

COMMITTEE REPORT

20242042	122a - 182 Western Road	
Proposal:	Construction of four and six storey block of 46 apartments (29 x 1bed, 17 x 2bed) (Class C3) (amended plans)	
Applicant:	Mr Mitchell	
App type:	Operational development - full application	
Status:	Smallscale Major Development	
Expiry Date:	5 March 2026	
WJJ	TEAM: PM	WARD: Westcotes



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Summary

- The application is to be determined by the planning committee due to the number of objections received.
- A total of 18 objections have been received.
- The objections raise concern regarding residential amenity, character and appearance, precedent for similar development, highways and parking matters, ecology and anti-social behaviour.
- The main issues are: the character and appearance of the area, the impact on the residential amenity of neighbours, the residential amenity of residents, and the impact on highway safety and parking.
- The application is recommended for approval subject to conditions.

The Site

The site is within an urban area characterised by terraced house and blocks of flats.

The site is within an area with an Article 4 Direction. This removes the Permitted Development Right to convert a dwelling (Class C3) to a HiMO (Class C4).

There are trees just outside the site to the north on a piece of land between the site and the Upperton Road and also to the east of the site, along the Great Central Way.

The site is within an area with a Regulation 7 Direction. This restricts signs such as estate agent 'for sale' & 'for rent' signs.

To the west along Upperton Road is the Grade II Listed former Narborough Road School. To the east are some structures on the Local Heritage Asset Register (LHAR); 2 Upperton Road (The Old Railway Shed) and two former Great Central Railway bridges over the River Soar.

The site is next to a Local Wildlife Site along the Great Central Way.

With regards to flooding from Main River (MR), Ordinary Watercourse (OW) and Surface Water (SW) sources, the site is mostly in Flood Zones 1 (less than 1 in 1000 year risk) and so has a very low risk of flooding from these sources. A small part of the site and part of the pavement and carriageway of Western Road are within SW Flood Zone 2 with an estimated risk of flooding from SW sources of between 1 in 100 and 1 in 1000 year. That area is therefore at a moderate risk of flooding from surface water.

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

Background

122a Western Road

20121228 – Change of use from light industrial (Class B1) to martial arts studio (Class D2) – Approved.

122a-182 Western Road

There is a lengthy planning history for this site. Unfortunately, for most applications, limited file information is retained. It is therefore difficult to ascertain exactly when each of the three buildings on the site were permitted and built. It seems most likely they were built in the 1970's & 1980's. The existing use is described on the application form as 'B2, B8'.

20241811 - Notification of demolition of three buildings – Approved on 15th December 2025 subject to conditions that addressed: hours of work, the Demolition Method Statement, working practices in relation to protected species, a possible re-survey (if work does not commence before 21st April 2026). The applicant has informed the Local Planning Authority that demolition is due to commence imminently.

Images on Google Maps (September 2018 to August 2023) indicate that in recent times at least some of the buildings on the site have been used as a gym ('The Community Boxing Gym').

The Proposal

The scheme is for the construction of a four and six storey residential apartment building with a total of 46 x 1 & 2 bed flats and 16 car parking spaces. The ground floor comprises 3 x 1 & 2 bed apartments and the car parking area, and the upper floors comprise 43 x 1 & 2 bed apartments and a rooftop garden residents amenity area. Vehicle access and the main pedestrian access is to Western Road. A rooftop garden is proposed for the fourth storey roof. Solar photovoltaic panels are proposed for the roof of the six-storey element.

A total of 46 flats are proposed and their floor spaces range between 38.5 sqm and 67.5 sqm. All of the flats would exceed the Nationally Described Space Standards in terms of their floorspace. None of the flats have private balconies but there is a rooftop garden amenity area for residents proposed to the fourth floor with a garden room. This communal space would be approximately 200sqm and would be located to the southern side of the building.

Vehicle parking would be provided at ground floor level in an undercroft space alongside communal bin and cycle storage, accessed from Western Road.

The agent has confirmed that an indicative sign shown on the submitted documents near the top of the building which reads 'Western House' is not part of this application.

The proposal was originally for '*Demolition of existing buildings; construction of four and six storey block of 47 apartments (38 x 1bed, 9x 2bed) (Class C3).*' However following negotiations during the application process the description has been amended to reflect the submitted amended plans. In summary, the amended plans propose: the removal of 1 flat (proposing 46 flats instead of 47); adds in the 16 space ground floor car parking area; and additional detailing in terms of materials and landscaping amongst other things.

The description has also been amended to remove reference to demolition given that the demolition has been subject to approval through the Prior Approval process as referenced in the 'background' section above. Re-consultations have taken place where significant changes have been made which address comments raised by objectors.

Policy Considerations

National Planning Policy Framework (NPPF) December 2024

- Paragraph 2 (Primacy of development plan)
- Paragraph 11 (Sustainable development)
- Paragraph 39 (Decision making)
- Paragraph 40 (Pre-application)
- Paragraph 48 (Determination in accordance with development plan)
- Paragraph 49 (Emerging local plan)
- Paragraph 56 (Planning conditions and obligations)
- Paragraph 57 (Planning conditions)
- Paragraph 58 (Tests for planning obligations)
- Paragraph 61 (Housing supply)
- Paragraph 64 (Affordable housing)
- Paragraph 73 (Small and medium sized sites)
- Paragraph 96 (Health, inclusive and safe places)

Paragraph 98 (Social, recreation and cultural facilities)
Paragraph 102 (Public safety)
Paragraph 109 (Transport impacts and patterns)
Paragraph 110 (Development in sustainable locations)
Paragraph 115 (Assessing transport issues)
Paragraph 116 (Highways impact)
Paragraph 117 (Highways requirements for development)
Paragraph 118 (Travel plan)
Paragraph 124 (Effective use of land for homes/other uses)
Paragraph 129 (Making efficient use of land)
Paragraph 131 (High quality, beautiful and sustainable buildings)
Paragraph 135 (Good design and amenity)
Paragraph 137 (Design quality)
Paragraph 138 (Design assessment)
Paragraph 139 (Design decisions)
Paragraph 140 (Plans, Materials and Conditions)
Paragraph 161 (Climate impacts)
Paragraph 163 (Mitigate/adapt to climate change)
Paragraph 164 (Climate change and design)
Paragraph 166 (Design and energy)
Paragraph 167 (Sustainable heating)
Paragraph 181 (Flood risk considerations and SuDS)
Paragraph 182 (Incorporating SuDS)
Paragraph 187 (Natural environment considerations)
Paragraph 193 (Biodiversity enhancement)
Paragraphs 196 & 197 (Land contamination)
Paragraph 198 (Effects) of pollution on health)
Paragraph 199 (Air quality)

Development Plan

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

Other planning and material considerations

Supplementary Planning Document – Residential Amenity

Supplementary Planning Document – Green Space

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

Leicester Street Design Guide (First Edition)

Leicester City Council Waste Management guidance notes for residential properties

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

National Design Guide, January 2021 (Ministry of Housing, Communities & Local Government)

Leicester City Corporate Guidance – Achieving Well Designed Homes 2019

On 26th March 2026, the Council approved the new Local Plan for adoption. The adoption of the emerging Local Plan is intended to take place in May 2026.

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

The following policies from the emerging Local Plan are relevant to this application:

Policy VL01. Presumption in Favour of Sustainable Development
Policy Ho01. Housing Allocations
Policy Ho02. Housing Development on Unallocated Sites
Policy Ho03. Housing Mix
Policy Ho04. Affordable Housing
Policy Ho05. Housing Densities
Policy Ho07. Internal Space Standards
Policy CCFR01. Sustainable Design and Construction
Policy CCFR02. Energy Statement
Policy CCFR03. Low Carbon Heating and Cooling
Policy CCFR04. Delivering Renewable and Low Carbon Energy Projects
Policy CCFR05. Managing Flood Risk and Sustainable Drainage Systems (SuDS)
Policy DQP01. Design Principles
Policy DQP02. Tall Development
Policy DQP03. Inclusive Design
Policy DQP04. Landscape Design
Policy DQP06. Residential Amenity
Policy DQP07. Recycling and Refuse Storage
Policy NE01. Protecting designated sites, legally protected and priority species, and priority habitats
Policy NE02. Biodiversity Gain
Policy NE03. Green and Blue Infrastructure
Policy T01. Sustainable Transport Network
Policy T02. Climate Change and Air Quality
Policy T03. Accessibility and Development
Policy T07 Car Parking Policy
DI01. Developer Contributions and Infrastructure
Policy DI02. Electronic Communications

Consultations

Local Highway Authority (LHA)

There are three commercial/industrial units on the site comprising of an existing gym and industrial units. The existing floor area schedule is as follows: Unit 1 – 220sqm, Unit 2 – 31sqm, Unit 3 – 217sqm. The units are served by an existing access serving a central courtyard/loading area and there appears to be no formal car parking currently set out within the site.

Western Road and other surrounding residential streets fall within a designated 20mph zone. The road is subject to a system of street lighting. The road caters for two-way traffic movements although the main carriageway width between parking bays on either side is typically 3.50m wide. The road has separate footways to each side of the carriageway.

Vehicle Access

The current access location will be retained to provide access to 16 car parking spaces. The design of the proposed access has been amended with the provision of a sliding entrance gate that will not open outwards. This is now acceptable. This is subject to the treatment either side of the proposed sliding gates being agreed, to enable drivers to see pedestrians.

Vehicle Parking

Demand for parking permits in this resident's parking zone (RPZ) is already high, and it is highly likely that this development would be deemed ineligible for residents parking permits.

In City of Leicester Local Plan (2006), Saved policies, Appendix 1: Parking Standards, the site is located in a Zone 3 where the following applies: 1 space per 1-bedroom dwelling, 2 spaces for 2-bedroom dwellings. Accordingly, the SPG guidance would require the provision of 63 spaces to be provided on-site, as opposed to the 16 proposed.

With only 16 vehicle parking spaces being provided, the LHA object to this low level.

Construction Traffic Management

A Construction Management Plan is needed to ensure development is carried out in a way that is not harmful to the safe operation of the highway.

Pedestrians and Cyclists

The City of Leicester Local Plan (2006), Saved policies, Appendix 1: Parking Standards, specifies cycle parking for flats and recommends the following safe and secure cycle parking provision: 1 space per 2 bedspaces, plus 1 additional space per 20 bedspaces for visitors.

The LHA have calculated the number of bedspaces using the beds shown on the floorplans. These show two bedspaces (one double bed) for the one-bedroomed flats and four bedspaces (two double beds) for the two-bedroomed flats.

$17 \times 4 = 68$ bed spaces = 34 cycle spaces.

$29 \times 2 = 58$ bed spaces = 29 cycle spaces.

1 cycle space per 20 bed spaces = 6 cycle spaces.

Total = 69 cycle spaces are needed.

The amended ground floor plan shows 44 secure and safe cycle parking spaces and therefore the scheme would be contrary to the aims set out in the SPG for Vehicle Parking Standards.

With only 44 cycle parking spaces being provided, the LHA object to this low level.

Off-site works

The development works would inevitably result in damage to the footways fronting the site due to construction works and the need to upgrade utility service access to the site. A scheme to address this needs to be secured.

Air Quality

The site is adjacent to the Air Quality Management Area (AQMA) which is declared for Nitrogen Dioxide (NO₂). It is located down a residential side street, but is adjacent to Upperton Road, a main road out of the city centre with relatively high traffic flow. The area is primarily residential, with a superstore close by.

An Air Quality Assessment (AQA) has been submitted with the application, provided by Miller Goodall. The assessment concluded that the development will not have significant impacts on local air quality. However, this is subject to mitigation measures being implemented during the construction phase.

The construction phase of the development involves both demolition and construction and was assessed to have an overall 'Medium' risk of dust soiling for both of these processes. Construction and demolition can give rise to elevated concentrations of dust and Particulate Matter (PM₁₀ and PM_{2.5}) which are associated with adverse human health effects. The AQA provides suitable mitigation measures in Appendix D, which are appropriate for a Medium Risk site, and should be followed when appropriate.

The AQA recommends submission of a Dust Management Plan (DMP) which I agree with. This should be secured.

The operational phase of the development is not likely to make a significant negative contribution to the local air quality. Even though it is likely that there will be associated trips with the development, these are unlikely to significantly harm air quality.

Severn Trent Water (STW)

No comments have been received.

Better Buildings

Passive Energy Efficiency Design Measures

The block has a relatively compact form. This minimises heat loss from the apartments.

The green roof proposed for the six-storey part of the development will contribute to reducing heat loss as well as managing rainwater runoff. It is welcomed.

The main living spaces in the apartments generally benefit from a good level of natural daylight, and the design also provides some daylight to the corridors.

In addition to passive means (window reveals, the thermal mass of the floor slabs, internal blinds), mechanical ventilation will be required to ensure residents are not subject to excessive heat. Full details of this need to be secured.

Building Fabric and Airtightness

The strategy proposed in the Energy & Sustainability Statement includes a strong emphasis on an energy efficient fabric. The proposed u-values for the fabric elements and air-permeability value for this development are an improvement on the notional building and the limiting parameters under the Building Regulations.

Heating, Cooling, Ventilation and Lighting Energy Efficiency

The zero fossil fuels/all electric strategy for the heating and hot water supply is acceptable as the site is not near to a suitable low carbon heat network.

Electric storage heaters and electric instant hot water will avoid heat loss from hot water cylinders and pipework running through the building. It is also pragmatic, given the limited roof space for the outdoor units that is needed for air source heat pumps.

The proposed LED lighting and provision of appropriate controls is consistent with the best practice energy efficiency requirement in Core Strategy Policy CS02. The details of the above measures will need to be secured.

Renewable/Low Carbon Technology & Energy Supply

A 22.8kWp PV array is proposed for the roof of the six-storey element, combined with a green roof on the four-storey element. This meets the renewable energy supply requirements of Policy CS02. Details will need to be secured.

Construction Materials and Waste Management

The commitments made in the strategy to the use of BRE 'A-C' rated materials and FSC certified timber are welcomed and need to be secured.

Carbon Emissions

A 55% carbon reduction compared to the baseline (assumed to be the TER) will be achieved and is welcomed.

Lead Local Flood Authority (LLFA)

A formal drainage strategy statement is provided within the Flood Risk Assessment. Surface water will be managed using green sedum roofs, a SuDS planter and attenuation tank (16.53m³), before discharging to the public surface water sewer at Upperton Road at 6l/s discharge rate controlled using a flood control device. This will reduce the rate of surface water runoff, provide some pollutant removal and some wildlife habitat. The information submitted is sufficient for application stage and the details can be addressed through a condition.

Waste Management

Acceptable waste storage is detailed on the plans, and waste can be collected in an appropriate manner.

Pollution Team

Due to the historic use of the site concerns that the land may be contaminated. The submitted Phase 1 Desk Study by GeoDyne is acceptable and the recommendations supported. A Phase 2 Ground Investigation, and potentially remediation works, need to be secured.

Environmental Services, Noise Team

The acoustic report submitted for this application indicates that with the proposed mitigation (acoustic glazing) the internal guideline noise levels can be achieved.

The report states that open windows cannot be used for ventilation, save for purge ventilation, due to the existing noise levels in this area. As such mechanical ventilation is required. The applicant has confirmed that the external appearance of the building will not be affected, as the ventilation system can be accommodated within the building

as it is proposed, and the vents can terminate into the proposed louvres above each window.

While the roof top garden is welcomed as an efficient use of space and will provide good amenity space for residents, the Council has received noise complaints regarding the way rooftop gardens in other locations are used. I recommend that a noise management plan be secured by condition.

Parks Service

The Parks Service was consulted when the application first came in, and they provided the following comments. The Parks Service were not consulted on the amended plans as it was clear by that time that developer contributions were not going to be pursued due to viability considerations. This is addressed below in the Developer Contributions / Considerations section of this report.

The proposed residential development, within the Westcotes Ward, will result in a net increase in the number of residents within an area which already exhibits a deficiency in green space. Opportunities to create new open space to address the other needs of the new residents are limited. Therefore, we seek to make quality improvements to existing open space provision to minimise the impact of this development.

Based on the formula from the Green Space SPD, a contribution of £34,627.00 is sought for this scheme. This would be used towards the following open space improvements:

- For landscape and seating improvements to the two areas of existing green space either side of Upperton Road.
- For improvements to the existing obstacle course equipment adjacent to the Great Central Way.

Education

There is a surplus of spaces in both Primary and Secondary schools in the area. As such, no developer contribution is sought.

Leicester, Leicestershire & Rutland Integrated Care Board (LLRICB)

The LLRICB was consulted when the application first came in, and they provided the following comments. The LLRICB were not consulted on the amended plans as it was clear by that time that developer contributions were not going to be pursued. This is addressed below in the Developer Contributions / Considerations section of this report, below.

A contribution of £31,512 is sought to improve local healthcare provision.

Housing

The Housing Service was consulted when the application was received and they provided the following comments. The Housing Service were not consulted on the amended plans as it was clear by that time that developer contributions were not going to be pursued.

This is addressed below in the Developer Contributions / Considerations section of this report, below.

Mix and type of housing:

In line with Policy CS06, applicants are required to provide an appropriate mix of housing types, sizes and tenures to meet the needs of existing and future households within the city.

I note that this is a proposal to provide a mix of 1-bed/2-person, 2-bed/3-person and 2-bed/4-person flats. This proposed development will meet some of the current identified housing needs within the city.

Policy CS06 states that all new housing units should, where feasible, be designed to Lifetime Homes Standards with an appropriate proportion to wheelchair access standard.

Lifetime Homes standards are now obsolete but given the introduction of the Building Regs 2010 – access to and use of dwellings – Approved Document M Volume 1: 2015 edition; all new homes, where feasible, should now meet the national accessible and adaptable standard M4(2) and an appropriate proportion should be to the national wheelchair accessible standard M4(3)(2)(b).

- 1 x 1 bed/2 person flats to National Accessible Standard M4(2).
- 1 x 1 bed/2 person flat to National Accessible Standard M4(3)(2)(b), located on the ground floor.
- 3 x 2 bed/4 person flats to National Accessible Standard M4(2).
- 2 x 3 bed/ 5 person flats to National Accessible Standard M4(2).

Affordable Housing:

This scheme is a build to rent proposal. Government guidance states that affordable housing on build to rent schemes should be provided in the form of 15% of the dwellings being for affordable private rent and that the affordable private rent and private market rent units within a development should be managed collectively by a single build to rent landlord. Based on the original proposal to provide a total of 47 dwellings (subsequently amended to 46 flats), the policy required affordable housing is therefore 7 Affordable Private Rent dwellings.

In line with the Policy CS07 and the SPD on Affordable Housing, the mix of affordable dwellings required at this site for 7 new affordable dwellings is as follows:

All Affordable Private Rent: total 7 units:

- 1 x 1 bed/2 person flats to National Accessible Standard M4(2)
- 1 x 1 bed/2 person flat to National Accessible Standard M4(3)(2)(b), located on the ground floor
- 3 x 2 bed/4 person flats to National Accessible Standard M4(2)
- 2 x 3 bed/ 5 person flats to National Accessible Standard M4(2)

Representations

Representations have been made by 18 people from separate City addresses.

First publicity

The following concerns were raised in 17 letters when the first set of plans for this application were publicised.

Concerns raised:

- Existing buildings (Code student block and extension, removal of the bridge over Western Road, subsequent developments on Upperton Road) have already caused a lot of harm. Further high-rise buildings will further block light and box one in (the terraced houses already receive little light).
- Many houses will be overlooked.
- Anti-social behaviour, mess and noise from tenants of building.
- Will set a precedent so that the neighbouring 184 Western Road will be converted into even more flats.
- Construction noise.
- If students live in this development, then this may cause problems.
- The area is already overcrowded, and this scheme will make it worse.
- Parking problems.
- Increase in traffic and associated congestion, noise and air pollution.
- If permitted, residents should not be able to apply for permits to park on Western Road as parking there is already challenging.
- Poor storage of waste, fly tipping and litter is a problem in the area, and this scheme may make it worse. This will put a greater burden onto the Council cleansing dept.
- The scale of the building is not acceptable in the context of domestic dwellings.
- The proposed building has a poor appearance and is not in keeping with the terraced houses which it is adjacent to.
- When combined with existing buildings, the development will turn the Great Central Way into a dark airless tunnel (the people of Westcotes have little open space as it is). This is a wildlife corridor. The scheme will affect birds and wildlife.
- The building is not in keeping with the lovely Victorian terrace neighbourhood around it.
- The building will be super high density in a neighbourhood of already high-density housing.
- Bede Park, the nearest green space, will be overused.
- Heating the building by gas will mean that the building will need to be retrofitted with heat pumps quite soon and I see nowhere to put them.
- As with any super high-density housing litter and mess will increase putting a greater burden onto the council cleansing dept, will this firm compensate the council?

Second publicity

The following concerns were raised in 2 letters when the second set of plans for this application were publicised. 1 of the 2 letters was by one of the people who made a representation regarding the first set of plans.

- The 16 car parking spaces in the scheme is not sufficient for the 46 proposed flats. Parking and congestion problems in the area will become worse.
- Pavement parking is likely to increase after the scheme is built, and this will make it difficult for pedestrians to use the pavements.
- The scheme will lead to the generation of pollution. Will this be mitigated with planting?

Consideration

Principle of Development

The site is within the Strategic Regeneration Area, which is intended to be the focus of major housing development (Core Strategy (2014) Policy CS4 'Strategic Regeneration Area'). As the site is within the Riverside Special Policy Area, Policy SPA09 'Riverside Development' is applicable. The policy states that 'Development within the Riverside policy area ... will be permitted if it helps to sustain, enhance, and regenerate the Riverside'. The existing buildings on the site are currently underutilised. The uses of them have been industrial and a gym, which are non-conforming uses within the context of a primarily residential area. The proposed development would bring a conforming residential use to the site, therefore helping to meet the objectives of Policies CS4 and SPA09. Accordingly, the principle of the proposed development for dwellings is supported by planning policy.

With respect of the emerging Local Plan, the proposed development is on a brownfield site within a sustainable location. The introduction of residential use on this site in the form of 46 flats would make a contribution towards our housing land supply and the proposal therefore would also be in broad accordance with the emerging Local Plan.

Character & appearance

Active frontage

It is desirable for scheme to provide an active frontage (windows & doors) to streets and open spaces.

- The scheme will provide a strong active frontage to the north of the site towards Upperton Road with windows to flats on all floors.
- To the east the opportunity is limited as the site is on top of a bank and woodland belt that leads down into the cutting of the Great Central Way. The scheme will not provide much of an active frontage to the Great Central Way and I consider this is acceptable given the circumstances.
- To the west the site will provide a reasonable active frontage to Western Way, with a flat window, the main pedestrian entrance and the vehicle access on the ground floor, and windows to flats on the upper floors.

The opportunity to present active frontages has been taken and is acceptable.

Height and form

To the south and west of the site are mostly two-storey Victorian & Edwardian terraced houses. The site is at the end of the continuous line of buildings on this part of Western Road. At this point, there is a gap for some open space and the Upperton Road, before the built form continues to the north. On Western Road, the other/northern side of Upperton Road are blocks of flats of four storeys high (with pitched roof on top – Albion Court) and six storeys (with flat roof – Westdale Court). On the other side of the Great Central Way is 2a Upperton Road which is seven storeys high (next to Upperton Road) and falls to five storeys high as one goes south, away from Upperton Road.

As such, the context of this site is at a point of change from low two storey terraces in a continuous built form, to much higher blocks of flats of four to seven storeys that sit at nodes where Western Road, Upperton Road and the Great Central Way meet.

I consider that the design of the scheme has addressed this context. Next to the existing low buildings to the south, the proposed building steps down to four storeys high. Bear in mind that as a modern block of flats the floor to ceiling height is lower than that of the Victorian & Edwardian terraced houses. With a flat roof in contrast to the relatively steep pitch of the terraced houses, the height difference is further minimised. As can be seen in the street scene drawing, the ceiling height of the third storey (the second floor) will be about the same height as the pitch of the roof of the terraced houses.

Towards the Upperton Road, the proposed building rises to six storeys. I consider that the building provides an appropriate transition from the low terraced houses to a building that is appropriate for a node where significant city streets meet.

Appearance

The windows and brick pillars present a regular form. There is significant depth in the façade with bricks recessed between the pillars and then the windows recessed further.

I consider that the building is of an appropriate design. It is not seeking to be a landmark and the treatment is appropriate for a building of this size and location. It would be a significant visual improvement on the existing buildings on the site.

Most of the walls will be faced with an orange/red Vandersanden Old Windsor brick. For the top floor, where it is set back, a dark grey/black brick has been chosen (Morvan with tone on tone, matching black, mortar). These are acceptable and I recommend the final materials schedule be secured by condition.

In order to ensure the detailed design around the windows and openings to the car park are acceptable, I recommend that sample panels be built and inspected. This can be secured by condition.

Concern has been raised by an objector that the proposed building is not in keeping with the Victorian terraces around it. The building is certainly of a different style to the Victorian terraces. However, I consider that buildings of differing styles can often sit comfortably beside each other subject to careful consideration of proportion, materials and articulation, and the variety of styles can add interest to an area. The appearance of the building is acceptable.

Trees

An Arboricultural Implication Study has been submitted with this application. It proposes to shape back, by approximately 1m, Council owned and maintained trees growing to the north and east of the site, adjacent to the site boundary. This is acceptable.

Heritage assets

To the west along Upperton Road, is the Grade II Listed former Narborough Road School. To the east of the site are some structures on the Local Heritage Asset Register (LHAR); 2 Upperton Road (The Old Railway Shed) and two former Great Central Railway bridges over the River Soar. The scheme will not affect views of these buildings. As such, I have no concerns about the impact on heritage assets.

Sign

The agent has confirmed that the sign near the top of the building which reads 'Western House' is not part of the building. It is a sign which is not part of this application. I recommend a note be attached the permission to make this clear.

Residential amenity

Of neighbours

Shadow

It is clear that the new building will increase shadow as it is taller than the existing buildings on the site. A shadow diagram has been provided with this application. It plots the shadow of the existing building and the proposal for 0800, 1000, 1200, 1400, 1600, 1800 & 2000 for the 20th of March, the 21st of June, and the 21st of December.

To the north, on the far side of Upperton Road, are Albion Court and Westdale Court. They are a minimum of some 38m from the scheme. As Albion Court and Westdale Court are to the north of the application site, they are most likely to be affected during the middle of the day.

The shadow diagram plots the shadow as far as the pavement on the southern side of the Upperton Road. Albion Court and Westdale Court are just outside of the plotted area. There are some parts of the day which see some overshadowing; however this would not be for any prolonged period of time to warrant refusal for this reason.

To the east, on the far side of the Great Central Way, is 2a Upperton Road. At the Upperton Road end, this is seven storeys high. It falls to five storeys as one moves away from the road. At its closest, the building at 2a Upperton Road is about 24m from the proposed building. As 2a Upperton Road is to the east of the application site, they are most likely to be affected during afternoon. Any overshadowing again would be limited to only a small part of the later afternoon which is considered acceptable.

The sites to the south (184 Western Road and then the terraced houses) will not be significantly affected by shadow from the scheme.

To the west, on the other side of Western Road, are terraced houses. These will be in shadow in the early morning. Given they will continue to not be in shadow for the rest of the day, I consider that the impact on them is acceptable.

Privacy and overbearing

Appendix G of the SPD for Residential Amenity recommends that where windows face each other, they should be a minimum of 21m apart. This falls to 18m, where windows face each other obliquely. However, the focus of these standards are towards suburban locations that do not have the density of development found in locations in and around the city centre. They must therefore be used judiciously for schemes such as this.

- The nearest windows on the proposed scheme will be about 38m from the nearest windows at Albion Court and Westdale Court (to the north).
- The nearest windows on the proposed scheme will be about 24m from the nearest windows at 2a Upperton Road (to the east).
- The terraced houses to the south along Western Road will largely be shielded from any overlooking by the buildings at 184 Western Road, whose planning history indicates it has been used for industrial purposes.

- The front windows of the terraced houses to the west on the other side of Western Road will be about 12m from the nearest windows in the new scheme. While this is close, it is normal for terraced areas in Leicester.

I consider that these distances will provide those dwellings with an acceptable level of privacy.

Noise

While the rooftop garden is welcomed as an efficient use of space and will provide good amenity space for residents, the Council has received noise complaints regarding the way rooftop gardens in other locations are used. I recommend that a noise management plan be secured by condition to adequately control any future concerns if they arise.

Of residents

Communal spaces

The SPD for Residential Amenity indicates that one-bedroomed flats should have outdoor amenity space that equates to 1.5sqm per flat and two-bedroomed flats should have outdoor amenity space that equates to 2sqm per flat. For 29 x 1bed & 17 x 2bed flats this comes to a total of 77.5sqm.

A rooftop garden is proposed for the roof of the third floor by the southern and western sides of the site. This is 203sqm. The rooftop garden is approximately square in shape and is on the southern side of the building. As such, it will provide an amount of space that is significantly above that recommended in the SPD, and a very useable and sunny space. It will provide residents with a good level of amenity.

The rooftop garden is further enhanced by a garden room of just under 20sqm that looks over it and has large floor to ceiling glazed south facing windows. This will enable residents to enjoy looking out over the garden while staying warm when it is uncomfortably cold to sit outside.

The applicant has confirmed that an outside tap will be provided for the rooftop garden. This will aid maintenance.

The scheme has a communal entrance lobby from Western Road. It is 3m wide and leads to the lift, stairs, and communal corridors. The lobby will provide plenty of space for post boxes and storage containers and will allow residents to pass each other without awkwardness. Much of the entrance door and its surround will be glazed. The door is set back from the pavement to create a recessed porch which will make access more pleasant during inclement weather. I consider that the pedestrian communal entrance lobby is acceptable.

The residents bin store is accessed directly from Western Road and from the communal lobby. This is a good design that will avoid bins being taken through communal corridors, while allowing access to them from inside the building. I consider this to be a strength of the scheme.

The residents cycle store is accessed on foot from the communal corridors and with a cycle from the on-site car parking area, which in turn is accessed from a vehicular access to Western Road. This is a good design that will avoid cycles being taken through communal corridors, while allowing access to them from inside the building. I consider this to be a strength of the scheme.

Accessibility

Core Strategy policy CS06 states that in order to meet the needs of specific groups residential schemes should:

- have an appropriate proportion of new housing units designed to meet wheelchair access standards and
- that all new housing units are, where feasible, designed to 'Lifetime Homes' standards so that they are adaptable enough to match lifetime's changing needs.

To comply with the first, some flats should comply with Category M4(3) in the Building Regulations. To comply with the second, all new build flats should comply with Category M4(2) in the Building Regulations, following their introduction in the Building Regs 2010, as a standard to be used as the closest alternative to the now obsolete Lifetime Home Standards. Drawing P16 Rev B indicates that all of the one-bedroomed flats will comply with M4(2), and all of the two-bedroomed flats will comply with M4(3). This is welcomed and I recommend it is secured by condition.

Noise & ventilation

The acoustic report submitted for this application indicates that with the proposed mitigation (acoustic glazing) the internal guideline noise levels can be achieved. I recommend this is secured by condition.

The report states that open windows cannot be used for ventilation, save for purge ventilation, due to the existing noise levels in this area. As such mechanical ventilation is required. The applicant has confirmed that the external appearance of the building will not be affected, as the ventilation system can be accommodated within the building as it is proposed, and the vents can terminate into the proposed louvres above each window. I recommend this is secured by condition.

Amenity of each flat – space, outlook & light

The flats range in size from 38.5sqm to 67.5sqm and many are in between these sizes. The National Space Standards for a one-bedroomed flat is a minimum of 37sqm, and 61sqm for a two bedroomed flat. All of the flats comply with this. The flats have relatively regular shapes, so they will have a good level of useability. I consider the size and layout of the flats to be acceptable.

Twenty-two of the proposed flats have a single aspect. Seven flats are on corners and have windows at right angles to each other. No flats are dual aspect with windows opposite each other. Given the site's constraints this is considered acceptable.

The proposed flats will have outlook north over the open space next to Upperton Road, east over the Great Central Way, south over the parking area within the site, and west over Western Road.

- The nearest windows on the proposed scheme will be about 38m from the nearest windows at Albion Court and Westdale Court (to the north). Those flats will have a good level of outlook and privacy.
- The nearest windows on the proposed scheme will be about 24m from the nearest windows at 2a Upperton Road (to the east). Those flats will have a good level of outlook and privacy.

- The flats looking south over the parking area within the site will have a separation distance from the industrial buildings of 184 Western Road of about 18m. This accords with the SPD for Residential Amenity that indicates that where windows face a blank wall on a neighbouring property the distance should be a minimum of 15m.
- It is unfortunate that the flats do not have balconies. However, I consider that this is compensated by the rooftop garden and garden room. On balance, residents will have a good level of outdoor amenity space.

The flats all have good sized, floor to ceiling windows. The flats will have good levels of natural light.

The houses along this part of Western Road abut the pavement. The proposed building will do likewise. Most of the ground floor that abuts Western Road is for the access & parking, the bin store and the pedestrian entrance. One window for one flat (Flat 3) will abut the pavement of Western Road. A separation strip between pavements and windows of flats is encouraged. However, given that the houses along this part of Western Road abut the pavement and that this is only one window to a flat that has three (the other two face Upperton Road), I consider this is acceptable on balance. It is considered that the proposed development would provide an acceptable living environment for future residents and would not adversely affect the amenity of nearby residents in accordance with saved policies PS10 and H07 of the saved Local Plan and Core Strategy policy CS03.

Highway & parking matters

Vehicle parking

Demand for parking permits in this residents parking zone (RPZ) is already high, and it is highly likely that this development would be deemed ineligible for residents parking permits.

In City of Leicester Local Plan (2006), Saved policies, Appendix 1: Parking Standards, the site is located in a Zone 3 where the following applies: 1 space per 1-bedroom dwelling, 2 spaces for 2-bedroom dwellings. Accordingly, the SPG guidance would require the provision of sixty-three spaces to be provided on-site, as opposed to the sixteen proposed. With only sixteen vehicle parking spaces being provided, the LHA object to this low level.

However, I consider that the negotiation of 16 spaces to be added into the scheme (originally submitted with no provision) mitigates the position as far as can be reasonably expected in a constrained inner city brownfield site location

The site is within a sustainable location in the Victorian/Edwardian ring of housing that surrounds the city centre. With easy access to amenities by foot, cycle and public transport, it is possible to live here without needing a car. With this in mind, I consider that the 16 on-site vehicle parking spaces provided, is acceptable.

Highway network

Objectors have raised concerns regarding an increase in traffic and associated congestion, noise and air pollution.

Paragraph 116 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the*

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

I believe there is no evidence to indicate this would be the case following the implementation of this scheme and a shortfall in parking provision would not comprise a situation which could be defended at appeal as leading to unacceptable highway safety or 'severe impacts' on the highway network.

As detailed above, our Air Quality Officer has not raised concerns about air pollution from vehicles and our Noise Team have not raised concerns about noise from vehicles.

Vehicle Access

The current vehicle access location will be retained. The design of the proposed access has been amended with the provision of a sliding entrance gate that will not open outwards. This is now acceptable. This is subject to the treatment either side of the proposed sliding gates being agreed, to enable drivers to see pedestrians. I recommend this is secured by condition.

Construction Traffic Management

A Construction Management Plan is needed to ensure development is carried out in a way that is not harmful to the safe operation of the highway. I recommend this is secured by condition.

Pedestrians and Cyclists

The City of Leicester Local Plan (2006), Saved policies, Appendix 1: Parking Standards, specifies cycle parking for flats and recommends the following safe and secure cycle parking provision: 1 space per 2 bedspaces, plus 1 additional space per 20 bedspaces for visitors.

The LHA have calculated the number of bedspaces using the beds shown on the floorplans. These show two bedspaces (one double bed) for the one-bedroomed flats and four bedspaces (two double beds) for the two-bedroomed flats.

$17 \times 4 = 68$ bed spaces = 34 cycle spaces.

$29 \times 2 = 58$ bed spaces = 29 cycle spaces.

1 cycle space per 20 bed spaces = 6 cycle spaces.

Total = 69 cycle spaces are needed.

The amended ground floor plan shows 44 secure and safe cycle parking spaces and therefore the scheme would be contrary to the aims set out in the SPG for Vehicle Parking Standards.

With only 44 cycle parking spaces being provided, the LHA object to this low level.

The formula for determining bedspace provision could be applied in different ways, for example using the NDSS bedspace provision which would indicate 44 sheltered and secure cycle spaces would be an acceptable provision.

The dedicated cycle store on the ground floor, accessed from the vehicle access and car park (for cycles) and from within the building (for pedestrians) is considered acceptable and I do not consider it would be reasonable to withhold consent on the basis of the shortfall.

Off-site works

The development works would inevitably result in damage to the footways fronting the site due to construction works and the need to upgrade utility service access to the site. I recommend a scheme to address this be secured by condition.

Waste management

Acceptable waste storage will be provided, and waste can be collected in an appropriate manner. I recommend the waste storage area is secured by condition.

Air quality

The site is adjacent to the Air Quality Management Area (AQMA) which is declared for Nitrogen Dioxide (NO₂).

An Air Quality Assessment (AQA) has been submitted with the application, provided by Miller Goodall. The assessment concluded that the development will not have significant impacts on local air quality. However, this is subject to mitigation measures being implemented during the construction phase.

The construction phase of the development was assessed to have an overall 'Medium' risk of dust soiling for construction as it can give rise to elevated concentrations of dust and Particulate Matter (PM₁₀ and PM_{2.5}) which are associated with adverse human health effects. The AQA provides suitable mitigation measures in Appendix D, which are appropriate for a Medium Risk site, and should be followed when appropriate.

Whilst the AQA recommends submission of a Dust Management Plan (DMP) this would usually be linked with demolition works. I consider in this instance measure to control dust can be included within a Construction Management Statement. This should be secured.

The operational phase of the development is not likely to make a significant negative contribution to the local air quality. Even though it is likely that there will be associated trips with the development, these are unlikely to significantly harm air quality.

Energy

In line with the requirements of Core Strategy policy CS02, the applicant has submitted a revised Energy Statement, the details of which are acceptable. In summary, the following are welcomed:

- The block has a relatively compact form, which will contribute to reducing heat loss from the apartments.
- The green roof proposed for the six-storey part of the development will contribute to reducing heat loss as well as reducing the rate of rainwater runoff.
- The main living spaces in the apartments benefit from a good level of natural daylight and the design also provides some daylight to the corridors.

In addition to passive means (window reveals, the thermal mass of the floor slabs, internal blinds), mechanical ventilation will be required to ensure residents are not subject to excessive heat. Full details of this need to be secured. The applicant has confirmed that the external appearance of the building will not be affected, as the

ventilation system can be accommodated within the building as it is proposed, and the vents can terminate into the proposed louvres above each window.

The strategy proposed in the Energy & Sustainability Statement includes a strong emphasis on an energy efficient fabric. I recommend the measures it proposes be secured by condition.

Further details of the LED lighting and appropriate controls are needed, and I recommend they be secured by condition.

The zero fossil fuels/all electric strategy for the heating and hot water supply is acceptable given that the site is not near to a suitable low carbon heat network. Electric storage heaters and electric instant hot water is acceptable (which avoids heat loss from pipework running through the building or from hot water cylinders). It is also pragmatic, given the limited roof space for the outdoor units needed for air source heat pumps. To ensure that the energy cost reduction and demand side decarbonisation benefits of storage heaters are able to be fully realised, I would like to see further details, including the proposed content of the user guide.

An objector raises the concern that heating the building by gas will mean that the building will need to be retrofitted with heat pumps quite soon and they see nowhere to put them. The energy system for this proposal complies with the Development Plan at this point in time. It is not reasonable to assess a planning application on the basis of what policy may be in future.

The proposal would meet the requirements of Core Strategy policy CS02.

Water environment

A formal drainage strategy statement is provided within the Flood Risk Assessment. Surface water will be managed using green sedum roofs, a SuDS planter and attenuation tank (16.53m³), before discharging to the public surface water sewer at Upperton Road at 6l/s discharge rate controlled using a flood control device. This will reduce the rate of surface water runoff, provide some pollutant removal and some wildlife habitat. The information submitted is sufficient for application stage. I recommend that details be addressed through a condition.

Wildlife

Biodiversity Net Gain BNG

The scheme is subject to the de minimis exemption and therefore is exempt from the requirement to provide a Biodiversity Net Gain (BNG). This is evidenced in the Biodiversity Net Gain (BNG) Strategy Report (JM Ecology, December 2024) and Statutory Metric which state that the baseline habitat score is 0.

Ecology

In order to take the opportunity to provide wildlife habitat 4 x integrated bat boxes and 2 x sparrow terraces need to be provided on the proposed building. I recommend these be secured by a condition.

The rooftop garden may provide a modest amount of wildlife habitat and is welcomed.

In order to avoid the disturbance of wildlife by lighting, I recommend that a condition be attached to ensure any lighting is designed in a way that has been informed by a lux lighting contour plan ('isolux plot' - in line with Guidance Note 8 - Bats and Artificial Lighting).

Concerns have been made by objectors that, when combined with existing buildings, the development will turn the Great Central Way, which is a wildlife corridor, into a dark airless tunnel. By doing so, the scheme will be harmful to wildlife. While the scheme will certainly cast a larger shadow than the existing building, I have no evidence to suggest this will be significantly harmful to wildlife. With a rooftop garden, bat boxes and sparrow terraces, the scheme may on balance be beneficial to wildlife.

Land contamination

I have concerns that the land may be contaminated. The submitted study is acceptable, and I agree with the recommendations. I recommend that a Phase 2 Ground Investigation be secured by condition.

Developer Contributions

The applicant has submitted a viability appraisal for the scheme. This indicates that the scheme will not be viable if any developer contributions are insisted upon. I consider that the scheme will make a positive contribution to the city and will be a significant improvement over the existing buildings on the site. As such, on planning balance, I consider it is desirable for the scheme to go ahead, and I recommend that the Council does not insist that the developer contributions (towards green space, healthcare and affordable housing) that have been sought are made.

Concerns have been raised by objectors that Bede Park, the nearest green space, will be overused. The overuse of existing green space is certainly a concern for new residential development. It is the reason that developer contributions are sought to provide new green space and to improve existing green space. However, as the viability appraisal for this scheme indicates that the scheme will not be viable if any developer contributions are insisted upon, the Council needs to decide whether to see the scheme proceed without developer contributions or to seek to resist the scheme. As the scheme will bring many benefits (as detailed elsewhere in this report), I consider that on planning balance, the desirability of seeing this scheme proceed far outweighs concerns relating to an absence of developer contributions. I consider it would be difficult to uphold at appeal a refusal of planning permission on this ground.

Other matters

Some objectors have raised concerns about possible anti-social behaviour, mess and noise from tenants and by student tenants in the proposed building. The scheme is for flats that fall within the C3 use class. As such, the flats are not restricted to particular groups of people. I see no reason why residents in the proposed building are likely to behave in a manner that is specifically different from residents elsewhere.

Concerns have been raised about poor storage of waste, fly tipping and litter is a problem in the area and how it will put a greater burden onto the Council cleansing department. As detailed earlier in this report, the bin storage for this scheme is of an acceptable design. I see no reason why poor storage of waste, fly tipping and litter, would be specifically affected by the implementation of this scheme. As with other dwellings, residents of the flats will be charged Council Tax, and I see no reason why there would be a significant problem for the Council cleansing department.

One representation raises the concern that the scheme will set a precedent and neighbouring 184 Western Road will be converted into flats. Should a proposal be put forward for 184 Western Road, it will be considered on its merits.

Concerns about construction noise have been raised. This is addressed through a condition to restrict the hours of work. If noise is created that is harmful to residents, then this is addressed by Environmental Health legislation and the Council's Noise Team.

One objector has raised concerns that the scheme will lead to the generation of pollution. They ask whether this will be mitigated with planting. The communal garden may provide some planting. There is no provision in policy to secure planting to mitigate any pollution that a scheme may produce.

Conclusion

The scheme takes the opportunities to:

- Improve the character and appearance of the area by replacing under-used buildings of little architectural merit with a block of residential flats that will make a positive contribution.
- Replace a non-conforming use with a use that is acceptable in this location.
- Make a modest contribution to the city's housing need with dwellings that will provide an acceptable standard of accommodation and level of amenity for residents.
- Provide an active frontage to the streets.
- Make use of renewable energy, be energy efficient, provide a sustainable drainage system, and wildlife habitat.

Notwithstanding the concerns of highway matters, I consider that the proposed development complies with the NPPF and relevant Core Strategy and saved Local Plan policies.

The scheme will make a positive contribution to the city and the housing supply, which in the context of a lack of current 5 year land supply is a factor which should be given significant weight in decision taking due to the 'tilted balance'.

In relation to this application, taking into account the relevant policies, I consider that the emerging Local Plan can be afforded significant weight. None of the policies in the emerging Local Plan indicate this scheme is unacceptable.

I therefore recommend that this application is APPROVED subject to the following conditions.

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. No work shall take place outside of the hours of 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday or at any time on Sundays or Bank Holidays. (In the interests of the amenities of nearby occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)
3. Prior to the commencement of development, a Construction Method Statement (CMS), with consideration being given to highway management and safety, the water environment and flood risk management, shall be submitted to and approved in writing

by the Local Planning Authority. The approved CMS shall be adhered to throughout the construction period. The CMS shall provide for: (i) the vehicle and pedestrian temporary access arrangements including the parking of vehicles of site operatives and visitors, (ii) the loading and unloading of plant and materials, (iii) the storage of plant and materials used in the development, (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, (v) wheel washing facilities, (vi) measures to control the emission of dust and dirt during construction, (vii) a scheme for storage and management of waste resulting from excavation works, (viii) the proposed phasing of development and a detailed description of the works in each phase, (ix) the temporary access arrangement to the construction site, (x) procedures to ensure flood risk is managed on site during the period of works for personnel, plant and members of the public, (xi) the procedures to ensure flood risk is not increased anywhere outside of the site for the duration of the works, (xii) the procedures to ensure pollution and sedimentation is minimised to any adjacent watercourse and the procedure to be used in case of a pollution incident, (xiii) the measures that will be undertaken to ensure the structure of any adjacent watercourse is not impacted by the proposed development. (To ensure the satisfactory development of the site, and in accordance with saved policies AM01, PS10, PS11 and UD06 of the City of Leicester Local Plan and policies CS02, CS03 and CS14 of the Core Strategy.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

4. Prior to the commencement of development, the site shall be investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme shall be implemented, and a completion report shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwelling. Any parts of the site where contamination was previously unidentified and found during the development process, shall be subject to remediation works carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority, prior to the occupation of any flat. The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, pets, woodland 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.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

5. Prior any works above ground level, details of the ventilation system (to ensure flats receive air of acceptable temperature and quality) that will be accommodated

within the building as it is proposed, and that the vents terminate into the proposed louvres above each window, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any flat, the ventilation system shall be installed in accordance with the details approved. It shall be retained and acceptably maintained thereafter. (To ensure that residents have acceptable air quality and temperature in accordance with saved policy PS10 in the 2006 City of Leicester Local Plan.)

6. Prior to the occupation of any flat, the measures to protect residents from excessive noise (as detailed in the Environmental Noise Assessment (ref NA103249) of the 12th of February 2025) shall be implemented in full. They shall be retained thereafter. (To protect residents from excessive levels of noise in accordance with saved policy PS10 in the 2006 City of Leicester Local Plan.)

7. Prior to the commencement of above ground development, details of the photovoltaic panel system, electric storage heaters, LED lighting and provision of appropriate controls, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any flat, the storage heaters, lighting and controls shall be installed in accordance with the approved details and a user guide shall be prepared for occupants, explaining how to operate the heaters and other systems efficiently and cost-effectively. Prior to the occupation of any flat, proof of installation and operation shall be submitted to and approved in writing by the Local Planning Authority. They shall be retained thereafter. (In the interests of energy efficiency and minimising carbon emissions and in accordance with policy CS02 in the Core Strategy.)

8. Prior to the occupation of any flat, the measures detailed in the Energy & Sustainability Statement (of the 18th of January 2026) (such as BRE 'A-C' rated materials and FSC certified timber) shall be implemented in full. Prior to the occupation of any flat, proof of installation and operation shall be submitted to and approved in writing by the Local Planning Authority. They shall be retained thereafter. (In the interests of energy efficiency and minimizing carbon emissions in accordance with policy CS02 of the Core Strategy.)

9. Prior to the occupation of any flat, the rooftop garden and garden room shall be made available for all residents of this scheme. It shall be maintained and kept available for all residents of the scheme at all times. (To provide residents with an acceptable level of amenity in accordance with policy CS03 in the Core Strategy and saved policy PS10 of the City of Leicester Local Plan.)

10. Prior to the occupation of any flat, a noise management plan for the rooftop garden shall be implemented in accordance with details first submitted to and approved in writing by the Local Planning Authority. (To protect the amenity enjoyed by the residents of neighbouring dwellings in accordance with saved policy PS10 in the 2006 City of Leicester Local Plan.)

11. Prior to the occupation of any flat, the powder coated metal railings (RAL 7016) (Drawing P14, Revision C) shall be installed along the full length of the boundary of the site with the Great Central Way. (In order to ensure the site is reasonably secure

and to ensure it has a visually acceptable appearance from the Great Central Way in accordance with Core Strategy policy CS03.)

12. Prior to the commencement of development, full details of the Sustainable Drainage System (SuDS) (including green roof to six-storey element and rooftop garden to four-storey element) together with implementation, long term maintenance and management of the system shall be submitted to and approved in writing by the Local Planning Authority. No flat shall be occupied, until the system has been implemented 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). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

13. Prior to the commencement of development, details of drainage shall be submitted to and approved in writing by the Local Planning Authority. No flat shall be occupied, until the drainage has been installed, in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy). (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

14. Prior to the occupation of any flat, the waste storage area (shown on plan reference 1725 P02 rev C) shall be provided. It shall be retained for waste storage purposes at all times. (To ensure the scheme has acceptable waste storage facilities in accordance with Core Strategy policy CS03.)

15. Prior to the commencement of above ground development, details of the vehicular access and the treatment of the walls to each side (including pedestrian visibility splays) shall be submitted to and approved in writing by the Local Planning Authority. The gates to the vehicle access shall not open out onto the public highway (they shall be sliding or inward opening). (In the interests of highway safety so that drivers have an acceptable view of pedestrians, and in accordance with saved policy AM01 in the 2006 City of Leicester Local Plan and policy CS03 in the Core Strategy.)

16. Prior to the occupation of any flat, the vehicle parking shall be provided in accordance with the approved details. It shall be retained thereafter. (To meet the vehicle parking needs of residents in accordance with saved policy AM12 of the City of Leicester Local Plan.)

17. Prior to the occupation of any flat, the cycle parking shall be provided in accordance with the approved details. It shall be retained thereafter. (To meet the cycle parking needs of residents and to promote the use of sustainable means of transport in accordance with saved policies AM02 and H07 of the City of Leicester Local Plan.)

18. Prior to the commencement of development, details of all street works (including alterations to the footway crossings, kerbs, repairs), shall be submitted to and approved in writing by the Local Planning Authority along with a timescale for when these works will be carried out. Prior to the occupation of any flat, all street works must be implemented in accordance with the agreed details. (To achieve a satisfactory form of development, and in accordance with saved policy AM01 of the City of Leicester Local Plan and policy CS03 of the Core Strategy.) (To ensure that the details are approved in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.)

19. Prior to the occupation of any flat, a Travel Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. It shall be implemented in accordance with a timetable contained within the Travel Plan. The Plan shall: (a) assess the site in terms of transport choice for maintenance workers, users of services, visitors and deliveries; (b) consider pre-trip mode choice, measures to promote more sustainable modes of transport such as walking, cycling, car share and public transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site as single occupancy vehicle users, so that all users have awareness of sustainable travel options; (c) identify marketing, promotion and reward schemes to promote sustainable travel and look at a parking management scheme to discourage off-site parking; (d) include provision for monitoring travel modes (including travel surveys) of all users at regular intervals, for a minimum of 5 years from the first occupation of the development. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM12 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy.)

20. Prior to the first occupation of each flat, the occupiers 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 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 policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy.)

21. Prior to the commencement of above ground development, details of 4 x integrated bat boxes and 2 x Sparrow terraces to be installed shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any flat, the bat boxes and Sparrow terraces shall be installed in accordance with the approved details. They shall be retained thereafter. (To take the opportunity to provide wildlife habitat and in accordance with Core Strategy policy CS17.)

22. Prior to the occupation of any flat, details of external lighting (whose design has been informed by an isolux plot - in line with Guidance Note 8 - Bats and Artificial Lighting) shall be submitted to and approved in writing by the Local Planning Authority.

Only lighting that accords with the approved details shall be installed. (To avoid the disturbance of wildlife and in accordance with Core Strategy policy CS17.)

23. Prior to the commencement of above ground development, a 1:20 detailed drawing of three sample panels (railing used for the car park frontage, second and third floor windows and surrounds on four storey element) and a full material schedule, shall be submitted to and approved in writing by the Local Planning Authority.

Once the design details of the sample panel have been approved, the panel shall be constructed on the site and photos of the constructed panels shall be submitted to and approved in writing by the Local Planning Authority.

Once the photos have been approved, the three panels shall be made available for inspection and approval in writing by the Local Planning Authority.

Once approved, above ground development can proceed in accordance with the details approved.

(To maintain the character and appearance of the area and in accordance with Core Strategy policy CS03.)

24. In accordance with approved drawing P16 Rev B:

- All of the one-bedroomed dwellings and their associated parking and approach, shall be constructed in accordance with 'Category 2: Accessible and adaptable dwellings M4(2) Optional Requirement of the Building Regulations.

- All of the two-bedroomed dwellings and their associated parking and approach, shall be constructed in accordance with 'Category 3: Wheelchair adaptable dwellings M4(3)(a) Optional Requirement of the Building Regulations.

On completion of the scheme and prior to the occupation of each dwelling, a completion certificate signed by the relevant inspecting Building Control Body, shall be submitted to and approved in writing by the Local Planning Authority, certifying compliance with the above standards. (To ensure the dwellings are adaptable enough to match a lifetime of changing needs, and to provide for those who currently use or may in future use wheelchairs, in accordance with Core Strategy policy CS06.)

27. Development shall be carried out in full accordance with the following approved plans:

- Site Location, Drawing LOC, received on the 18th of November 2025
- Proposed Site Plan, Drawing P02, Rev C, received on the 15th of January 2026

- Ground, First and Second Floor Plan, Drawing P03, Rev D, received on the 15th of January 2026

- Third and Fourth Floor Plan, Drawing P04, Rev C, received on the 5th of November 2025

- Fifth Floor and Roof Plan, Drawing P05, Rev C, received on the 5th of November 2025

- Proposed Elevations 1-2, Drawing P06, Rev C, received on the 24th March 2026

- Proposed Elevations 3-4, Drawing P07, Rev C, received on the 24th March 2026

- Proposed Material Details, Drawing P08, Rev C, received on the 24th March 2026

- Proposed Street Sections, Drawing P09, Rev B, received on the 21st of October 2025

- Location Plan and Survey, Drawing P01, Revision D, received on the 11th of November 2024
- Flat Types - Demonstration of NDSS and M4(2)/(3) compliance, Drawing P16, Rev B, received on the 5th of November 2025
(In order to ensure compliance with the approved plans.)

NOTES FOR APPLICANT

1. It is recommended that all residents and building operators sign up for the Environment Agency Flood Warning service and Met Office severe weather warnings email alert service.
2. No consent is granted or implied for the advertisement shown on the submitted plans (the sign near the top of the building which reads 'Western House'), for which a separate application may be necessary.
3. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at:
<https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>
As this is a new document it will be kept under review. We therefore invite comments from users to assist us in the ongoing development of the guide.
4. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway.
For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.
As the existing building to be demolished abuts 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.
5. The foundations of the walls of the building which abut the highway footways on the frontage to Western Road must be designed and implemented so that they do not encroach onto the highway.
6. 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 seek advice from Bal Minhas (Leicester City Council's Travel Plan Officer - 0116 454 2849).
7. The City Council, as Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may

have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process and pre-application process. The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2024 is considered to be a positive outcome of these discussions.

Policies relating to this recommendation

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| 2006_AM01 | Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations. |
| 2006_AM02 | Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations. |
| 2006_AM12 | Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01. |
| 2006_H07 | Criteria for the development of new flats and the conversion of existing buildings to self-contained flats. |
| 2006_PS10 | Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents. |
| 2006_UD06 | New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria. |
| 2014_CS02 | Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City. |
| 2014_CS03 | The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'. |
| 2014_CS06 | The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents. |
| 2014_CS13 | The Council will seek to maintain and enhance the quality of the green network so that residents and visitors have easy access to good quality green space, sport and recreation provision that meets the needs of local people. |
| 2014_CS14 | The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development. |
| 2014_CS15 | To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads. |
| 2014_CS17 | The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network. |
| 2014_CS18 | The Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets. |
| 2014_CS19 | New development must be supported by the required infrastructure at the appropriate stage. Developer contributions will be sought where needs arise as a result of the development either individually or collectively. |

