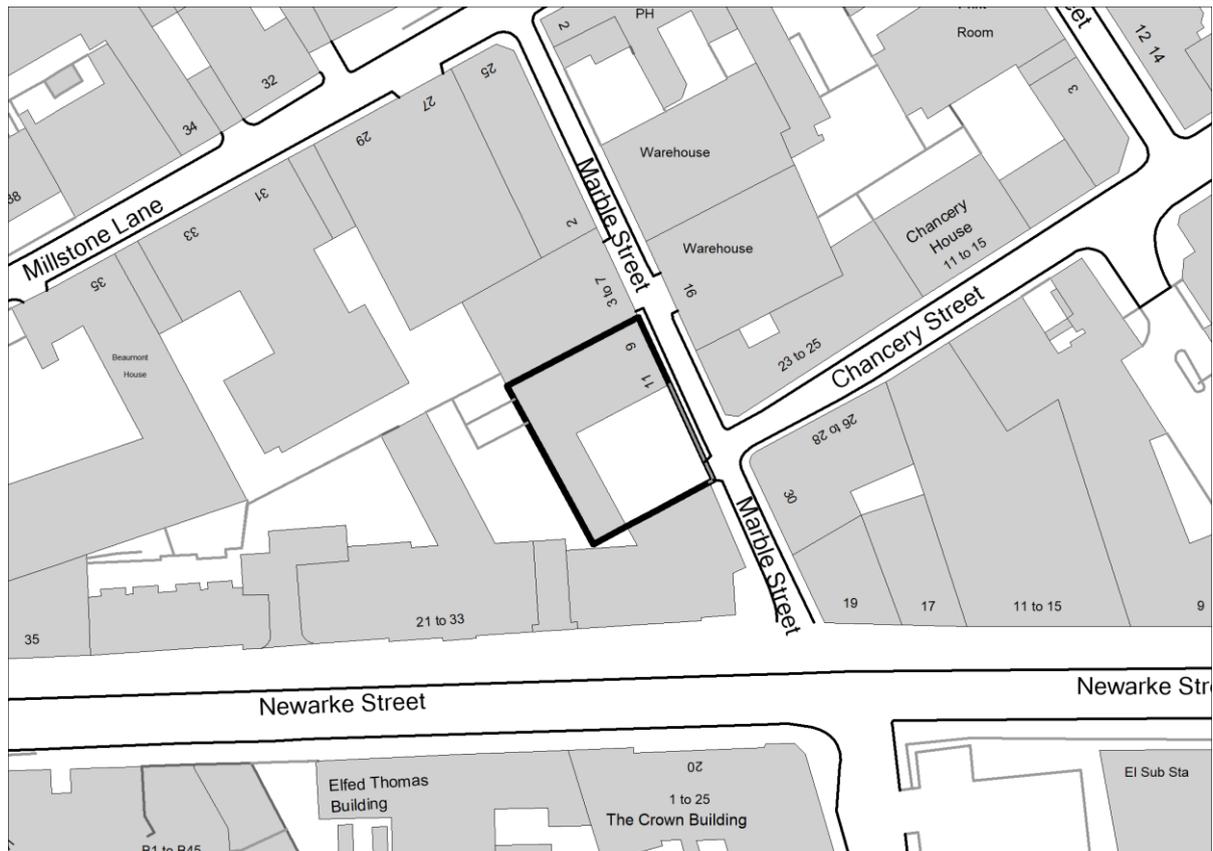


Recommendation: Conditional Approval (Section 106)	
20201133	9-11 Marble Street
Proposal:	Demolition of existing buildings. Construction of six storey building comprising of 4 cluster flats (48 student bedrooms) and 13 x 1 bed student studio flats (Sui Generis), communal area and amenity area. (Amended plans) (subject to a unilateral undertaking under s106)
Applicant:	Mr Kane Tang
View application and responses:	https://planning.leicester.gov.uk/Planning/Display/20201133
Expiry Date:	30 November 2020
AS	WARD: Castle



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Summary

- This application is being brought to committee at the request of Cllr Kitterick to consider the acceptability of the living accommodation.
- Two objections, including one from Cllr Kitterick, have been received.
- The key issues are the principle of development, heritage and living standards.

The Site

Currently the site consists of a two, three, and four storey building and car park with brick wall/gates to the front. The site area is around 500sq.m and is located to the west side of Marble Street. The buildings are currently in use as print works/supplier of office equipment.

To the north boundary is Market Street Conservation Area with the Greyfriars Conservation Area and Townscape Heritage Initiative (THI) area just beyond it. The site is also within an archaeological alert area and an air quality management area.

The site is located within the central commercial zone, the Strategic Regeneration Area and a primarily/professional office area.

Marble Street is a narrow street running north to south between Millstone Lane and Newarke Street.

To the south and west of the site fronting Newarke Street is a purpose built student accommodation to a height of eight storeys and to the north is a converted five storey red brick factory. The buildings opposite are between two and four storeys high and are located at the junction with Chancery Street.

Background

20011794 – 3 to 8 storey building with 43 cluster-flats and 1 studio flat (Class C3); was approved in May 2002.

The majority of that development fronting Newarke Street has been built.

The part of the original site not developed at that time is now the subject of this application.

The Proposal

The proposal is for the demolition of the existing building and to construct a new building to a maximum height of six storeys with the sixth floor set back. This will accommodate 61 students in 4 cluster flats (48 beds) and thirteen 1 bed studios contained flats.

The ground floor would contain 3 studios, a laundry room and a 72sq.m communal area. There would also be an amenity area and cycle and waste storage, a post room and a large foyer adjacent to the post room.

The first, second, third and fourth floors would each have 12 bedrooms with en-suite facilities. Each floor would have a separate living/dining area and a communal kitchen.

The fifth floor would have 10 self contained units.

The 3 studio flats on the ground floor have floors areas around 20sq.m. The 10 studio flats to the fifth floor range from 19sq.m to 23sq.m.

The cluster flats bedrooms range between 14sq.m and 16sq.m with the majority being around 14sq.m.

Amendments to the submitted proposal made small increases to the size of some of the bedrooms/studios and now includes a brown roof to the proposed cycle store and an increased number of waste bins.

Policy Considerations

National Planning Policy Framework (NPPF) 2019

Section 2 – achieving sustainable development

Paragraph 11 – the presumption in favour of sustainable development

Paragraphs 39 – 42 the importance of pre-application engagement

Section 5 – Delivering a sufficient supply of homes

Section 9 – Promoting sustainable transport

Paragraphs 122 – 123 – Achieving appropriate densities

Section 7 – Ensuring the vitality of town centres.

Paragraph 85.

Section 12 – Achieving well designed places.

Paragraph 124 – creation of high quality buildings.

Paragraph 126 – design expectations.

Paragraph 127 – visually attractive, create places that are safe, inclusive and accessible and which promote health and well-being

Paragraph 128– Design quality considered throughout the evolution and assessment of individual proposals.

Paragraph 130 – Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Paragraph 170, 175 – Biodiversity

Paragraphs 178 – 193 – Pollution

Section 16 – Conserving and enhancing the historic environment

Paragraphs 189, 190, 192, 193, 194, 195, 196, 197, 199, 200

Development Plan Policies

The most relevant policies are PS10, H07, CS03, CS04, CS12, CS18

Supplementary Planning Documents (SPD)

Residential Amenity SPD (adopted 2008)

Tall Buildings SPD (2007)

Green Space SPD (revised 2013)

Student housing SPD (2012)

Climate Change SPD (2011)

Greyfriars Conservation Area Character Appraisal (2015)

Greyfriars Townscape Heritage Initiative

Market Street Conservation Area Character Appraisal (2015)

City of Leicester Local Plan Appendix One– Vehicle Parking Standards

Achieving Well Designed Homes October 2019 - Leicester City Council's Corporate Guidance.

Economic Development Needs Assessment (2020). (emerging)

Other legal or policy context

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines the statutory duty of local planning authorities to have special regard to the desirability of preserving or enhancing the character and appearance of conservation areas.

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

Consultations

Pollution (Noise)

No objection.

Pollution (land contamination)

Having looked at the report submitted it is recommended that a land contamination condition be attached.

Local Highway Authority (LHA)

The proposal does not include provision of any parking spaces and no vehicle access to proposed for the site. Given the location this does not raise any concerns with regard to general parking.

The applicant will need to consider the requirement for disabled parking for the development, particularly if any of the residential units or community areas are to be designed to mobility standards. An existing vehicle access will be stopped up as part of the proposed development. The applicant will therefore be required to remove the footway crossing and reinstate the footway accordingly. Pedestrian access to the site both for residents and servicing is shown as being directly from Marble Street, which is acceptable.

Cycle parking should be a minimum of 34 spaces for single occupancy, bedrooms generally accommodate two bed spaces, so if double occupancy is to be accommodated then the number of cycle storage spaces would need to be higher. We would recommend that at least 34 spaces be provided in this case.

The site is likely to be highly sustainable in terms of travel. It is recommended that residents are provided with Travel Packs.

Lead Local Flood Authority (LLFA)

Details have been submitted and there is no objection subject to further requirements being submitted by way of condition.

City Archaeologist

This proposed development is located in an area with known archaeology, and within a large Roman cemetery and the city's Roman and Medieval suburbs. Human remains dating to the Roman period were found at c1.5m below the current ground surface within 25m of the current proposed development. Construction and associated engineering works may disturb further: human remains and archaeological deposits, including beneath existing cellars and basements. It is therefore recommended a condition be attached required a Written Scheme of Investigation be submitted.

Waste management

The development requires sufficient space for the storage of 4 x 1100 litre refuse bins and 3 x 1100 litre recycling bins. There must be adequate room to store the bins, for residents to access them, there should be a maximum distance of 10 metres from the bin storage area to the road or 20 metres if it is an assisted collection. The door must be wide enough, the store shall have a cleanable floor, be ventilated and well lit.

Environment Team (Energy)

The argument for an air source heat pump, based system being unsuitable is accepted. On that basis, it is recommended a condition be attached requiring full design details of on-site installations to provide energy efficiency measures.

Landscape Development (Open Space)

The proposed residential development, within the Castle ward, will result in a net increase in the number of residents within an area which already exhibits a deficiency in green space. Opportunities to create new open space to address the needs of the new residents are severely limited and therefore we will be looking to make quality improvements to existing green space provision to minimise the impact of this development.

Based on the formula from the Green Space SPD a contribution of £37,718 is required for this application. The contribution will be used for replanting works at Castle Gardens (£17,854) and towards the provision of improved basketball facilities at Victoria Park (£19,864).

Air Quality

The proposal is located within an air quality management area and it is therefore recommended that conditions should be attached regarding the ventilation of the ground floor units facing the street, travel packs and cycle racks.

National Health Service

The NHS requested a contribution through CIL. LCC haven't adopted CIL. The request is therefore not policy compliant.

Conservation Advisory Panel:

The discussion focused on the design, finish and materiality of the new development proposed. While varying comments were raised, the members concluded that the proposed finishes, in particular the light grey brickwork, are welcomed. It was agreed that this would allow for the building to be legible as 'modern' infill development, with no obvious opposition to the adjacent heritage assets (Greyfriars and Market Conservation Area). The design was complimented, considered well-thought through and adequate for the location; a definite improvement on the previously approved scheme.

Representations

Councillor Kitterick has objected and requested a committee decision as he considers the proposal has sub-standard space provision, given that it appears there are many rooms with as little internal space as 13.5 square metres. He considers that this should be a matter for the Committee to consider as the proposal is a significant development and the issue of minimum space standards for developments in the city are a matter currently under debate in the Local Plan process.

A further objection questions whether there is a demand for more student flats in this area. Further concerns raised are that the room sizes are less than 14sq.m, the kitchens are too small for 12 people, limited access to Marble St unsuitable for large vehicles and lack of character. Leicester City Council should provide a report into bespoke student flat developments for the last 10 years and show how many HMO's are up to standard for habitation.

Consideration

Principle of Development / Policy Context

The proposal site lies within the Professional Office Area, as defined on the Local Plan proposals map and referred to in Core Strategy policy CS10. The existing building was not considered worthy of grading in the city centre office review undertaken as part of the emerging Economic Development Needs Assessment (2020).

Residential development and continuing investment in university related projects are supported within the strategic regeneration area and city centre (Policies CS04 & CS12).

I consider that the proposed use for residential rather than business use is acceptable.

The main policy relating to student accommodation in the Core Strategy (2014) is CS06, which requires that:

‘...Proposals for purpose built student housing will normally be accepted if they meet identified needs, are well designed and managed and can be well integrated with local built form and existing communities within walking distance of the main campuses.’

This is supported by the Student Housing SPD which provides more detail to support the criteria set out in Core Strategy Policy CS6. Paragraph 1.16 of the SPD refers to the 6 criteria against which applications are to be determined:

A. Does the development meet an identified need for the type of accommodation proposed?

I accept that there is continuing demand for additional purpose built accommodation within the city.

B. Development will be encouraged within reasonable walking distance of the two university campuses.

The site is close to De Montfort University campus and, although more distant, a reasonable walking route (via New Walk) to Leicester University.

C. The scale of development, including height and massing of the buildings, should be designed to not adversely conflict with adjacent properties or the general residential environment of the surrounding area.

This is considered in the report below.

D. When considered with existing nearby student provision, the development should not have an unacceptable cumulative impact upon surrounding residential neighbourhoods.

The level of student accommodation proposed is not significant in the context of the overall scale of such accommodation available within the city, and the site is within a central location with a wide range of other uses. Paragraph 2.15 of the SPD indicates that cumulative impact is less likely to be an issue within the city centre.

E. The layout, standards and facilities provided in the development ensure a positive living experience.

The layout, standards and facilities provided in the development must ensure a positive living experience. The units also need to be of an appropriate size and layout for modern student accommodation. This is discussed further below.

F. Appropriate management is in place to minimise potential negative impacts from occupants or the development on surrounding properties and

neighbourhoods, and to create a positive and safe living environment for students.

The recommendation includes for an off-site contribution of £37,718.00 for open space provision. A management plan and a travel plan condition would also be attached to any approval.

I conclude that the proposal would comply with Policies CS10 and CS06 of the Leicester Core Strategy (2014), and that the proposal is acceptable in principle.

Given the principle of the use the other main issues to consider in terms of the application are townscape, massing and urban form, design, conservation and heritage, residential amenity, sustainable drainage, landscaping, amenity, access, and archaeology.

Townscape, massing, scale and heights

Paragraph 126 of the NPPF suggests that to provide maximum clarity about design expectation at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality of design.

To comply with the NPPF a number of Actual Visual Representations have been submitted. These views have been taken from a range of points around the site. With these views the proposal can be properly assessed.

The proposal would be six storeys with the sixth floor set back from the proposed front elevation with dormer style windows to the front and rear.

The main height would be in line with the existing red brick building to the north side and would be lower than the student accommodation to the south.

The front elevation has been designed to respect the adjoining red brick building by including a glazed separation element. I consider that the glazed section would ensure that there is a satisfactory juxtaposition between the two and is a welcome feature in the street.

Active frontage

To the ground floor front elevation there would be the large communal area and entrance which will have a curtain walling system which will allow light to penetrate within and out of the building.

Materials

The materials proposed are a mixture of light and dark grey brick with the majority being a light shade, rain screen cladding in a bronze colour, two types of curtain walling (front and rear elevation), render to the rear wall, a zinc graphite grey roof and parapet copings/window cills would be aluminium in a matt finish.

The main choice of brick is consistent with the area. To ensure a high quality finish I would recommend conditions requiring a sample panel be constructed on site and samples of materials be provided.

The windows include perforated and louvred ventilation units which I consider are acceptable in appearance.

Living conditions (for occupiers)

The floor area of the proposed cluster flat bedrooms would be between 13.5sq.m and 16sq.m. Each would contain en suite facilities. There would be separate shared living/ dining and kitchen areas with a floor area of approximately 50sq.m per floor. The kitchen/living/dining areas have sufficient seating for 12 residents to be seated at one time, providing areas for sitting at tables and sofa seating.

The studio flats would be approximately 20sq.m. I consider that this is reasonable given the nature of the accommodation and the provision of shared facilities on the ground floor.

The provision of a mixture of studio flats and cluster flats is welcomed. The cluster flats provide greater opportunity for occupants to mix with others and the shared kitchen/dining/lounge areas are a sufficient size to enable this.

In addition to the above there would be a communal room to the ground floor identified as a social hub space with an area of approximately 72sq.m. This is also a welcome provision benefiting all residents and providing a good meeting and activity space.

To the rear there would be a landscaped seating area for use by all occupiers.

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

Residential amenity (for neighbours)

The adjoining residential property is purpose built student accommodation and the proposal has been designed so there would be no direct overlooking and no loss of privacy. I do not consider that additional activity would have an unacceptable impact upon the occupiers of nearby properties.

Historic Environment Conservation

The proposal is not attached to a listed or locally listed building. It is adjoining the Market Street Conservation Area and the nearby Greyfriars Conservation Area. I consider that the proposal is a modern infill development which has been designed to reflect the character of the north side of the site and the narrow width of the street.

Archaeology

Due to its location I recommend a condition requiring a Written Scheme of Investigation be submitted.

Waste storage and collection

Within the building there would be a refuse bin area with access from within the building. The application has been amended to include 7 refuse bins, which is acceptable. The access for bin collection is direct from Marble Street.

Highways

The development is located in a sustainable location being within walking distance of the city centre and De Montfort University. The proposal also includes cycle parking.

A management plan condition would secure arrangements for student drop off at the beginning and end of term times, which will help to avoid congestion in the vicinity at those times. Travel packs are also recommended for each occupier.

'I conclude that the proposal complies with Policies CS03 and CS14 of the Core Strategy (2014) and saved Policies AM01 and AM02 of the Local Plan (2006).

Sustainable Energy

A sustainable energy statement has been submitted and I consider it to be appropriate to attach a condition requiring the finer details of their proposal and the maintenance of the system.

Drainage

The details submitted are considered acceptable and further requirements can be satisfied through the use of conditions. The details submitted should be completed prior to the occupation of the site.

Nature conservation / landscaping

A small landscaped courtyard is proposed to the rear and will contain some planting and seating. This area is available for use by all the residents. A brown roof has been included above the proposed single storey cycle store. The applicant has provided details of the type, number and location of the bat and swift boxes that have been requested.

There is no objection to this development on ecological grounds providing the principles of national and local planning policy related to biodiversity are complied with. The proposal is acceptable in ecology terms and I recommend a number of conditions be attached requiring the details of any lighting proposed, and details of the brown roof, I conclude that the proposal complies with Policy CS17 of the Core Strategy (2014).

Pollution

Land contamination: Due to its location a land contamination condition will be attached.

Noise: I am satisfied that no further information is required regarding noise in this locality.

Air Quality

At ground floor there is no sleeping accommodation proposed on the side of the building closest to the street. The Social Hub Space is proposed to be mechanically

ventilated with heat recovery and appropriate levels of filtration in order to provide the fresh air and mitigate any risk of overheating. I consider that to be acceptable.

Green Space Provision

Policy CS13 of the Leicester Core Strategy (2014) states that new development proposals should meet the need for green space provision arising from the development, and that new on-site provision or S106 contributions to improve the quality of, or access to, existing open space will be expected.

The proposal is likely to increase pressure on existing green space provision within an area which exhibits a deficiency in such provision, and that opportunities to create new open space to address the needs of residents are extremely limited within this area. Limited provision can be made on the application site and accordingly a contribution to qualitative improvements off-site is sought. In accordance with the Green Space SPD guidance, the proposal generates a requirement for a contribution of £37,718.

With this provision, the proposal complies with Policy CS13 of the Core Strategy.

Developer Contributions

The statutory tests for the use of section 106 obligations are set out in Regulation 122 of the CIL Regulations 2010. This states that obligations should be:-

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development.

The applicant has agreed to contribute towards replanting works at Castle Gardens (£17,854.) and improved basketball facilities at Victoria Park (£19,864.)

The open space contribution for the above works would be £37,718

I conclude that the proposal complies with Core Strategy (2014) Policy CS19.

Conclusion

I consider that the proposed development complies with the Student SPD, the NPPF and Core Strategy Policies. The proposed development is also appropriate to its setting and complies with CS Policy 03 with its high quality design and CS Policy 18 with regard to preserving the historic environment and the overarching aims of the NPPF.

The proposed new building has been designed to preserve the nearby Market Street and Greyfriars Conservation Areas.

I consider that the proposal would have a minimal effect upon the amenities currently enjoyed by the nearby residents.

The development would contribute to the shortfall in the City Council's five year housing supply.

I recommend APPROVAL subject to conditions and a SECTION 106 AGREEMENT/UNDERTAKING to secure off site green space enhancements.

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. The flats shall only be occupied by students enrolled on full-time courses at further and higher education establishments or students working at a medical or educational institution, as part of their medical or education course. The owner, landlord or authority in control of the development shall keep an up to date register of the name of each person in occupation of the development together with course(s) attended, and shall make the register available for inspection by the Local Planning Authority on demand at all reasonable times. (To enable the Local Planning Authority to consider the need for affordable housing and education provision and to assess floor space standards and the suitability of the accommodation for general residential purposes in accordance with policies CS06, CS07 & CS19 of the Core Strategy and policies PS10 & H07 of the City of Leicester Local Plan.)

3. A. No demolition or new development shall take place in relation to the proposal until the applicant has secured the implementation of an appropriate programme of archaeological work to be undertaken by a competent and experienced organisation in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved by the City Council as the local planning authority. The scheme must include an assessment of significance, research questions, and:

(1) the programme and methodology of site investigation and recording (with contingency for further excavation if required);

(2) the programme for post-investigation assessment;

(3) provision to be made for analysis of the site investigation and recording;

(4) provision to be made for publication and dissemination of the analysis and records of the site investigation;

(5) provision to be made for archive deposition of the analysis and records of the site investigation;

B. No development shall take place other than in accordance with the Written Scheme of Investigation approved under (A) above.

C. The development shall not be occupied until the site investigation and post-investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under (A) above, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured, unless agreed in writing with City Council as local planning authority.

(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 scheme, this is a PRE-COMMENCEMENT condition).

4. Prior to the commencement of the development above ground level, samples of the materials to be used on all external elevations and roofs, and the construction on site for inspection of sample panels (size, number and detail to be agreed) showing (but not necessarily limited to) brick, bonding & mortar, window frames, reveals, ventilation panels/louvres and cladding shall be provided and approved in writing by the City Council as local planning authority. No works shall be carried out other than in accordance with approved details. (In the interests of visual amenity and to preserve the special character of the area and in accordance policies CS03 and CS18 of the Core Strategy.)

5. Prior to the occupation of the development the details as shown on plan no. 8584-CPM-01-XX-DR-A-7003 P05 for 4 x bat boxes and 6 x swift boxes (set in clusters of 3) shall be incorporated within the elevations, the locations should be determined by an ecologist who should also supervise their installation. The development shall be carried out in accordance with the agreed details and their use monitored for a period of two years and results submitted annually to that authority with the agreed features retained thereafter (In the interest of biodiversity and in accordance with Policy CS17 Biodiversity of the Core Strategy.)

6. Prior to the commencement of the development above ground level, full specification details of the proposed brown roof including construction, planting details and maintenance strategy shall be submitted to and approved in writing by the City Council as local planning authority. The brown roof shall be provided and maintained thereafter in accordance with those details (To ensure sustainable construction and adaptation and mitigation of climate change in accordance with Core Strategy policies CS02 and CS17. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

7. Prior to the commencement of the development above, a detailed landscaping scheme and ecological management plan (LEMP) showing the treatment of all parts of the site which will remain unbuilt upon shall be submitted to and approved in writing by the City Council as local planning authority. This scheme shall include details of: i) new shrub planting, including plant type, size, quantities and locations which should be native species and plant species attractive to pollinating insects; and (ii) other surface treatments. The approved landscaping scheme shall be carried out within one year of completion of the development. For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.) To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

8. Prior to the commencement of the development above ground level a detailed design plan of the external 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, 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 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 policy BE22 and policy CS17 Biodiversity of the Core Strategy.)

9. Prior to the commencement of the development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved by the local planning authority. No flat shall be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details and shall be retained as such. 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 agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

10. Prior to the commencement of the development details of drainage, shall be submitted to and approved by the local planning authority. No flat shall be occupied until the drainage has been installed in accordance with the approved details and shall be retained as such. 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 agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition)

11. The approved Travel Plan shall be maintained and operated on first occupation and thereafter with any future changes to the approved plan being submitted to and approved in writing by the City Council as local planning authority. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM12 of the City of Leicester Local Plan and Core Strategy policies CS14 and CS15).

12. Prior to the start of each academic year each student taking up residency in each of the flats shall be provided with the agreed 'New Residents Travel Pack'. (In the interest of sustainable development and in accordance with policy AM02 of the City of Leicester Local Plan and Core Strategy policy CS14).

13. No part of the development shall be occupied until details of the proposed 27 cycle parking spaces which shall be lit have been submitted to and approved in writing by the City Council as local planning authority. The approved spaces shall be provided in accordance with the approved details before occupation and retained as

such thereafter. (In the interests of the satisfactory development of the site and in accordance with policies AM02 and CS02 of the City of Leicester Local Plan).

14. No part of the development shall be occupied until the bin store has been provided in accordance with the details approved. This provision shall thereafter be retained. (In the interests of the satisfactory development of the site and in accordance with policies H07 of the City of Leicester Local Plan).

15. No part of the development shall be occupied until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated. (For the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)

16. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the City Council as local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) 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 constructing 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 recycling/disposing of waste resulting from demolition and construction works. (To ensure the satisfactory development of the site, and in accordance with policies AM01, UD06 of the City of Leicester Local Plan and Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

17. No development shall take place until full design details of on-site installations to provide energy efficiency measures, including a combined heat and power system supplying the hot water for the development, have been submitted to and approved in writing by the City Council as local planning authority. No part of the development 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 City Council. These details shall be retained as such. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition)

18. No development shall be carried out until the site 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 to render the site suitable and safe for the development, has been submitted to and approved by the City Council as local planning authority. The approved remediation scheme shall be implemented and a completion report shall be submitted to and approved in writing by the City Council as local planning authority before any part of the development 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 City Council as local planning authority prior to the occupation of the development. 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, 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 policy PS11 of the City of Leicester Local Plan. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

19. No accommodation shall be occupied until a management plan has been submitted to and approved in writing by the local planning authority. The management plan shall include details of: (a) measures to control the impact of the student occupiers on the surrounding area including the arrangements for refuse collection; and (b) how the arrival and departure of the student occupiers will be managed at the start and finish of each academic term. The premises shall be managed in accordance with the approved management plan thereafter. (To ensure the premises are managed so as minimise the effect of the development on the surrounding area; to ensure that traffic and parking demands at the start and end of terms does not result in congestion in surrounding streets or harm to road safety; and in accordance with policy PS10 of the City of Leicester Local Plan)

20. This consent shall relate solely to the following plans:

Ground floor: 8584-CPM-01-00-DR-A-2001 P09
First floor: 8584-CPM-01-01-DR-A-2002 P08
Second floor: 8584-CPM-01-02-DR-A-2003 P08
Third floor: 8584-CPM-01-03-DR-A-2004 P08
Fourth floor: 8584-CPM-01-04-DR-A-2005 P08
Fifth floor: 8584-CPM-01-05-DR-A-2006 P08
Roof plan: 8584-CPM-01-ZZ-DR-A-2400 P02
Elevations: 8584-CPM-01-ZZ-DR-A-2010 P06
Landscape: 8584-CPM-01-XX-DR-A-7003 P05
Biodiversity plan: 8584-CPM01-ZZ-DR-A-4001 P01
Sections: 8584-CPM-01-ZZ-DR-A-2020 P02
Strip sections 1: 8584-CPM-01-ZZ-DR-A-2550 P03
Strip sections 2: 8584-CPM-01-ZZ-DR-A-2551

For the avoidance of doubt.

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process. 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 2019 is considered to be a positive outcome of these discussions.

2. 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.

3. If any 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.

4. 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.

Policies relating to this recommendation

2006_AM01	Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.
2006_AM02	Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.
2006_AM12	Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
2006_BE20	Developments that are likely to create flood risk onsite or elsewhere will only be permitted if adequate mitigation measures can be implemented.
2006_BE22	Planning permission for development that consists of, or includes, external lighting will be permitted where the City Council is satisfied that it meets certain criteria.
2006_H07	Criteria for the development of new flats and the conversion of existing buildings to self-contained flats.
2006_PS10	Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
2006_PS11	Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.
2006_UD06	New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
2014_CS01	The overall objective of the Core Strategy is to ensure that Leicester develops as a sustainable city, with an improved quality of life for all its citizens. The policy includes guidelines for the location of housing and other development.

- 2014_CS02 Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
- 2014_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
- 2014_CS04 The Strategic Regeneration Area will be the focus of major housing development and physical change to provide the impetus for economic, environmental and social investment and provide benefits for existing communities. New development must be comprehensive and co-ordinated. The policy gives detailed requirements for various parts of the Area.
- 2014_CS06 The policy sets out measures to ensure that the overall housing requirements for the City can be met; and to ensure that new housing meets the needs of City residents.
- 2014_CS07 New residential development should contribute to the creation and enhancement of sustainable mixed communities through the provision of affordable housing. The policy sets out the broad requirements for affordable housing.
- 2014_CS08 Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
- 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.