

<b>Recommendation: Conditional approval</b>	
<b>20181232</b>	<b>29 WOOD HILL</b>
Proposal:	CHANGE OF USE FROM OF PART OF LIGHT INDUSTRIAL BUSINESS (CLASS B1) TO 10 RESIDENTIAL FLATS (2X STUDIO, 8X 1BED) (CLASS C3); INCREASE IN ROOF HEIGHT TO FRONT WITH DORMER WINDOWS; FIRST FLOOR SIDE EXTENSION; ALTERATIONS (AMENDED PLANS RECEIVED 29/08/2018 AND 30/10/2018)
Applicant:	MR SINGH
View application and responses	<a href="http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20181232">http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20181232</a>
Expiry Date:	26 November 2018
PK	WARD: North Evington



©Crown Copyright Reserved. Leicester City Council Licence 100019264(2018). Ordnance Survey mapping does not imply any ownership boundaries and does not always denote the exact ground features

**Summary**

- Reported to Committee because more than 5 objections have been received;
- 7 objections received including from Councillors Osman and Fonseca raising concerns about residential amenity, character of area, parking number of flats and fire escape;

- The main issues are the principle of development, amenity and privacy, character, appearance, parking, access and sustainable drainage;
- Recommended for approval.

### **The Site**

The application site is a part single, part two storey brick built building situated on the southern side of Wood Hill. The footprint of the taller parts of the building is in an 'L' shape with a basement level which partially infills the 'L' shape. The application building stretches from its frontage on Wood Hill back on to Halstead Street which is situated on a lower land level.

The main access to the site is located along Wood Hill and a second access is located along the side on Halstead Street. The land level drops to the east (down Wood Hill) and to the south (down Halstead Street) and therefore the business operates on three separate levels internally.

The site is located in a Critical Drainage Area and final hotspot in respect of surface water. A public footpath runs along the side (west) elevation of the building which connects Wood Hill and Halstead Street.

### **The Proposal**

The proposed development as amended, is for the change of use of the building (Class B1) to a mixed use, manufacturing on the basement level with residential (Class C3) on the ground, first and second floors above.

The proposed development includes a first floor side extension to the wing built along the adjacent footpath. This extension would measure 6.7 metres in its projection and would result in an increased height of 1.5 metres to its ridge. To the front, the roof height would be increased by 2.5 metres with three flat roof front dormers. The width of this extension would be 15 metres which would not span the full width of the frontage. Other external alterations to the building include the closing up of side windows and insertion of new doors to the side elevation of the building to the proposed cycle and bin store.

The residential accommodation on site would comprise 8 one bedroom flats with a floor area ranging between 30 square metres and 45 square metres and two studio flats with a floor area of 28 square metres. There is no off street parking provision or servicing area.

The amendments to the originally submitted scheme reduce the number of proposed residential units on site from 11 to 10. The amendments also has reduced the width of the front extension from 20 metres to 15 metres, pulling the extension away from the site's side boundary with no.31 Wood Hill. The depth of the side extension has also been reduced from 16 metres to 6.7 metres.

## **Policy Considerations**

### National Planning Policy Framework (NPPF) 2018

Paragraph 2 states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. Paragraph 11 contains a presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with the development plan without delay.

Where the development plan is absent, silent or relevant policies are out of date, this means granting planning permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole. Leicester City Council does not currently have a 5 year housing land supply therefore the policies relating to housing are out of date.

Paragraphs 59 to 79 of the NPPF 2018, set out the housing policies. Paragraph 59 places an emphasis on the importance of a sufficient amount and variety of land to come forward where it is needed and that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 68 of the NPPF states that small and medium sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. The policy goes stating that local authorities are required to support the development of windfall sites through decisions- giving great weight to the benefits of using sustainable sites within existing settlements for homes.

In making an assessment Paragraph 108 of the NPPF (2018) states that development proposals should take up appropriate opportunities to promote sustainable transport modes; ensure safe and suitable access can be achieved for all users and; any significant impact (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable.

Paragraph 109 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 117 requires planning policies and decisions to promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. The policy includes a set of criteria for both plan making and decision taking, for the latter it advises local planning authorities to refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications

for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Paragraph 127 sets out criteria for assessing planning applications which includes issues such as the long term functionality of development proposals; visual impacts; the ability of development to relate to local character; creation of a sense of place using various design tools such as building types and materials; optimising the potential of development sites; and, designing safe, secure and inclusive developments with a high standard of amenity for existing and future users.

Paragraph 130 states that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 148 requires the planning system to support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 163 of the NPPF advises that when determining planning applications local planning authorities should, inter alia, give priority to sustainable drainage systems unless there is clear evidence that this would be inappropriate.

#### Development Plan policies

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

#### Supplementary Planning Documents (SPD)

Residential Amenity SPD

Appendix 01 of the City of Leicester Local Plan

#### **Consultations**

Highways Authority: No objection subject to conditions

Pollution (Noise): No objection subject to noise insulation condition

Pollution (Contamination): No objection as no ground works are proposed

## Representations

A total of 7 objections have been received including from Councillors Osman and Fonseca raising the following issues:

- Impact on residential amenity in respect of privacy, daylight, overlooking, overbearing, noise and disturbance.
- Impact on parking in the area; highways and pedestrian safety.
- Overdevelopment of the site.
- Fire escape

## Consideration

### Principle of development

Policy CS06 of the Leicester Core Strategy (2014) undertakes to meet the City's housing requirements over the plan period through, *inter alia*, limited housing growth within established residential areas and small housing infill to support the development of sustainable communities. It goes on to require new housing developments to provide an appropriate mix of housing and in particular larger family housing. Policy CS08 seeks to ensure that suburban areas continue to thrive and recognises that small scale infill sites can play a key role in the provision of new housing, but states that backland development should be compatible with the locality and any neighbourhood buildings and spaces in terms of design, layout, scale and mass.

There are no site specific designations or constraints to indicate that a residential development would be inappropriate or inherently harmful. The site is in an area which is predominantly residential, and it is surrounded by residential uses on three sides. In the above policy context and having particular regard to the City's current housing supply position, I conclude that the use of the light industrial site and building for 10 self-contained flats is acceptable in principle, subject to the foregoing consideration of the impacts on amenity, design, sustainable drainage and representations.

### Amenity and Privacy

Policy CS03 of the Leicester Core Strategy (2014) states that development must respond positively to the surroundings and be appropriate to the local setting and context. Saved Policy PS10 of the Local Plan (2006) sets out a number of amenity factors to be taken into account when determining planning applications, including: noise and air pollution; the visual quality of the area; additional parking and vehicle manoeuvring; privacy and overshadowing; safety and security; and the ability of the area to assimilate development.

Section 3 of the Council's *Residential Amenity* SPD (2008) ("the SPD") sets out more detailed design guidance for development in outer areas of the City. In particular, it recommends separation distances of 15 metres between a blank wall and principal room windows and of 21 metres between facing principal room windows.

It also recommends the provision of a minimum of 1.5 square metres' amenity space for flatted accommodation. Although Appendix G of the SPD is intended as a guide for

house extensions, it may be noted as also of relevance that: a separation distance of 11 metres is recommended between principal room windows and the boundary with any undeveloped land, including neighbouring gardens; that the separation distance between principal room windows may be reduced to 18 metres where direct overlooking is avoided by the positioning of windows, and that a two storey rear extension should not project beyond a 45 degree line from the nearest point of any ground floor principal room window at an adjacent property.

#### *27 and 27A Wood Hill*

The neighbouring property to the west, no.27 and no.27A Wood Hill is a three storey maisonette which has access from Wood Hill (27A) and a rear access (27) off the adjacent footpath. The proposed side extension would be situated closest to this pair of maisonettes; however the side elevation would not contain any windows which harmfully impact the amenity of the adjacent properties to the west on the basis of privacy and overlooking. There is window at ground floor level but this would serve the bathroom of flat 5 which is a non-principal room.

The proposed side extension itself would result in an increase of the ridge height by approximately 1.5 metres and a projection of 6.3 metres. The projection of the side extension would extend approximately 2 metres beyond the rear elevation of no.27 and 27A Wood Hill and would not intersect a 45 degree line when taken from the windows on the rear elevation of the adjacent property. The basement level windows are already impacted by the two storey side boundary brick wall along the neighbouring site.

In consideration of the site constraints I consider that the proposed side extension would not have a significant overbearing or overshadowing impact on the adjacent properties. The proposed extension by virtue of its depth is considered not to result in any detriment in respect of daylight to or outlook from principal room windows at the same properties. As such I consider the proposal would not have a significantly adverse impact on the amenity of the adjacent property.

I do not consider the provision of a new access door to the side elevation of the basement level would give rise to any unacceptable levels of noise or disturbance to the occupiers at no.27 Wood Hill. There is already an access door further along this elevation and the relocation would not give rise to an unacceptable levels of noise.

#### *71-73 Halstead Street*

To the south of the maisonettes at 27 and 27A Wood Hill is no.71 Halstead Street which is a former factory building converted to 8 self-contained flats by virtue of planning permissions 20071637 and 20100426. The side elevation of this building has no side windows which would be impacted detrimentally by the proposed development. Furthermore, the adjacent building is situated on a lower land level and would not be directly adjacent to the proposed side extension. As such I consider the proposed development would not have a significantly detrimental impact on the occupants of the adjacent site at Halstead Street in respect of daylight; outlook; privacy and overshadowing.

I do not consider the provision of a new access door to the side elevation of the basement level would give rise to any unacceptable levels of noise or disturbance to the occupiers at no.71 Halstead Street. There is already an access door further along this elevation and the relocation would not give rise to an unacceptable impact.

#### *56-62 Wood Hill (evens only)*

The even numbered properties along Wood Hill are separated from the application site by the highway. The separation distance between the front elevation of the site and properties opposite would range between 16 and 19 metres due to the layout of the front elevation of the original building. The front to front separation distance would be in line with the existing front to front separation distance along Wood Hill where there are both two and three storey properties which face the highway and properties on the opposite side of the road.

The Residential Amenity SPD advises that for outer areas the ratio between building height to street width should be 1:3. The proposed building would have a height of 6 metres which fronts Wood Hill and the separation distance should therefore be 18 metres. In consideration of the separation distance at neighbouring three storey properties, the proposed development would maintain an acceptable separation distance, which would allow the properties on the opposite side of the road to continue to benefit from adequate outlook. I also consider the separation distance to be acceptable in respect of daylight to ground floor principal room windows as a result of the proposed development.

#### *31 Wood Hill*

The adjacent property to the east is a corner plot which is a barbers at ground floor with residential accommodation above. This site is on a sloping land level, which is lower along its frontage on Asfordby Street. The site has no garden space as there is a single storey rear extension which projects along the Wood Hill frontage. The first floor rear windows at no.31 face the two storey side elevation of the application site at a distance of 15 metres. The proposed front extension would not extend to the side boundary at the east and therefore the outlook for no.31 would remain largely unaltered. The front extension would be situated a further distance of 4.5 metres from the common boundary and would contain no side windows. As such I consider the proposal would have minimal impact in respect of outlook, daylight, privacy and overshadowing to the adjoining occupants.

#### *76 Asfordby Street*

No. 76 Asfordby Street is a residential property which has a two storey outrigger at the rear of the property and there a further two storey side/rear outrigger which abuts the rear boundary (side boundary of the application site). The elevation which forms the rear boundary with the application site is a blank two storey wall with a tiled roof. The separation distance between this boundary and the proposed flatted accommodation to the side of the application site would be 17 metres. I consider that the separation distance combined with the boundary treatment, would mean that the addition of

principal room windows would not detrimentally harm the amenity of the occupiers of no.76 Asfordby Street.

The rear windows at the first and second floors of the front extension would be closer to this boundary, but these windows would serve a hallway on both levels. The proposed windows at the third floor would also serve a hallway. This elevation would be situated 90 degrees to the garden at no.76 and I therefore considered that the separation distance and relationship between the rear windows and adjacent site would not warrant any significant overlooking, loss of privacy and impact on outlook. In respect of overshadowing, I consider that the increase in roof height would not materially increase any overshadowing to the adjacent garage. Any overshadowing would be limited to the roof of the site and two storey outrigger at no.76.

#### *74 Asfordby Street*

The property at no.76 Asfordby Street appears to be in a non-residential use. The rear of the site comprises of a single storey flat roof extension. At the far end of the rear extension is a two storey building which forms the rear boundary (side boundary of the application site). As with the relationship with no.76 Asfordby Street, I consider the proposed development would not detrimentally alter the residential amenity of existing and future occupants of no.74. The siting of the two storey rear building would not block any views to principal room windows.

#### *72 Asfordby Street*

The building at no.72 is a Grade II listed former police station. Similar to the adjacent property at no.74, this site is also almost wholly built up with no garden or outdoor space. The site is currently vacant and has previously been used informally as a community centre. Due to the separation distances between this and the application site I consider the proposed development would not detrimentally alter the residential amenity of future occupants should the site become residential in the future.

#### *84 & 94 Halstead Street*

The properties to the south of the application site are warehouses and other non-residential uses which are single and two storeys in height. These buildings have high level windows although the properties operate on the ground floor only. I consider the proposed development would not impact the amenity of the occupiers to the south.

#### *General Amenity*

Although site levels fall from north to south and west to east across the site this is a general characteristic of the local topography meaning that surrounding properties occupy similar site levels to corresponding parts of the application site. I do not consider that any difference in levels between the application site and adjoining land is so pronounced as to alter my conclusions about the acceptability of the relationship between the proposed flats and neighbouring properties.

I do not consider the provision of bin store and cycle store at the basement level would have any unacceptable impact upon the amenity of the neighbouring occupiers. I

acknowledge that the development of 10 self-contained flats on the site would be likely to increase activity both within the site and in terms of usage of the adjacent roads such as Halstead Street and Wood Hill. However, this is an established residential area which includes flats as well as single family dwellings; I do not consider that the likely increase in residential activity on the site and associated comings and goings would give rise to unreasonable levels of noise and disturbance; particularly as the lawful use is light industrial.

Similarly, I do not consider that the finished development would be likely to give rise to unacceptable levels of increased light or air pollution.

I consider that occupiers of the proposed dwellings would provide natural surveillance within and surrounding the site. I am satisfied that there is not a significant risk of crime or reduced safety to neighbouring occupiers as a result of the development.

I conclude that the proposal would comply with Core Strategy Policy CS03 and would not conflict with saved Local Plan Policy PS10 and, having regard to the SPD, is acceptable in terms of the privacy and amenity of the neighbouring occupiers.

#### Character and Appearance

Policy CS03 of the Leicester Core Strategy (2014) states that high quality, well designed developments that contribute positively to the character and appearance of the local built environment are expected. It goes on to require development to respond positively to the surroundings and to be appropriate to the local setting and context and, at paragraph 1 (first bullet point), to contribute positively to an area's character and appearance in terms of *inter alia* urban form and high quality architecture.

Policy CS08 states that the Council will not permit development that does not respect the scale, location, character, form and function of the local area. Saved Policy PS10 of the Local Plan (2006) sets out a number of amenity factors to be taken into account when determining planning applications including the visual quality of the area and the ability of the area to assimilate development.

The proposed extensions and alterations to the building are considered to be visually minor in comparison to the bulk of the original building. The front elevation of the building would see a rise in the ridge height and insertion of flat roof front dormers. The position of the windows and design of the panels would be consistent with the positioning of the original openings beneath. The proposed flat roof dormers would not directly relate to the semi-circle style of the openings in the original building but would provide a subtle change in the design which would visually identify the later extension to the building.

The side extension would also appear a modest addition to the original bulk of the original building. The extension would follow the building line and design of the original side elevation which would see the closure of a number of large openings which currently serve the commercial premises. The closure of these original openings would create an almost blank elevation above the basement level; however as this faces another brick wall along the public footpath I consider that on design grounds this is

acceptable. Additionally at the basement level the number of openings would be greater which would provide an improvement of surveillance and activity at the basement level.

The proposed use of the building as part residential and part commercial is considered to be compatible with the local area. The internal provision of cycle and bin store is considered to be acceptable and would ensure the development does not spread out to the adjacent roads. As such I consider the proposal would maintain the character of the local area.

The application building is built of traditional red brick and is characteristic of its time which relates to other non-residential buildings in the local area. The application form and submitted plans indicate that matching materials would be used. I consider that this would be acceptable and most appropriate in an area which is dominated by traditional external finishes. Due to the changes in land levels in the local area, I consider that the site is visually prominent in the street scene and therefore I consider it appropriate and necessary to attach conditions for the submission of details of all external finishes to ensure the development has an acceptable impact in respect of design and character.

By virtue of the separation distance between the application site and the former police station, I consider the proposal would have no detrimental impact on the setting and appearance of the listed building on Asfordby Street.

I am satisfied that the development would not be too intensive or out of proportion to the surrounding suburban area. I conclude that the proposal would comply with Core Strategy Policies CS03 and CS08, and would not conflict with saved Local Plan Policy PS10 and is acceptable in terms of the character and appearance of the area.

#### Residential Quality

Policy CS03 of the Leicester Core Strategy (2010) states that new development should achieve the highest standards of accessibility and inclusion, whilst Policy CS06 states that new housing developments will be required to provide an appropriate mix of housing types, sizes and tenures to meet the needs of existing and future households in the City.

The criteria set out at saved Policy H07 of the Local Plan (2006) relate to new and converted self-contained flats. The criteria relate to the location of the site and nature of nearby uses; the unacceptable loss of an alternative use; loss of family accommodation; creation of a satisfactory living environment; arrangements for bin, can and cycle store; provision of garden or communal open space; effect on general character and; proposed changes to the appearance of the buildings.

The proposed flats would provide good-sized accommodation as one bedroom and studio flats. All of the principal rooms within the flats would have at least one window providing a source of daylight and outlook, and I consider that individual room sizes would be sufficient to accommodate the reasonable furniture requirements of future

occupiers whilst maintaining satisfactory circulation space. In addition to this, the hallways also have at least one window to ensure light into the building.

The proposed development would have two access doors along the front elevation along Wood Hill for most of the flats. Due to the internal arrangements on site and changes in the levels of land externally the access for flat 5 would be off Halstead Street adjacent to the bin and cycle store. The access arrangements to the flats are considered acceptable. The bins and cycles would be located adjacent to the Halstead Street access which is considered to be adequate. Proposed occupants would be able to place their waste in a separate location where waste could be collected in line with existing waste collection arrangements for Halstead Street.

The proposed development includes no provision for off street parking and none can be provided. Similarly there is no provision of amenity space on site. The site is in a location which is considered to be sustainable in terms of access to local services and amenities. Furthermore the closest bus stop along East Park Road is approximately 250 metres from the site. In respect of open space, the site is distance of 50 metres from the Asfordby Street/Baggrave Street amenity area. In addition to this, the site is a short walk from Spinney Hill Park which provides outdoor space.

As a building which is being part converted and partly extended to provide the proposed flats, the proposed development would not comply with Building Regulations Standard M4(2) (accessible and adaptable dwellings) in respect of access. This is further impacted by the level differences on Wood Hill and adjacent Roads. I consider that although the proposal does not comply with the regulations, this would not in itself be a reason for refusal for the scheme. As a conversion, there are constraints with the development site and on the basis of this I consider the scheme to be acceptable.

I acknowledge that the lack of vehicle parking and outdoor amenity space on site falls short of our adopted standards; however in light of the City Council's lack of housing supply and with the proposed development being acceptable in other respects, I consider that the proposal would provide satisfactory living conditions for the future occupiers and would be consistent with Core Strategy Policies CS03 and CS06 and saved Local Plan Policies AM01, H07 and PS10.

### Parking and Access

Policy CS15 of the Leicester Core Strategy (2014) states that parking for residential development should be appropriate for the type of dwelling and its location, and take into account the amount of available existing off street and on street car parking and the availability of public transport. It also seeks the provision of high quality cycle parking. Saved Policy AM02 of the Local Plan (2006) states that planning permission will only be granted where the needs of cyclists have been successfully incorporated into the design. Policy AM12 gives effect to published parking standards.

The proposed development will result in the change of use of part of an existing industrial building into flats, with the creation of an additional floor to provide 3 further flats. Whilst the provision of off-street car parking would be preferred, given that the existing lawful use would have the capability of generating a large number of vehicle

movements including delivery and service vehicles as well as staff and visitor car parking, it would be difficult to demonstrate that even with the additional floor area, that the proposal would lead to unacceptable harm as a result of increased demand for on-street car parking. The Highway Authority advise that the proposal does include the provision of secure and covered cycle parking and if travel packs are issued to new occupants which will encourage sustainable travel, the demand for car parking would be minimised

Subject to the receipt of amended plans and conditions relating to travel pack and cycle parking, I conclude that the proposal would comply with Core Strategy Policy CS15 and saved Local Plan Policies AM02 and AM12, and that any residual cumulative transport impacts of the development would not be likely to be severe.

### Drainage

Policy CS02 of the Leicester Core Strategy (2014) states that development should be directed to locations with the least impact upon flooding or water resources. It goes on to state that all development should aim to limit surface water run-off by attenuation within the site, giving priority to the use of sustainable drainage techniques. Saved Policy BE20 of the Local Plan (2006) undertakes only to permit development if adequate mitigation measures can be implemented to reduce the risk to an acceptable level.

The application site is less than 1 hectare in area and it is within fluvial flood zone 1. Accordingly, a flood risk assessment is not required and the site is consistent with the sequential principles of planning policies. The site and surrounding area is situated in a Critical Drainage Area and a final hotspot. The proposal includes no additional hardstanding within the site and the new floor space would be situated on top of existing built foot print. As such I consider it would unreasonable to require SuDS features to be incorporated within the proposals.

I conclude that the proposal would comply with Core Strategy Policy CS02 and saved Local Plan Policy BE20 and is acceptable in terms of flooding and drainage.

### Pollution

#### *Land Contamination*

Due to the historic use of the basement level it is usually considered appropriate and necessary to require the applicant to submit a land contamination survey. However as the proposal does not include any ground works and the basement level use would remain as existing, pollution suggest that a condition would be inappropriate in this instance.

#### *Noise*

The lawful use would continue at the basement level with the residential flats above. Pollution have advised that a noise insulation scheme should be submitted to ensure that any noise from the non-residential use does not have a detrimental impact on the amenities of future occupiers. The applicant has submitted a Noise Assessment however this document relates to external noise rather than the internal noise from the

continued manufacturing use. In this instance it is considered appropriate and necessary to require a pre-commencement condition to secure the submission of a Noise Assessment which includes mitigation measures to ensure that the manufacturing business does not have a detrimental impact on the amenity of future occupants.

#### Developer Contributions

The proposed development as a change of use with only an additional floor space of 100 square metres does not trigger the requirement for financial contributions.

#### Conclusion

The proposed development is acceptable in principle and is in accordance with local and national policies and would make a small contribution to the City Council's housing supply. The impact upon the occupiers of neighbouring properties and upon the character and appearance of the area would be acceptable. It is acknowledged that the development includes no external amenity area; however the flatted development would secure satisfactory living conditions for their future occupiers. The access arrangements would be satisfactory. There are no fluvial flooding impacts and acceptable noise mitigation can be secured by condition.

I therefore recommend that the application be 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. Before the development is begun, the materials to be used on all external elevations and roofs shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with 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).
3. No development shall take place until an acoustic survey has been undertaken to assess level of existing ambient noise internally. An insulation scheme to prevent the transmission of the noise into the development from the light industrial use below, shall be carried out in accordance with details which shall first have been agreed in writing with the City Council as local planning authority, and retained as such. (The scheme shall include ventilation arrangements. The applicant should note that windows shall not be sealed closed). (In the interests of residential amenity of future occupants, and in accordance with saved policy H07 of the Local Plan. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

4. Prior to the first occupation of each unit, the occupiers of each of the flats shall be provided with a 'Residents Travel Pack' details of which shall be submitted to and approved by the City Council, as 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)
5. No flats shall be occupied until secure and covered cycle parking and bin store has been provided and retained thereafter, in accordance with the approved plans. (In the interests of the satisfactory development of the site and in accordance with policies AM02 and H07 of the City of Leicester Local Plan).
6. This consent shall relate solely to the amended plan ref. no. DSA-17129-PL-PRO-02-C received by the City Council as local planning authority on 29/08/2018 and amended plan ref. no. DSA-17129-PL-PRO-01-D received by the City Council as local planning authority on 30/10/2018, unless otherwise submitted to and approved by the City Council as local planning authority. (For the avoidance of doubt.)

#### NOTES FOR APPLICANT

1. The insulation scheme shall ensure that the Indoor ambient noise levels fall within the "good" design range as specified in British Standard BS 8233:2014 "Sound insulation and noise reduction for buildings". In addition, the scheme shall ensure that the LA<sub>max</sub> does not exceed 45dB(A) on more than 15 occasions during any night time period, and must include an appropriate ventilation strategy.

#### **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_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.  |
| 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\_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.