary works for that Plot, to be included in a detailed Design & Method Statement. Such details must show the preservation of surviving archaeological remains which are to remain in situ.
- ii. The basement, foundations and piling configuration for that Plot shall be constructed in accordance with the details set out on the drawings and Design & Method Statement approved under (A) above.

(To help to determine the extent and impact of the loss of heritage assets of archaeological interest that will result from this development; and in accordance with Core Strategy policy CS18.

Biodiversity

7. Prior to the commencement of any demolition and prior to the commencement of development for each Development Plot, a Construction Environmental Management Plan (CEMP: Biodiversity) for that Plot shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- i) Risk assessment of potentially damaging construction activities;
- ii) Identification of "biodiversity protection zones";
- iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- iv) The location and timing of sensitive works to avoid harm to biodiversity features;
- v) The times during construction when specialist ecologists need to be present on site to oversee works;
- vi) Responsible persons and lines of communication;
- vii) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and,
- viii) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the demolition and construction period.

(To ensure the satisfactory development of the site and to avoid harm to protected species and important wildlife corridors. In accordance with Core Strategy policy CS17. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

Demolition/ Construction Method Statement

8. Prior to the commencement of demolition within an Outline Plot and prior to the commencement of development for each Outline Plot, a Construction Method Statement for the demolition and construction of each Plot (or part of thereof), 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 demolition and construction period. The Statement shall provide for:

- i) the vehicle and pedestrian temporary access arrangements including the parking of vehicles of site operatives and visitors;

- ii) the loading and unloading of plant and materials;
- iii) the storage of plant and materials used in the construction of the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities and sweeping to prevent and remove dirt/debris deposited on the highway;
- vi) measures to control the emission of dust and dirt during construction;
- vii) a scheme for the storage, recycling, and disposing of waste resulting from the demolition and construction works
- viii) the proposed phasing of demolition and development and a detailed description of the works in each phase
- ix) the temporary access arrangement to the construction site;
- x) procedures to ensure flood risk is managed on site during the period of works for personnel, plant and members of the public
- xi) the procedures to ensure flood risk is not increased anywhere outside of the site for the duration of the works;
- xii) the procedures to ensure pollution and sedimentation is minimised to any adjacent watercourse and the procedure to be used in case of a pollution incident;
- xiii) the measures that will be undertaken to ensure the structure of any adjacent watercourse is not impacted by the proposed development.
- xiv) measures shall also include details of hours of operation with a provision for circumstances where extended hours may be needed.
- xv) details of temporary parking/service areas to be provided, retained and kept available at each stage of construction of the development.
- xvi) a list of all works to be carried out in the highway and arrangements to facilitate these works, including temporary traffic management plan/s and permits, licences and TTROs required.

(To ensure the satisfactory development of the site, and in accordance with saved policies AM01, PS10, PS11 and UD06 of the City of Leicester Local Plan and Core Strategy policy CS02 and CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

Construction Method Statement

9. Unless otherwise agreed through a Construction Method Statement pursuant to condition 8 (above), construction operations utilising site equipment and/or plant and machinery generating noise that exceeds 65(dBA) Laeq (over a 1 hour period) at the façade of residential or noise sensitive premises shall only be carried out between the hours of 0800 to 1800 Mondays to Fridays, 0800 to 1300 on Saturdays and at no time on Sundays and Bank Holidays.

(In the interests of neighbouring amenity and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan).

Working Time Limits

10. No construction or demolition work, other than unforeseen emergency work, shall be undertaken outside of the hours of 0800 to 1800 Monday to Friday, 0800 to 1800 Saturday or at any time on Sundays or Bank Holidays, unless the methodology for any exceptions to this has been submitted to and agreed by the City Council Noise and Pollution Control Team. The methodology must be submitted at least 10 working days before such work commences and agreed, in writing, by the City Council Noise and Pollution Control Team. The City Council Noise and Pollution Control Team shall be notified of any unforeseen emergency work as soon as is practical after the necessity of such work has been decided by the developer or by anyone undertaking the works on the developer's behalf.

(To protect the amenity of nearby residents in accordance with saved policy PS10 of the Leicester Local Plan).

Protected Species Surveys

11. Prior to the commencement of any demolition on site, where any extant protected species surveys as approved in Condition 72 are no longer valid, protected species surveys shall be carried out of all appropriate buildings, areas and features by a suitably qualified ecologist. The survey results and any revised mitigation measures (the Report) shall be submitted to and approved in writing by the Local Planning Authority. Demolition shall be carried out in accordance with any identified mitigation measures in the approved Report.

(In accordance with Core Strategy Policy CS17 and to comply with the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000), the Habitat & Species Regulations 2017. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

CONDITIONS RELATING TO THE FULL PERMISSION

Structural Drawings

12. Prior to any structural works being carried out, including demolition associated with the OTB, full structural engineers drawings confirming the design solution for the careful dismantling of the parts of the Old Textile Building (OTB) that are not being retained and the proposed propping of the retained façade, as well as the enabling works and full construction works for the modern structure affixed to the retained historic façade shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- i) A method statement for the primary demolition works and details of how any other demolition works in close proximity to the heritage asset will ensure the integrity of the structure is protected;

- ii) Details of how historic material, such as brickwork and stonework, will be carefully dismantled for reuse where possible in the reconstructed side elevations;
- iii) Detailed designs for both the temporary propping of the historic façade and the works to tie in the permanent structure to it.

All works associated with and close to the OTB facade shall be carried out in accordance with these approved details.

(To ensure all reasonable steps are taken to protect this locally listed façade during demolition and subsequent redevelopment, and in accordance with Core Strategy policy CS18. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

OTB Conservation and Repair Works

13. Prior to the commencement of any works to redevelop the OTB, details confirming the extent of external repair / alteration works to the OTB shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- i) Specification and schedule of work for stone/brick repairs and repointing;
- ii) Specification of conservation cleaning and provision of cleaning test patch in a less obtrusive location;
- iii) Specification for repairs to more minor retained details, such as rainwater goods.

The OTB development shall be carried out in accordance with these approved details.

(To maintain the character and appearance of this locally listed facade and in accordance with policy CS18 of the Core Strategy.)

OTB Window and Door Details

14. Prior to the commencement of the re-development of the OTB full details including horizontal and vertical cross sections of all windows (scale 1:20 / 1:5 as appropriate) and doors (scale 1:5 / 1:10 as appropriate) types shall be submitted to and approved in writing by the Local Planning Authority and the works carried out in accordance with the approved details.

(To maintain the character and appearance of this locally listed facade and in accordance with policy CS18 of the Core Strategy.)

OTB Materials Specification

15. Prior to the commencement of the re-development of the OTB, the following shall be submitted to the local planning authority for inspection on site and approval in writing:

- i) Full details of all external materials to be used in the construction of the OTB, including all manufacturer specifications,
- ii) A full size sample panel showing all materials to be used on the external finishes, including the brick type, mortar and bonding as well as the stone string course shall be constructed for inspection and approval in writing by the Local Planning Authority.

The OTB development shall be carried out only in accordance with the approved details.

(In the interests of visual amenity and design quality, and in accordance with Core Strategy policies CS03 and CS18 and paragraph 135 of the NPPF).

OTB Access Arrangements:

16. Prior to the commencement of the re-development of the OTB, full details of the means of access for pedestrians, cyclists and general vehicle access for the OTB including for delivery and servicing shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- i) access routes for pedestrians, cyclists and vehicles between the OTB and the adopted highway,
- ii) Proposed alterations required within the adopted public highway, including alterations to existing footways, pedestrian crossing points, carriageways and amendments to TROs in place in order to enable creation of the access.
- iii) any proposed new areas within the site to be offered for future highway adoption.

The approved details shall be implemented and open for use prior to occupation of any part of the OTB.

(In the interests of highway safety and convenience of all highway users, including disabled people and pram and wheelchair users, the amenity of future residents, visual amenity and in accordance with saved policy AM01, AM02, and H07 of the City of Leicester Local Plan and Core Strategy policies CS03, CS14 and CS15)

OTB Sustainable Drainage Systems (Surface Water Drainage)

17. Prior to the commencement of the re-development of the OTB full details of the Sustainable Drainage System (SuDS) for the OTB 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 part of the OTB shall be occupied or brought into use, until the system has been implemented in full. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include:

- i) full design details,
- ii) a timetable for its implementation, and
- iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime.

(To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy).

OTB Drainage

18. Prior to the commencement of the re-development of the OTB, details of drainage system for the OTB shall be submitted to and approved by the Local Planning Authority. No part of the OTB shall be occupied or brought into use 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).

OTB Flood Risk Assessment

19. Development of the OTB shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated (March 2022) (CSL-BWB-ZZ-XX-RP-YE-001_FRA) and the following mitigation measures detailed within the FRA, insofar as they relate directly to the OTB:

- i) Safe access/egress
- ii) Flood resistance and resilience measures

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

(To ensure safety of future occupiers from flood risk and in accordance with Core Strategy policy CS02).

OTB Energy Efficiency Measures

20. Prior to the commencement of the re-development of the OTB full design details of energy efficiency measures and low carbon technologies to be installed at the OTB shall be submitted to and approved in writing by the Local Planning Authority. Development of the OTB shall be carried out in accordance with the approved details and no part of the OTB shall be occupied until evidence demonstrating satisfactory operation of the approved scheme including on-site installation has been submitted to and approved in writing by the Local Planning Authority.

(In the interests of securing energy efficiency in accordance with Core Strategy Policy CS02).

OTB Commercial Use Time Restriction

21. The commercial use hereby approved in the OTB shall not be carried out outside the hours of 0700 and 2300 daily.

(In the interests of the amenities of nearby occupiers, and in accordance with saved policy PS10 of the City of Leicester Local Plan.)

OTB Ground Floor Amenity/Commercial Use Confirmation

22. Prior to the OTB being brought into use, details of the final use of the Ground Floor currently labelled as "Amenity or Commercial Space" on plan no. OTB-AHR-XX-GF-DR-A-0500-P2 rev. P2 received on 21/02/2024, shall be submitted to and approved in writing by the Local Planning Authority.

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

OTB Basement Use Restriction

23. The internal amenity space in the OTB basement identified on plan no. OTB-AHR-XX-BS-DR-A-0500 Rev. P1, received on 22/09/2023, shall be made available for use by the residents of the OTB only and for no other purposes.

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

OTB Flue, Extraction Unit, Air Conditioning Unit Details

24. No flue, extraction unit or air conditioning unit shall be installed to any external wall of the OTB without details first being submitted to and approved in writing by the Local Planning Authority.

(To maintain the character and appearance of this locally listed facade and in accordance with policies CS03 and CS18 of the Core Strategy.)

OTB Cycle Parking

25. Prior to the OTB being brought into first use/occupation, details of secure and sheltered cycle parking for occupiers and employees shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

1. Cycle parking use/allocation within the OTB area;
2. Interim arrangements for cycle parking prior to the Multi-Storey Car Park (MSCP) being developed; and
3. Final cycle parking use/allocation within the MSCP.

Cycle parking shall be made available to residents of the OTB in accordance with these approved details.

(In the interests of the satisfactory development of the site and in accordance with saved policy AM02 of the City of Leicester Local Plan).

OTB Management Plan

26. Prior to the OTB being brought into first use/occupation, a site Management Plan for the OTB shall be submitted to and approved in writing to the Local Planning Authority. The plan shall include details of the following:

- i) Safety and security measures separating the commercial and residential uses and incidental areas;
- ii) Details of deliveries and servicing of the site;
- iii) Management of waste and cycle areas (including how these areas would remain separate between the residential and commercial uses); and
- iv) Management of Waste collection from the residential and commercial uses (to include interim arrangements whilst the phased development (Outline) is under construction.

The site shall be managed in accordance with the approved Management Plan at all times.

(In the interests of the satisfactory development of the site and in accordance with saved policies H07 and PS10 of the City of Leicester Local Plan).

CONDITIONS RELATING TO THE OUTLINE PERMISSION

Outline Implementation Time Limits

27. Applications for the approval of all Reserved Matters, comprising the external appearance, layout, landscaping, access and scale, shall be submitted to the Local Planning Authority no later than seven years from the date of this permission. The development of any Outline Plot (or part thereof) and/or Area of Public Realm must be commenced within 3 years of the date of the approval of the final Reserved Matters approval in respect of that phase.

(To comply with Section 92 of the Town and Country Planning Act 1990).

Outline - Plots OP4 & OP5 Design Codes

28. Prior to the submission of Reserved Matters applications for Plots OP4 or OP5, a Design Code for each or both plots shall be submitted to and approved in writing by the Local Planning Authority. Any subsequent Reserved Matters application for Plots OP4 and OP5 shall be carried out in accordance with the approved Design Code of that Plot.

(To guide the detailed design of the development and ensure the quality of design and protection of townscape and heritage assets in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy Policies CS03 and CS18).

Outline - Reserved Matters Application Requirements

29. No development within a 'Development Plot' hereby approved, shall be begun until details of all reserved matters for that 'Development Plot' (appearance, landscaping, layout, access and scale – the Reserved Matters) have been submitted to and approved in writing by the Local Planning Authority. Any application for Reserved Matters shall include:

- i) a Completed Design Code checklist(s) applicable to the Development Plot(s) for which the Reserved Matters approval is sought.
- ii) Detailed drawings including means of highway access for pedestrians, cyclists and vehicles including for servicing and delivery, road/footpath layouts, including connectivity for pedestrians and cyclists through the site (including tie-in details where required), areas of proposed new highway, and plot layouts.
- iii) Detailed drawings to a scale of not less than 1:100 showing the siting, design and external appearances of the building(s), including particulars of the materials to be used for all elevations and roofs.
- iv) Detailed drawings to a scale not less than 1:500 of a landscaping scheme.

(To ensure a satisfactory appearance and development of the site in accordance with Core Strategy policy CS03).

Outline – Details of Off-Site Highway Works

30. Prior to commencement of development (excluding demolition) of each Outline Plot and/or Development Plot that adjoins an external road(s), details of the off-site works within the public highway relating to that plot and for the road(s) fronting that

plot shall be submitted to and approved in writing by the Local Planning Authority in consultation with the City Highways Authority.

The details shall include:

- i) alterations to any existing and proposed new accesses;
- ii) alterations to the existing footways including areas of widening into the development site;
- iii) alterations to the carriageway, including alterations to existing TROs;
- iv) proposed materials including areas of enhanced feature paving;
- v) locations of trees, tree pits, and planting; street lighting proposals;
- vi) any such matters as necessary to ensure safe operation the surrounding highway; and
- vii) timescales for the completion of those highways works.

For the avoidance of doubt, with the exception of Burleys Way, the consideration of necessary alterations within the highway fronting the site shall include entire highway corridor extents.

The approved details shall be implemented in accordance with the approved details and within the approved timescales.

(In the interests of highway safety and convenience of all highway users, including disabled people and pram and wheelchair users, the amenity of future residents, visual amenity and in accordance with saved policies AM01, AM02, and H07 of the City of Leicester Local Plan and Core Strategy policies CS03, CS14 and CS15)

Outline – Compliance with Approved Plans & Documents

31. The Outline part of the development hereby granted approval and any subsequent Reserved Matters shall be carried out in accordance with the approved plans detailed in condition 72.

(For the avoidance of doubt).

Outline – Compliance with Approved Design Parameters

32. The Outline part of the development hereby granted approval and any subsequent Reserved Matters shall not exceed the maximum parameters with regard to footprint, height, floorspace and volume, as shown on the approved plans detailed in condition 72.

(To ensure the protection of townscape and heritage assets in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy Policies CS03 and CS18).

Outline – Public Realm Phasing Plan & Delivery Timetable

33. Prior to or as part of the submission of the first Reserved Matters application which includes the whole or part of the Public Realm (as identified in Public Realm Extents, Ref. FCF-MAB-ZZ-ZZ-DR-A-00105-S1 P19), a Public Realm Phasing Plan and

Delivery Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of which areas of Public Realm will be implemented as part of any Development Plot containing built form, or if the Public Realm will be delivered independently. The public realm shall be built in accordance with the approved Phasing and Delivery Plan.

(To ensure that the benefits of the Scheme which are relied upon to justify the demolition of buildings of heritage value are delivered. In accordance with Core Strategy policies CS03, CS04 and CS18.)

Works Associated with the Retained Chimneys

34. Prior to any site clearance within 8 metres of the retained chimneys or of any structures connected to the chimneys, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- i. full engineering drawings and a method statement for clearing the area around the two chimneys;
- ii. details of any required protection of the chimneys during demolition and construction, and;
- iii. details of structural repairs required to the chimneys.

All works close to the chimneys shall be carried out in accordance with these approved details.

(To ensure all reasonable steps are taken to protect the locally listed chimneys, and in accordance with Core Strategy policy CS18.)

Bridge Delivery

35. Prior to the commencement of the first development approved for either Outline Plots OP4 or OP5 (or part thereof) pursuant to a reserved matters approval, a development contract shall have been signed to secure the commencement of the Bridge Development to complete the link through the site (as approved pursuant to a reserved matters application(s) under this permission) and details of this contract shall have been submitted to and approved in writing by the Local Planning Authority. The contract shall include an indicative build out programme and an anticipated construction timetable.

The development of the bridge and connection through the site shall be carried out in accordance with the arrangements so approved.

(To ensure that the benefits of the Scheme which are relied upon to justify the demolition of buildings of heritage value are delivered. In accordance with Core Strategy policies CS03, CS04 and CS18).

Development of the Bridge

36. Any reserved matters application which includes the proposed bridge must be submitted with the following details:

- i) Full details of the detailed structural design, in accordance with requirements set out in Design Manual for Roads and Bridges, CD 353 Design criteria for footbridges, appearance, materials and finishes to be used in its construction;

- ii) A Biodiversity Net Gains (BNG) Metric to demonstrate how the proposal will provide a net gain for biodiversity above 0%.
- iii) An Arboricultural Assessment of the trees within Abbey Park that may be affected by the proposed bridge landing, including details of replacement landscaping and replanting;
- iv) Detailed plans for any necessary regrading of the land within Abbey Park, including section drawings; and
- v) Ecology surveys of that section of the site within Abbey Park, including details of mitigation (repeat surveys should be carried out as per guidelines), unless such surveys as previously submitted and approved in accordance with Condition 71 remain valid.

The bridge development must be carried out in accordance with the approved details. (In the interest of protecting the trees and wildlife within Abbey Park and in accordance with saved policy UD06 of the Leicester Local Plan and policies CS03 and CS17 of the Core Strategy).

Outline – Bridge Construction Method Statement

37. No works to construct the public realm ('Grand Union Park; adjacent to the Grand Union Canal) or to construct the footbridge over the canal (including demolition/site clearance operations) shall take place until:

- i) a Method Statement detailing the proposed method of all required demolition/site clearance operations and the design and means of construction of the foundations of the bridge and any structures to be constructed within the public realm, together with any other proposed earthmoving or excavation works as may be required, has first been submitted to and agreed in writing by the Local Planning Authority.
- ii) The Method Statement shall be informed by a condition survey of the Grand Union Canal washwall and shall identify and shall incorporate any measures required to avoid the risk of the development adversely affecting the structural integrity of the Grand Union Canal (such as vibration monitoring during any piling operations or establishment of stand-off distances from the canal for operating plant or machinery) during demolition/site clearance and construction operations and any strengthening works to the canal washwall as may be necessary to facilitate the development.
- iii) Means of access to bring necessary plant and materials on site, alongside the adjacent Outline Plots OP4 and OP5.
- iv) The development shall thereafter only be carried out in accordance with the agreed Method Statement.

(In the interests of avoiding the risk of creating land instability arising from any adverse impacts from demolition/site clearance operations, foundation construction, earthmoving, excavations or other construction operations which could adversely affect the structural integrity of the adjacent Grand Union Canal in accordance with the advice and guidance on land stability contained in paragraphs 174 and 183 of the National Planning Policy Framework and in the National Planning Practice Guidance).

Outline –Multi Storey Car Park - Plot OP3 Parking Management Plan)

38. Any Reserved Matters Application for Outline Plot OP3 (Multi-Storey Car Park (MSCP)) shall be submitted with a Parking Management Plan identifying who would

have use of these parking spaces and management arrangements for the same. The MSCP shall only be used by residents of the development, their visitors and by staff of the commercial units on the site, or their visitors and any on-site management functions, and shall not be made available for use by the general public.

(To ensure that parking can take place in a satisfactory manner; and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03).

Outline – Approval of Design Details A

39. Each Reserved Matters application that includes details of appearance shall be submitted with details of all external materials for that Development, including a sample panel(s) drawing (at a scale of 1:20) and a materials schedule. (In the interests of visual amenity and to secure design quality. (In accordance with Core Strategy policy CS03 and NPPF 2024 Chapter 12 Achieving Well-Designed Places).

Outline – Approval of Design Details B

40. Prior to any works above slab level of each Development Plot, a materials schedule for that Development Plot alongside the approved Sample Panel drawing shall be submitted to and approved in writing by the local planning authority. All materials for use on the building(s) and surface treatments/ landscaping shall be provided, including the product and manufacturer specification. The materials shall be in broad accordance with the details approved pursuant to condition 39. The Sample panel(s), shall be constructed on site for that Development Plot showing, (but not necessarily limited to) construction techniques, brick, bonding & mortar, window frames, reveals, ventilation panels/louvres and cladding for inspection and approval in writing by Officers. The development within each Outline Plot shall be constructed in accordance with the approved details. (In the interests of visual amenity and to secure design quality. In accordance with Core Strategy policy CS03 and NPPF 2024 Chapter 12 Achieving Well-Designed Places).

Outline – Low Carbon Heating Option Details

41. Applications for the approval of Reserved Matters for any phase of development hereby approved shall include further details of low carbon options for heating those phases that are proposed to be served by gas boiler systems. Further details of use of low carbon technologies, in addition to the considerations of decarbonisation, WSHPs and connections to District Heating systems shall be submitted to and agreed in writing with the Local Planning Authority. The system shall thereafter be implemented as approved and retained as such.

(In the interests of securing energy efficiency in accordance with Core Strategy Policy CS02).

Outline – Landscape & Ecological Management Plan (LEMP)

42. Applications for the approval of Reserved Matters for any phase of the development hereby approved shall be submitted with a detailed Landscape and

Ecological Management Plan (LEMP) showing the treatment and maintenance of all parts of that plot which will remain unbuilt upon shall be submitted to and agreed in writing by the local planning authority. This scheme shall include details of:

- (i) the position and spread of all existing trees, shrubs and hedges to be retained or removed;
- (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means of planting, including details of tree pits to be provided within the existing and proposed future adoptable highway, staking, and tying of trees, including tree guards;
- (iv) other surface treatments;
- (v) fencing and boundary treatments, including details of the entrance gates;
- (vi) any changes in levels;
- (vii) the position and depth of service and/or drainage runs (which may affect tree roots),
- viii) a detailed plan of the biodiversity enhancements on the site such as meadow creation and hedgerows including a management scheme to protect habitat during site preparation and post-construction.
- ix) details of specification and maintenance of green/brown roofs;
- x) details of the make and type of bird boxes/tiles/bricks and bat boxes/tiles/bricks to be erected on buildings and invertebrate 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 ten 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 and a written assessment of the landscaped/habitat areas and use by wildlife/species present shall be submitted annually to the Local Planning Authority.

(In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS3 Urban Design, CS 17 Biodiversity).

Outline- Statement of Student Housing Need (PBSA)

43. Any Reserved Matters application for purpose-built student accommodation (sui generis) shall be submitted with a Statement of Student Need Assessment must be submitted explaining how the proposals accord with the criteria set out in the Council's Student Housing Supplementary Planning Document 2012 (or any adopted document superseding this).

(To ensure a satisfactory form of development and in accordance with Core Strategy policy CS06).

Outline- Plot Based Daylight, Sunlight and Overshadowing Assessments

44. Each Reserved Matters application for each Outline and/or Development Plot shall be accompanied by an updated Daylight, Sunlight and Overshadowing Assessment to demonstrate the effect of the design of the proposed building (based on planning permissions and Reserved Matters approvals at that time combined with the approved Parameter Plans for the outstanding Plots) upon the amenity enjoyed by the future residential occupiers within their habitable rooms, upon any shared private amenity areas and any areas of public realm within that Plot.
(To ensure that the amenity of future occupiers is acceptable in accordance with saved policy PS10 of the Leicester Local Plan and Core Strategy policy CS03),

Outline – Residential C3 Compliance Details

45. All residential units falling within Use Class C3 coming forward as part of any subsequent reserved matters applications pursuant to this outline permission shall be constructed to meet the Nationally Described Space Standards (Technical housing standards – nationally described space standard, Department for Communities and Local Government March 2015) or any successor to those standards.

(To ensure that all dwellings provide an adequate standard of accommodation for future occupants, in accordance with Core Strategy policy CS03 and saved policies H07 and PS10 of the Leicester Local Plan, and the Technical housing standards – national described space standard (2015).

Outline – Residential Layouts M4(2) Compliance Details

46. Unless developed as purpose-built student accommodation, all dwellings and the associated parking and approaches shall be constructed in accordance with Category 2: accessible and adaptable dwellings M4(2) Optional Requirement. Prior to the occupation of any dwelling within a specific Development Plot, a completion certificate relating to that Development Plot signed by the relevant inspecting Building Control Body shall be submitted to the Local Planning Authority certifying compliance with the above standard.

(To ensure the dwellings are adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS06).

Outline – Updated Wind Assessment

47. An updated Wind Assessment shall be submitted with each Reserved Matters Application. The updated Wind Assessment(s) shall take account of the parameter plans, or the details contained within the most recently approved Reserved Matters applications, whichever is more recent.

(To mitigate against the effects of any adverse wind conditions in order to allow occupiers, visitors and users of the site to fully use the public realm. In accordance with Core Strategy policy CS03).

Outline – Fire Statement

48. Any Reserved Matters Application proposing a residential building (as defined by article 9A of the Town and Country Planning Development Management (England)

Procedure Order 2015 as amended article 4 of the 2021 Order) shall be supported by a Fire Statement as detailed in article 9A of the Town and Country Planning Development Management (England) Procedure Order 2015 as amended article 4 of the 2021 Order.

(To ensure the safety of occupiers and good building practices in accordance with Core Strategy policy CS03).

Outline – Vehicle Parking Details

49. Any Reserved Matters application(s) which include vehicle parking (other than the MSCP in Outline Plot OP3) shall be submitted with details of parking allocation and management. The residential car parking provision subsequently approved within any plot shall be used only for the vehicles of the residents of the development or their visitors and for no other purpose, including public, commuter or contract parking. Parking in each respective Outline Plot shall be used only in accordance with the approved details.

(In the interests of the satisfactory development of the site and in accordance with saved policies AM02 and H07 of the City of Leicester Local Plan).

Waste Management

50. Applications for the approval of Reserved Matters for any Outline and/or Development Plot shall include details of waste management provision for that building. Details shall include:

- i) The proposed storage for external non-recyclable waste and recycling containers.
- ii) The calculations made to determine the overall storage allowance for a maximum of once a week collection.
- iii) The proposed access and collection routes for collection vehicles.
- iv) Reversing distances (if reversing cannot be avoided).
- v) Distances between vehicle collection points and storage areas.
- vi) A turning assessment that has been made using the appropriate software (e.g. Auto Track) and taking into account the vehicle dimensions.
- vii) A statement detailing how the containers will be transported that to the waste collection point at ground level (in developments where the storage is proposed underground).

The development shall be carried out in accordance with these approved details.

(To achieve a satisfactory form of development, and in accordance with saved policies AM01 and H07 of the City of Leicester Local Plan and Core Strategy policy CS03).

Outline – Commercial Uses Ventilation, Air Conditioning & Flue Strategy

51. Prior to the installation of any external plant within an Outline and/or Development Plot, a ventilation and flue strategy serving the associated commercial uses within that Plot showing the means of mechanical extraction terminating at roof level including details of noise control, external ducting and predicted noise levels at all surrounding proposed and existing noise sensitive receptors.

(To ensure the protection of townscape and heritage assets in accordance with saved policy UD06 of the City of Leicester local Plan and Core Strategy policies CS03 and CS18).

Outline – Compliance with Class E Floorspace Restrictions

52. The quantum of Class E floorspace permitted within the buildings shall not exceed the details outlined in Section 4.7 of the approved Development Specification (Ref. 3859LE/R002 v11, dated July 2025).

(To ensure that the development does not have any adverse impacts on the vitality and viability of existing centres in accordance with Core Strategy policy CS11 and for the avoidance of doubt).

CONDITIONS RELATING TO ALL PARTS OF THE DEVELOPMENT

Contaminated Investigation & Land Remediation

53. No development shall be carried out within each Outline and/or Development Plot (not including demolition and site clearance works) until that Plot has been investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works for that plot to render the site suitable and safe for the development, has been submitted to and approved in writing by the Local Planning Authority.

The approved remediation scheme for each plot shall be implemented and a completion report for each Development Plot shall be submitted to and approved in writing by the Local Planning Authority before any part of the development in each plot is occupied. Any parts of the site where contamination was previously unidentified and found during the development process shall be subject to remediation works carried out and approved in writing by the Local Planning Authority prior to the occupation of any phase of the development. The report of the Site Investigation Report and related survey findings shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, pets and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

(To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy PS11 of the City of Leicester Local Plan.)

Unforeseen Contamination

54. If, during development of any Plot, contamination not previously identified or that would not reasonably be expected to be identified is found to be present at the site then no further development for that Plot shall be carried out until an updated remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

(To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of land and water pollution from previously unidentified contamination sources at the development site and in accordance with saved policy PS11 of the City of Leicester Local Plan.)

Sustainable Drainage Systems (SuDS)

55. Prior to the commencement of development within any Outline and/or Development Plot, 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 part of the development within any Plot shall be occupied or brought into use, until the approved system for that plot has been implemented in full. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include:

- i) full design details,
- ii) a timetable for its implementation, and
- iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime.

(To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy).

Drainage Details

56. Prior to the commencement of development in each Outline and/or Development plot excluding the OTB, details of drainage system, shall be submitted to and approved by the Local Planning Authority. No part of the development shall be occupied or brought into use until the drainage for that plot 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).

Flood Risk Compliance

57. The development shall be carried out in accordance with the submitted flood risk assessment (BWB, March 2022, ref. CSL-BWB-ZZ-XX-RP-YE-0001_FRA and the following mitigation measures it details:

- i) The finished floor level of Block F shall be set no lower than 53.8 metres above Ordnance Datum (AOD)
- ii) Ground levels shall not be lowered at the site
- iii) The proposed bridge over the Grand Union Canal shall have a soffit height no lower than 53.68mAOD

- iv) The proposed bridge shall be clear-span in design with footings located outside of the floodplain (flood zone 1).

These mitigation measures shall be fully implemented prior to occupation of the final Development Plot 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 reduce the risk of flooding to the proposed development and future occupants; to prevent new flow paths being created for floodwater through the site; to ensure the bridge does not obstruct floodwater during a flood event; and to ensure the bridge footings do not obstruct or constrict/divert flood water during a flood event, and do not occupy floodplain storage. In accordance with Core Strategy policy CS02).

Acoustic Survey & Noise Insulation Details

58. Prior to the commencement of any above ground works relating to any Development Plot (Full or Outline), an acoustic survey shall be undertaken for that Plot to assess noise from road traffic, external plants and commercial premises especially during peak periods (Thursday, Friday and Saturday) including night time assessments. A Noise Insulation scheme to prevent the transmission of noise into each development Plot shall be carried out in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The Noise Insulation scheme shall incorporate mechanical ventilation to allow windows to remain closed irrespective of the external conditions if identified as being necessary by the approved noise survey. Windows should not be permanently sealed closed but should be able to be kept closed, by choice, whilst allowing residents to enjoy an adequate source of fresh air.

(In the interests of residential amenity and in accordance with saved policies PS10, PS11 and H07 of the City of Leicester Local Plan).

Noise Insulation Between Commercial & Residential Uses

59. Prior to any above ground construction of any Development Plot (Full or Outline) which includes commercial uses, details of noise insulation between the ground or lower floor commercial uses and the residential uses at the upper floors shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation shall be installed in accordance with the approved details.

(In the interests of residential amenity and in accordance with saved policies PS10, PS11 and H07 of the City of Leicester Local Plan).

Overheating Assessment

60. Prior to the commencement of any above ground works relating to any Development Plot (Full or Outline) where a Noise Assessment has deemed that windows cannot be opened; an Overheating Assessment and suitable mitigation measures, if deemed necessary, shall be submitted to and approved in writing. The development must be carried out in accordance with the approved details.

(In the interests of residential amenity and in accordance with saved policies PS10, PS11 and H07 of the City of Leicester Local Plan).

External Lighting Details

61. Prior to the installation of any external lighting within any Development Plot (Full or Outline) or within areas of Public Realm, a detailed design plan of lighting to be used which shows the locations of lights, their type of light emittance and wavelength, together with a lux contour map showing the variation in light within the plot or area of Public Realm, shall be submitted and approved in writing by the Local Planning Authority. The lighting should be designed to cause minimum disturbance to protected species that may inhabit the site with appropriate areas remaining dark and a maximum of 1 lux on vegetated/water areas where considered necessary. The approved scheme shall be implemented and retained thereafter. No additional lighting should be installed without prior agreement from the Local Planning Authority.

(In the interests of protecting wildlife habitats and in accordance with NPPF (2021) Para 192, policy CS 17 Biodiversity of the Core Strategy)

Highways - Cycle Parking Details

62. With the exception of the OTB, no part of any Development Plot shall be occupied until secure and covered cycle parking relating to that plot has been provided, in accordance with written details previously approved in writing by the Local Planning Authority. The cycle parking shall be retained and kept available for that use thereafter.

(In the interests of the satisfactory development of the site and in accordance with saved policies AM02 and H07 of the City of Leicester Local Plan).

Highways – Framework Travel Plan

63. Prior to the submission of any Reserved Matters application, a Framework Travel Plan (FTP) for the whole site shall be submitted to and approved in writing by the Local Planning Authority. No Development Plot (Full or Outline) shall be occupied until a Plot-Specific Travel Plan for that plot has been submitted to and approved in writing by the Local Planning Authority which is broadly in accordance with the approved FTP. The Plot Specific Travel Plan shall:

- i) assess the site in terms of transport choice for staff, users of services, visitors and deliveries;
- ii) consider pre-trip mode choice, measures to promote more sustainable modes of transport such as walking, cycling, car share and public transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site as single occupancy vehicle users, so that all users have awareness of sustainable travel options;
- iii) identify marketing, promotion and reward schemes to promote sustainable travel and look at a parking management scheme to discourage off-site parking;
- iv) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use.

The Plot-Specific Travel Plan shall be maintained and operated thereafter.

(To promote sustainable transport and in accordance with saved policies AM01, AM02, and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

Highways – Residents Travel Pack

64. Prior to the first occupation of each dwelling within a Development Plot, the occupiers of each of the dwellings within that Development Plot shall be provided with a 'Residents Travel Pack' details of which shall be submitted to and approved in writing by the Local Planning Authority in advance. The contents of the Residents Travel Pack shall consist of: information promoting the use of sustainable personal journey planners, walking and cycle maps, bus maps, the latest bus timetables applicable to the proposed development, and bus fare 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)

Highways – Signage and Wayfinding Plan

65. Details of a Signage and Wayfinding Plan with the purpose of guiding people through the site and towards external and internal routes and connections shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any Development Plot (Full or Outline). The Plan shall include details of any interim routes during the construction of the phased development.

(To ensure legibility, access and travel both within the development site and beyond in accordance with saved policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy)

Highways – Leicester Street Design Guide Compliance

66. All street works, including internal streets and paths proposed for future highway adoption, shall be constructed in accordance with the Leicester Street Design Guide (1st Edition) or any subsequent document that supersedes that guidance.

(To achieve a satisfactory form of development, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03).

Air Quality Mitigation Measures

67. The development of each Development Plot shall be carried out in full accordance with the Air Quality Mitigation measures as set out in Table 5.5 and Table 5.6 of the Air Quality Assessment (BWB Consulting Limited, ref: BWB-NTS2873-001, April 2022).

(In the interests of the amenities of nearby occupiers, and in accordance with saved policy PS10 of the Leicester Local Plan).

Delivery & Servicing Management Plan

68. Prior to first occupation of each Development Plot, a Delivery and Servicing Management Plan for permanent delivery and servicing arrangements in that Plot and any completed Plots and any interim arrangements (operational during the construction phase) for Plots yet to be completed shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include operational arrangements for delivery areas, bays and routes through the site.

The parking/servicing areas as approved for each Development Plot shall be provided before the occupation of that Plot and shall be retained and kept available for that use.

(To ensure that deliveries/servicing can take place in a satisfactory manner; and in accordance with saved policies AM01, AM02, and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

Student Occupation Only

69. Should any Outline and/or Development Plot, or part of a Plot be approved for Purpose Built Student Accommodation, then that Plot 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 that Development Plot shall keep an up to date register of the name of each person in occupation of the development together with course(s) attended, and shall make the register available for inspection by the Local Planning Authority on demand at all reasonable times.

(To enable the Local Planning Authority to consider the need for affordable housing in accordance with Core Strategy Policy CS07, and residential amenity standards for any alternative residential use in accordance with saved policies H07 and PS10 of the City of Leicester Local Plan and Core Strategy policies CS03 and CS06.)

Communication Apparatus & Antennae Restriction

70. Notwithstanding the provisions of Schedule 2, Part 16, Class A, B, C and D of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order, with or without modification), no communication apparatus or antennae shall be installed on any building hereby approved without express grant of permission by the Local Planning Authority.

(In the interests of visual amenity in accordance with Core Strategy policy CS03).

Changes of Use Restriction

71. Notwithstanding the provisions of the General Permitted Development Order (2015) (as amended) or any subsequent revision or amendment to that order, the commercial and service uses hereby approved shall only be used as commercial, service uses within Class E of Schedule 2 of the Use Classes Order 1987 (amended 2020). There shall be no change of use to dwellinghouses by virtue of the provisions of Schedule 2, Part 3, Classes G, M and MA of the Permitted Development Order, or by virtue of any subsequent revision or amendment that would allow for changes of use from such commercial, business and service uses to residential uses.

(The impact of other uses on the residential amenity of neighbouring properties, the functioning of the local highway network, the vitality and viability of the City Centre would need to be fully considered by the Local Planning Authority, and in accordance with saved City of Leicester Local Plan policies AM12, PS10, PS11, R03 and R05 and Core Strategy policies CS10, CS12 and CS14).

Approved Plans

72. This planning permission shall relate solely to the following plans and approved documents.

Full Permission – Old Textile Building

Old Textile Building Location Plan, Ref. OTB-AHR-XX-SC-DR-A-0550 – S2, received on 29/03/2022,

Proposed Basement Plan, Ref. OTB-AHR-XX-BS-DR-A-0500, received on 22/09/2023,

Proposed Ground Floor Plan, Ref OTB-AHR-XX-GF-DR-A-0500-P2, received on 21/02/2024,

Proposed Level 1 Plan, Ref OTB-AHR-XX-GF-DR-A-0501-P2, received on 22/07/2025,

Proposed Level 2 Plan, Ref OTB-AHR-XX-GF-DR-A-0502-P2, received on 21/02/2024,

Proposed Level 3 Plan, Ref OTB-AHR-XX-GF-DR-A-0503-P2, received on 21/02/2024,

Proposed Level 4 Plan, Ref OTB-AHR-XX-GF-DR-A-0504-P2, received on 21/02/2024,

Proposed Level 5 Plan, Ref OTB-AHR-XX-GF-DR-A-0505-P2, received on 21/02/2024,

Proposed Roof Level, Ref. OTB-AHR-XX-GF-DR-A-0506-P2, received on 21/02/2024,

Proposed South and North Elevations, Ref. OTB-AHR-XX-EL-DR-A-0510-P2, received on 21/02/2024,

Proposed East and West Elevations, Ref. OTB-AHR-XX-EL-DR-A-0511-P1, received on 22/09/2023

Proposed North Elevation Detail, Ref. OTB-AHR-XX-EL-DR-A-0571-P2, received on 21/02/2024,

Proposed South Elevation Detail, Ref. OTB-AHR-XX-EL-DR-A-0570-P2, received on 21/02/2024,

Proposed Arch Bridge Detail, Ref. Ref. OTB-AHR-XX-EL-DR-A-0572-P1, received on 22/09/2023,

Proposed Cross Section, Ref. OTB-AHR-XX-EL-DR-A-0520-P1, received on 22/09/2023, and

Proposed Arch Section, Ref. OTB-AHR-XX-EL-DR-A-0521-P1, received on 22/09/2023.

Outline Permission

Illustrative Masterplan Version 1, Ref. FCF-MAB-ZZ-ZZ-DR-A-00127 P05, received on 22/09/2023,

Building Heights, Ref. FCF-MAB-ZZ-ZZ-DR-A-00106-S1 P14, received on 02/07/2024,

Building Lines, Ref. FCF-MAB-ZZ-ZZ-DR-A-00107-S1 P13, received on 22/07/2025,

Access and Movement, Ref. FCF-MAB-ZZ-ZZ-DR-A-00103-S1 P15, received on 02/07/2024,

Masterplan Plot Extents, Ref. FCF-MAB-ZZ-ZZ-DR-A-00104-S1 P17, received on 04/07/2024,

Public Realm Extents, Ref. FCF-MAB-ZZ-ZZ-DR-A-00105-S1 P19, received on 04/07/2024,

Parameter Sections 01, Ref. FCF-MAB-ZZ-ZZ-DR-A-00140-S1 P10, received on 22/07/2025,

Parameter Sections 02, Ref. FCF-MAB-ZZ-ZZ-DR-A-00141-S1 P15, received on 04/07/2024,

DC00: Design Code Guide DC01 Rev P06: Introductory Document, received on 22/07/2025,

Site Wide Principles for Buildings, received on 02/07/2024,

DC02: Site Wide Principles for Public Realm, received on 02/07/2024,

DC03: Public Realm Character Areas, received on 02/07/2024,

DC04: Corah Design Code OP1, received on 22/07/2025,

DC05: Corah Design Code OP2, received on 22/07/2025, and

DC06: Corah Design Code OP3, received on 22/07/2025.

Approved Documents

Development Specification V11, received on 22/07/2025,

Flood Risk Assessment, Ref. CSL-BWB-ZZ-XX-RP-YE-001_FRA), received on 22/03/2022,

Biodiversity Net Gain Assessment, ref. CSL-BWB-ZZ-XX-RP-LE-0002_BNG dated August 2023, received on 22/09/2023,

Ecological Impact Assessment – Main Site, ref. CSL-BWB-ZZ-XX-RP-LE-0001 dated February 2024, received on 16/02/2024

Ecological Impact Assessment – Footbridge, ref. CSL-BWB-ZZ-XX-RP-LE-0001 dated February 2024, received on 16/02/2024,

Design & Access Statement, Ref. FCF-MAB-XX-XX-RP-A-00001 P10, received on 02/07/2024,

Acoustic Design Report RIBA Stage 2, Ref. NTS2873, received on 22/09/2023,

Air Quality Assessment, Ref. SL-BWB-ZZ-ZZ-RP-LA-0001, received on 08/11/2023,

Badger Survey dated 22nd May 2024, received on 19/6/2024
Badger Mitigation Statement, dated July 2024, received on 02/08/2024 and
Odour Assessment, Ref. CSL-BWB-XX-ZZ-LA-RP-001_ODO, received on
19/06/2024.
(For the avoidance of doubt)

NOTES FOR APPLICANT

Cadent Gas

1. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Flue

2. Any ventilation flue shall carry exhausted air from the cooking area to a discharge point which is not less than 1 metre above the highest ridge of the buildings to which it is attached.

The termination of the flue shall be plain, with airflow unobstructed by a cowl/bent cowl or rain deflector to maximise the dilution and dispersion of cooking odours.

Air extracted from the food cooking air will need to pass through a filtration system. In addition to simple grease traps activated carbon filters (or some other approved odour removal technology) shall be incorporated into the design to minimise the likelihood of cooking odours being present in the exhausted air.

Waste

3. There must be adequate space for residents to access all bins and for waste collection crew to collect any bin in the store without the need to move bins around. Please note that Leicester City Council guidance notes strongly encourage a maximum distance of 10 metres from the bin storage area to the refuse vehicle collection point for bins, this is to be eligible for an assisted collection.

Please note: access roads to all bin stores should be able to safely accommodate collection vehicles: surfaces, utilities and utility covers should be constructed to withstand the weight of waste collection vehicles (i.e. 32,000 kg).

The door opening must be wide enough to accommodate all bins and be able to be secured in the open position during collections.

The bin store should have a cleanable floor and have suitable drainage to facilitate the cleaning of bins and prevent odour and vermin problems. All run off must flow towards a drainage point and access to a water supply should be provided.

If the door to the bin store has a step or lip, this will have to be removed.

There should be a dropped kerb from the pavement to the road near the bin store door.

Access paths for bin movements should be a minimum width of two metres, have a reasonably smooth finish and be level.

If vehicle access to the building is required, clearance of overhead fixtures and fittings must be allowed for. In cases where the access road has a restricted head height or if the vehicle has to pass through any part of a building, there must be a minimum clearance height of 4000mm. If vehicle access is required the site layout must allow room for the collection vehicle to manoeuvre. A turning assessment should be made with use of the appropriate software (such as Auto Track), taking into account the vehicle dimensions and submitted with the planning application.

Canals & River Trust

4. 1) The proposed footbridge over the Grand Union Canal will require the prior consent of the Canal & River Trust. The applicant/developer is recommended to make early contact with the Trust's Estates Team to discuss matters. Please contact Steve Robinson, Senior Estates Surveyor, at steve.robinson@canalrivertrust.org.uk or on 07710 175114.

2) The applicant is advised that any works on or oversailing the adjacent Grand Union Canal will require the prior consent of the Canal & River Trust. The applicant/developer should contact the Trust's Infrastructure Services Team to ensure that all necessary consents are obtained and that all works comply with the Trust's current Code of Practice for Works Affecting the Canal & River Trust. Please contact Keith Boswell, Works Engineer, at keith.boswell@canalrivertrust.org.uk or on 07979 304603 for advice in the first instance.

3) Any discharges of surface water from the development to the adjacent Grand Union Canal will require the prior consent of the Canal & River Trust. The applicant/developer should contact the Trust's Utilities Team for further advice. Please note that the Trust is not a land drainage authority and such discharges are not granted as of right; where they are granted, they will usually be subject to completion of a commercial agreement. Please contact Chris Lee, Regional Utilities Surveyor, at lee.chris@canalrivertrust.org.uk or on 07771 717371 to discuss matters in the first instance.

Bird Nesting

5. Development on the site shall avoid the bird nesting season (March to September), but if this is not possible, a re-check for nests should be made by an ecologist (or an appointed competent person) not more than 48 hours prior to the commencement of works and evidence provided to the LPA. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate

standoff zone will also be marked out to avoid disturbance to the nest whilst it is in use.

All wild birds are protected under the Wildlife and Countryside Act (1981) as amended making it an offence to kill, injure or disturb a wild bird and during the nesting season to damage or destroy an active nest or eggs during that time.

Highways Informative

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

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

The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway.

For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.

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

- For **new road construction which will be offered for adoption as highway maintainable at public expense**, the applicant must enter into an Agreement with the Highway Authority under Section 38 of the Highways Act 1980. Where these are expected to be new residential roads they shall be designed not only to be consistent with a 20mph speed limit, but shall also be controlled by a 20mph speed limit or 20mph zone by the introduction of a Speed Limit Order (SLO).
- For **alterations to the existing highway**, the applicant must enter into an Agreement with the Highway Authority under Section 278 of the Highways Act 1980. The costs associated with any temporary traffic management, licences and Temporary Traffic Regulation Orders (TTROs) which may be required to facilitate works during construction will need to be covered by the applicant.
- In all of the above, where SLOs and/or Traffic Regulation Orders (TROs) need to be introduced or changed, these shall be funded by the Applicant. The average cost of a SLO is currently in the region of £5,000, and a TRO scheme in the region of £6,500, but these costs can vary depending on the scope and complexity.

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

Temporary direction signing for developments can be provided within the highway. The Highway Authority requires all temporary signing schemes are designed, implemented and maintained to an appropriate and acceptable standard. The temporary signing scheme including details of the sign faces, locations and means of fixing must be submitted for approval. These signs must comply with the Traffic Signs Regulations and General Directions (TSRGD). Applications must be submitted to the Council at least four weeks before the signs are to be erected. Applicants will agree to reimburse the City Council for the full costs involved in the processing of the application and any subsequent planning, design, implementation and maintenance of the signs. The Local Authorities (Transport Charges) Regulations 1998 refers, and charges are set in LCC minor charges report updated annually; available via this link <https://www.leicester.gov.uk/media/181997/minor-fees-and-charges-for-transportation-services-2020-2021.pdf>.

In the event of signs not being removed expeditiously, the Council will remove them and recharge the costs to the promoter. For more information please contact highwaysdc@leicester.gov.uk.

If existing buildings to be demolished abut the highway boundary, any barriers, scaffolding, hoarding, footway closure etc. required for the demolition works to be undertaken will require a licence. This should be applied for by emailing Licensing@leicester.gov.uk.

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

The costs for the alterations of the TROs 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 should contact traffic.management@leicester.gov.uk to discuss the requirements to enable the TRO to be processed.

Contamination

7. The CL:AIRE Definition of Waste: Development Industry Code of Practice 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
- some naturally occurring clean material can be transferred directly between sites.

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.

Environment Agency

8. The Environment Agency recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at <https://www.gov.uk/government/organisations/environment-agency> for further guidance.
- Advice to applicant
- 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

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 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at <https://www.gov.uk/government/organisations/environmentagency> for more information.

Regulated Industry

Approximately 200 meters to the west of the application site is Spring Shades Limited which is subject to an EPR permit ref: EPR- BS1953IQ. The permitting process deals with matters relating to amenity such as odour and noise. The Environment Agency will manage any incidents or potential permit breaches as well as carrying out routine inspections of the site.

Environment Agency Flood Warning and Met Office Severe Weather Warning

Recommendation for signing up to Environment Agency's Flood Warning and Met Office severe weather warning services:

It is recommended that all residents/building operators (especially Block F/OP5) sign up for the Environment Agency Flood Warning service and Met Office severe weather warnings email alert service.