

Application Reference Number: P/23/0805/2

Application Type: FULL **Date Valid:** 2nd October 2023
Applicant: Fusion Loughborough Devco Ltd
Proposal: Demolition of existing buildings and development of purpose-built student accommodation (sui generis) with associated amenity facilities, landscaping, parking and external works.
Location: Land at Limehurst Avenue, Loughborough, Leicestershire LE11 1PA
Parish: Loughborough
Case Officer: Linda Walker

1.0 Background

1.1 This application is referred to Plans Committee as Councillor Jones has raised concern in relation to:

- The size of the building being totally out of keeping with the local area.
- The impact on residents' privacy and access to sunlight.
- The lack of provision for car parking.
- The submission does not make a strong case for there being a need for such a surge in student places.
- Concerns over the increased demand on health facilities.
- The detrimental impact on traffic access to Limehurst Avenue.
- Concerns over a potential increase in anti-social behaviour.
- Flood Risk.
- Not sufficient visual representations of the development in the context of the existing townscape.

2.0 Description of the application site

2.1 The site is situated directly north of Loughborough Town Centre boundary and comprises a collection of buildings formerly used as the Borough Council Depot and is approximately 0.67Ha in area. The Grand Union Canal is to the west of the site and Derby Road (A6) lays further to the west, that becomes Bridge Street, the main thoroughfare to the town centre and where Limehurst Avenue is accessed from. Bus stop links to the town centre are along the A6.

2.2 The northern area of Limehurst Avenue is prominently residential in character, where the buildings are traditional in form, generally two storey on elongated plots. A large open green amenity space with playing courts is situated to the north of Limehurst Avenue associated with Limehurst Academy.

- 2.3 Commercial properties lay to the south of Limehurst Avenue (including the site) where it meets Bridge Street. The wider area to the west and further south is a vibrant busy area consisting of a mix of retail, commercial and leisure uses, as it meets with the town centre and the university campus.
- 2.4 The site is not in a designated Conservation Area, nor are there any listed buildings in close proximity to the site, it is however noted as being in an area of archaeological interest.
- 2.5 The majority of the site lays in flood zone 1, apart from the north-eastern boundary that sits in flood zone 2, with the grand union canal and basin laying directly south of the site's boundary. The site is noted on the Council's Brownfield Register and in an area for consultation with East Midlands Airport.
- 2.6 The site is allocated for housing under the emerging policy DS3 (HA26) of the Draft Local Plan 2021-37 to provide for 138 units.

3.0 Description of the proposal

- 3.1 This FULL planning application proposes a purpose-built student accommodation scheme for 541 beds, following the demolition of the existing former Council Depot Buildings.
- 3.2 The proposed buildings are formed in two blocks. Building A is proposed adjacent to the canal bank and consists of a mix of 6 and 8 storeys. Building B is proposed to sit adjacent to Limehurst Avenue and consists of a lower 3 storey block, with the northern part of this element reaching 4 storeys high. The proposed elevations indicate the two buildings with a contemporary appearance and external materials.
- 3.3 The buildings' main pedestrian access will be taken from the canal bank that takes access from Bridge Street. A modest length of the existing wall will be removed and the existing concrete slab across the brook will be reinforced to make way for the main pedestrian access.
- 3.4 A further two gated entrances are proposed from Limehurst Avenue. The external and internal entrances are proposed to be secured entrances that require a key card entry, in order to provide more security for students living at the accommodation.
- 3.5 The central area is proposed to accommodate amenity spaces and landscaped areas, with a minor road (managed) to be used by students when moving in and out of the building only. Internal amenity spaces are shown on the ground floor and include gyms, cinema, saunas, laundrettes, lounges and study spaces, and parking for disabled residents.
- 3.6 The managed gated entrance is proposed to be accessed from Limehurst Avenue and is set within the site, as are the four disabled parking bays. There are two bin storage areas totalling 91 m² within the site, at either side of Building B to allow for ease of access. A drop off point is proposed further to the south of Limehurst Avenue. The number of secured bicycle parking amounts to 140 spaces.

3.7 It has been confirmed that the applicant, Fusion Loughborough Devco Ltd, plan to manage the site once constructed, if approved. The management plan submitted with the application confirms that the wellbeing of the students will be met by:

- Providing well-designed accommodation that is fully maintained and inclusive of utility bills.
- Providing a 24-hour on site resident management team.
- There will always be a point of contact, on-site and available at any time, to assist students and deal with any incidents.
- Ensuring the building is secure, which shall include CCTV in strategic locations, including the entrance areas.
- Taking in post and parcels securely at the reception area for students to retrieve.
- Ensuring all communal and external areas are cleaned regularly, and that maintenance in all areas including the accommodation is undertaken in accordance with health and safety legislation.
- Working closely with university student services, with staff trained in mental health awareness and having guidance in place to recognise any students who may be struggling with their wellbeing.
- Offering a Mental Health Portal, accessed via app and covering a range of social wellbeing issues, including students' thoughts, feelings, bodily issues and behaviours. This facility can also assist any students with issues related to drug dependency or recreational use.
- Creating on-site wellbeing events and activities; these can include cooking, art and motivational classes, as well as health and beauty services.
- Offering free bike hire to students, with the ability to increase the quantity of bicycles on-site if required to meet demand. Each bike is offered with a full safety and maintenance check.
- Providing an on-site gym, cinema room, dining areas and public and private study spaces, and access to an attractively landscaped courtyard.

3.8 It has also been confirmed that students will enter into a tenancy agreement contract that amongst other things, restricts vehicles being parked in the surrounding area.

3.9 The application has been subject to amended documents and plans as the application has progressed. The following documents are relevant to the application:

- Application form
- Site location plan
- Design and Access Statement
- Planning Statement
- Existing elevations
- Proposed section and elevation drawings
- Proposed mezzanine plan
- Floor plans
- Basement sketch plans
- Ecology Appraisal
- Bat Report
- Student Need Assessment

- Air Quality Screening Assessment
- BREEAM Pre-Assessment
- Travel Plan
- Transport Assessment
- Demolition Plan
- Townscape and Visual Appraisal
- Residence (student) management plan
- Daylight and Sunlight Amenity report
- Phase I and II Ground Investigation
- Fire Statement
- Roof Plan
- Heritage Statement
- Landscape Master plan
- Utilities survey
- Flood Risk Assessment

3.10 Full consultation with local residents and consultees was carried out on the 28th September 2023. The application has been amended through the planning process in response to the Health and Safety Executive (H&SE) consultation response in relation to the need for two internal staircases for fire escape. The changes to the internal layout have resulted in an increase of 16 units on the upper floor space with an increase in footprint on the upper floor of building A.

3.11 Points of clarification have also been supplied by the applicant to address further comments being received from the H&SE in terms of the **internal layout only** and safe escape in the event of a fire. No objections are now raised to the development from a fire risk perspective.

3.12 Further consultation has been carried out with the Local Highway Authority following points of clarification being received from the applicant in relation to the site access, visibility, personal injury collision data, and the dimensions of the disabled parking spaces..

3.13 The developers have carried out engagement with the Loughborough University and established an ongoing relationship with the University to ensure student needs are met in the future. In addition, a meeting was held with Ward Councillor Jones, whereby a presentation was held to explain and respond to the concerns raised.

4.0 **Development Plan Policies**

4.1 The Development Plan comprises the Charnwood Local Plan Core Strategy (adopted 9 November 2015), the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies), and the Minerals and Waste Local Plan (2019).

4.2 The policies applicable to this application are as follows:

4.3 [Charnwood Local Plan Core Strategy \(2015\)](#)

- Policy CS2 – High Quality Design

- Policy CS3 – Housing Strategic Housing Needs
- Policy CS4 – Houses in Multiple Occupation
- Policy CS7 – Regeneration of Loughborough
- Policy CS12 – Green Infrastructure
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS15 – Open Space, Sports and Recreation
- Policy CS14 – Heritage
- Policy CS15 – Open Spaces, Sports and Recreation
- Policy CS16 – Sustainable Construction and Energy
- Policy CS17 – Sustainable Transport
- Policy CS24 – Delivering Infrastructure
- Policy CS25 – Presumption in Favour of Sustainable Development

4.4 [Borough of Charnwood Local Plan \(adopted 12 January 2004\) \(saved policies\)](#)

4.5 Where they have not been superseded by Core Strategy Policies previous Local Plan Policies remain part of the Development Plan. In relation to this proposal, the relevant ones are:

- Policy ST/2 - Limits to Development
- Policy EV/1 – Design
- Policy H/12 – Student Halls of Residence
- Policy TR/18 - Parking Provision in New Development

5. Other material considerations

5.1 [The National Planning Policy Framework \(NPPF 2021\)](#)

5.2 The NPPF policy guidance of particular relevance to this proposal includes:

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed places.
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

5.3 [Planning Practice Guidance](#)

5.4 This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework. The guidance sets out relevant guidance on aspects of flooding, air quality, noise, design, the setting and significance of heritage assets, landscape, contaminated land, Community Infrastructure Levy, transport assessments and travels plans, supporting the policy framework as set out in the NPPF.

5.5 National Design Guide

5.6 This is a document created by Government which seeks to inspire higher standards of design quality in all new development.

5.7 The Planning (Listed Buildings and Conservation Areas) Act 1990.

5.8 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty for local authorities to have special regard to Listed Buildings and Conservation Areas. Section 66 (1) of the Act refers to the desirability of preserving Listed Buildings, the setting of Listed Buildings and the features of special architectural and historic interest which it possesses whilst Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

5.9 Design Supplementary Planning Document (SPD) (January 2020)

5.10 This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life.

5.11 Leicestershire Highways Design Guide

5.12 The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; as well as to help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking expected to be provided in new housing development and advice regarding the design of parking courts and waste collection.

5.13 Landscape Character Appraisal

5.14 The Borough of Charnwood Landscape Character Assessment was prepared in July 2012. The purpose of the report was to assess the baseline study of the landscape character, at a sub-regional level that gives a further understanding of the landscape resource. The document 'provides a structured evaluation of the landscape of the borough including a landscape strategy with guidelines for the protection, conservation and enhancement of the character of the landscape, which will inform development management decisions and development of plans for the future of the Borough'.

5.15 Conservation of Habitat and Species Regulations 2010 (as amended)

5.16 The Council as Local Planning Authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and

Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.

5.17 Equality Act 2010

5.18 Section 149 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality.

5.19 The Draft Charnwood Local Plan 2021-37

5.20 This document sets out the Council's strategic and detailed policies for the Borough over the period 2021-37. The Local Plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events are dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in early 2024.

5.21 In accordance with NPPF paragraph 48, the relevant emerging policies in the plan may be given weight in determining applications, according to:

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

The following policies are considered applicable to this application, and the weight they can be assigned is addressed in the 'Planning Considerations' part of this report.

- Policy DS1 - Development Strategy
- Policy DS5 - High Quality Design
- Policy H8 - Campus and Purpose-Built Student Accommodation
- Policy EV5 - Historic Environment
- Policy EV6 - Conserving and Enhancing Biodiversity and Geodiversity
- Policy EV9 - Open Spaces, Sport and Recreation
- Policy T3 - Parking Standards
- Policy CC1 - Flood Risk Management
- Policy CC2 - Sustainable Drainage Systems
- Policy CC4 - Sustainable Construction

- Policy CC5 - Sustainable Transport
- Policy EV6 - Conserving and Enhancing Biodiversity and Geodiversity
- Policy INF1 - Infrastructure and Developer Contributions
- Policy INF2 - Local and Strategic Network

5.22 Planning Guidance for Biodiversity June 2022

5.23 This planning guidance seeks to provide further clarification to Core Strategy Policy CS13 insofar as ensuring development proposals secure biodiversity net gain on-site to contribute towards the overall sustainability of development proposals.

6.0 Relevant Planning History

6.1 There is no recent or relevant planning history recorded for the site, although the past land use is the former Council Depot.

7.0 Responses of Consultees & Other Comments Received

7.1 The table below sets out the responses that have been received from consultees with regard to the application. Please note that these can be read in full on the Council's website www.charnwood.gov.uk

7.2

| Consultee | Response |
|---|--|
| Leicestershire County Council – Highways | No Objection subject to conditions being imposed and S106 contributions, for travel plan monitoring, travel packs, 6 month bus passes, and financial contributions towards traffic regulation order. |
| Leicestershire County Council Local Lead Flood Authority (LLFA) | Leicestershire County Council as Lead Local Flood Authority (LLFA) raises no objection to the scheme following the Environment Agency removing their objection. This is subject to conditions being imposed: <ul style="list-style-type: none"> • Surface water drainage scheme • Management of surface water during construction • Long term maintenance of surface water drainage With informatives also to be added to a decision notice. |
| Environment Agency | No objection – subject to a condition being imposed in relation to the infrastructure to be positioned in the basement, and a number of informatives to be added to a decision notice. |
| Canal and River Trust | No objection – subject to conditions being imposed for: <ul style="list-style-type: none"> • A method statement detailing the means of demolition of the existing buildings and the construction of building A. • A Construction Environmental Management Plan (CEMP) to prevent dust, waste other material entering the River Soar Navigation. • Samples of external facing materials for Building A. |

| Consultee | Response |
|---|---|
| | <ul style="list-style-type: none"> • Hard and Soft Landscaping scheme. • Lighting scheme. <p>Informatives relating to the development being close to the canal bank are also advised to be added to advise the applicant on certain issues.</p> |
| Charnwood Borough Council Environmental Health Team (contamination) | No objection – to the contamination reports submitted, subject to conditions being imposed for a remediation strategy to be submitted. |
| Charnwood Borough Council Environmental Health Team (noise and air pollution) | No objection – subject to a condition requiring the development to be carried out in accordance with the noise report submitted, and a Construction Management Plan to be submitted for approval. |
| Charnwood Borough Council Open Space Team | <p>No objection to the scheme, due to sports facilities being proposed within the site/building and agreement by the applicant for off-site obligations.</p> <ul style="list-style-type: none"> • S106 agreement to secure the minimum floor space of the facilities indicated within the site (as indicated on the submission plans). <p>Off- site Contributions to be secured via S106 of £36,028.00 to provide provision or enhancement of amenity green space within Loughborough in accordance with Charnwood’s Open Spaces Strategy and Action Plan recommendations e.g. Southfields Park, Queens Park.</p> |
| Health and Safety Executive (PGO) fire safety for high buildings. | <p>Acknowledges amendments to the upper floor and no objections raised in this regard – further information requested in relation to internal layout in blocks A1/A2 for fire safety.</p> <p>Further consultation has been carried out following receipt of points of clarification.</p> <p>It is confirmed that following receipt of the point of clarification, the H&SE have no objections to the scheme.</p> |
| Charnwood Borough Council Landscape and Urban Design/heritage | <p>Further information required in relation to landscaping therefore conditions will be imposed for a detailed landscaping scheme, that also indicates further planting close to the canal basin.</p> <p>No objections raised from Urban Design.</p> |
| Charnwood Heritage | No Objections |
| Charnwood Archaeology | No Objections |
| Charnwood Biodiversity | <p>No objections – subject to conditions:</p> <ul style="list-style-type: none"> • Bat mitigation • Proposals to include swift bricks/boxes • Construction management plan to avoid contamination into adjacent canal |
| East Midlands Airport | No objections subject to conditions: |

| Consultee | Response |
|---|---|
| | <ul style="list-style-type: none"> • Construction management plan identifying how smoke and dust will be managed during construction • Permitted development rights to be removed to ensure no reflective, inc. solar panels are added to the building without consent from the LPA • Permitted development rights removed all exterior lighting to be submitted for approval – all exterior lighting shall be capped with no upward spill <p>Informative The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/</p> |
| Charnwood Planning Policy | No objections – further updated comments received on the 17 th November 2023, |
| Leicestershire County Council Contributions | Contributions to be secured via a S106 agreement towards Loughborough Library £7,926.90. |
| NHS | Contributions to be secured via S106 agreement for £173,120.00 towards the three closest surgeries. |
| Charnwood Borough Student Support Scheme | Contributions to be secured via a S106 agreement for the installation of CCTV and ongoing maintenance of £10,500.00. |

| Ward Councillor and Parish Council Response | |
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| <p>Cllr Louise Jones – objection raised and called in to Plans Committee</p> | <ul style="list-style-type: none"> • The size of the building being totally out of keeping with the local area. 9 storeys is considerably larger than almost anything in the town, let alone in the immediate vicinity of the site, which on one side is almost completely terraced housing. It will completely dominate the area. • The impact on residents' privacy and access to sunlight. The sheer size of the building will impact almost along the whole of Limehurst Avenue. The relevant document on the portal does not load so I cannot comment on its provisions but it is clear that a 9 storey building will have a huge impact. • The lack of provision for car parking that will inevitably be generated by so large a block. This will lead to significant disruption in a neighbourhood already short on carparking spaces. • The submission does not make a strong case for there being a need for such a surge in student places. The bed to student ratio is already better than the average for the country, as detailed in the documents submitted. |

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|--|---|
| | <ul style="list-style-type: none"> • Concerns over the increased demand on health facilities such as dentist and GP access, which are already difficult in the area. • The detrimental impact on traffic access to Limehurst Avenue- the increase in cars will inevitably cause a shift in traffic at what is already a difficult junction. • Concerns over a potential increase in ASB, with the plans for the building management team not strong enough to police over 500 student residents should issues occur. |
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| Responses to publicity | |
|--|--|
| 33 letters of objection have been received | <ul style="list-style-type: none"> • Number of units (increased not indicated on amended plans) • Adverse impact on amenity • Loss of light • Loss of privacy • Noise • Waste • Anti-social behavior • Distance of building from existing houses • Noise during construction • Asbestos/gases • Market Town not a student town • Loughborough overpowered by students • Highway safety/traffic flow • Congestion during moving in and out • Parking/traffic generation • Access point (where is it) • Pressure on local services • Large building out of keeping with surrounding area • Better use of site for social housing • Flood risk/drainage |

8.0 Consideration of the Planning Issues

- 8.1 The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Core Strategy (2015), “saved” policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy (2011-2028) and the Minerals and Waste Local Plan (2019). The Core Strategy and Charnwood Local Plan are over 5 years old, and it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. The relevant policies listed above are up to date and compliant with national guidance and as such there is no reason for them to be

given reduced weight. Development proposals that accord with an up-to-date Development Plan must be determined without delay.

8.2 Amongst the material considerations are the emerging Charnwood Local Plan 2021-37 (ELP) and the National Planning Policy Framework (NPPF).

8.3 The main planning considerations applicable to this application are considered to be:

- Principle of Development
- The need for student accommodation
- Design and impact on the townscape
- Heritage
- Landscaping
- Open space
- Ecology and Biodiversity
- Residential Amenity
- Flooding and Drainage
- Sustainable Construction
- Environmental Health Matters
- Highway and Transportation Matters (including road layout)
- S106 Contributions

Key Issues

9.0 Principle of the Development

9.1.1 The NPPF makes it clear that the purpose of the planning system is to contribute towards achieving sustainable types of development through economic, social and environmental objectives. In terms of meeting the need for new homes, it is clear the framework promotes the effective use of land, while safeguarding and improving environments and healthy living conditions, it is expected that Local Planning Authorities should plan to make as much use as possible of previously developed or brownfield land, in achieving sustainable patterns of development.

9.1.2 The application proposes to regenerate a brownfield site to provide a housing development for purpose-built student accommodation close to the town centre of Loughborough and at the edge of Grand Union Canal. The principle of this development is guided by Local Plan Policy of the Charnwood Core Strategy (2015) that acknowledges the majority of growth will be met in Loughborough in terms of housing delivery and supports sustainable development that makes effective use of land. In terms of the delivery of housing, the Core Strategy also acknowledges that to meet the Borough's housing needs, the Borough needs to respond to the changes in demand for student homes arising from the successful university and college. It goes on to acknowledge the significant economic, social and cultural contribution the student population brings to Loughborough.

9.1.3 In terms of Planning policies contained in the Core Strategy that relate to the principle of development, Policy CS1 defines a hierarchy of settlements for the Borough. After the Leicester Principal Urban Area Loughborough and Shepshed are expected to

provide for the majority of the remaining growth. The Strategy aims to provide approximately 3,000 new homes to the west of Loughborough, plus sustainable development which contributes towards meeting development needs, supports the strategic vision, makes effective use of land and is in accordance with the policies elsewhere in the Charnwood Core Strategy. This application will deliver new homes that contribute towards the greatly needed housing supply, particularly at time when the Planning Authority cannot currently demonstrate a 5-year supply of deliverable housing land (4.27 years on 1st April 2023) and therefore, Paragraph 11dii of the NPPF is engaged. Para 11dii advises that in such circumstances, where the proposal involves the provision of housing, the most important policies for determining the application are out-of-date. The policies which directly relate to the supply of housing are out of date and cannot be afforded full weight.

- 9.1.4 Planning Policy CS7 supports developments that contribute towards the regeneration of Loughborough, particularly those that re-use vacant or derelict sites, that offer a significant opportunity to deliver new housing. The policy criteria relating to this regeneration explains the importance of sites close to the canal and that the Grand Union Canal Strategy prioritises Loughborough as a hub on the canal network and expects development to contribute to an active waterfront with public access. As explained above, the pedestrian access will be taken from Canal Bank, at a point close to the junction with Bridge Street. The site access points, along with the large amenity spaces and building frontage, will provide for a significant improvement in in terms of visual amenity, contributing towards the vibrancy of the canal bank, whilst retaining the public access to the canal along the canal path
- 9.1.5 Policy H/12 is a saved policy contained in the Local Plan (2004) and is positive in its approach to proposals for student accommodation. It explains that Planning permission will be granted for new buildings or the re-use of non-residential properties specifically for student accommodation at locations on, or readily accessible by cycle, public transport or on foot to, the university and college campuses. It goes on to express that planning permission will be granted for developments which include reduced parking standards where it can be shown that there would be no adverse impact in the vicinity of the site.
- 9.1.6 The application proposes a purpose-built student accommodation (PBSA) housing development, that seeks to regenerate a brownfield site (noted on the Council's Brownfield register) located adjacent to the Grand Union Canal, the vacant former Council Depot, that has fallen into disrepair. The site is located adjacent to the town centre boundary as defined on the policy maps contained in the Core Strategy, with ease of access to the facilities in the town centre and to the university either on foot or by public transport. The principle of developing the site for student accommodation is therefore in accordance with the adopted Development Plan.
- 9.1.7 The submitted Local Plan 2021-37 is a material consideration. Its Policy DS1 defines a future development strategy for the Borough. At this date the emerging Local Plan carries limited weight due to the nature and extent of unresolved representations made during the Independent Examination. It is supportive of sustainable development within the limits to development and allocated in the plan.

- 9.1.8 The site is allocated for housing under draft Policy DS3 (HA26) of the Draft Local Plan 2021-37. Whilst the development proposes more units than the allocation suggests, the proposed units are of a modest size and will assist in the delivery of housing. The allocation policy advises that any application for housing should be accompanied by a flood risk assessment, that demonstrates how flood risk mitigation can be secured, support measures to mitigate flood risk including contributions towards flood alleviation. Matters relating to flooding are addressed later in the report.
- 9.1.9 Policy H8 (campus and purpose-built student accommodation) of the draft Local Plan is currently given limited weight in the determination of planning applications. However, it is positive in its approach to proposals that are well related to the town centre and to the campuses, has good bus access routes, or is in walking distance, to the campuses, minimises vehicle traffic generated by the development and avoids social and physical character and amenity. The policy also seeks to secure financial contributions towards the Loughborough Student Support scheme.
- 9.1.10 The site will contribute towards the further economic, social and cultural growth of Loughborough, in that it makes the best use of land and regenerates a brownfield site, providing for student homes, in a sustainable location. The regeneration of this site will provide a vibrant and active visual frontage to the canal edge that has fallen into disrepair, with the public pedestrian links to the canal bank retained. Therefore, the proposal is acceptable in principle as it meets the aims of Policies CS1 and CS7 of the Core Strategy, H/12 of the Saved Local Plan Policy (2004), Policies DS1, DS3 and H8 of the emerging Local Plan, and policies contained in the NPPF that encourage the best use of land and the re-use of brownfields sites in sustainable locations.

9.2 The Need for Student Accommodation

- 9.2.1 Whilst the above planning policies are positive in their approach in supporting student accommodation, the criteria contained in the adopted and emerging planning policy, or in the NPPF does not identify that planning applications for purpose-built student accommodation should demonstrate a need for this type of accommodation. However, a needs assessment compiled by Cushman & Wakefield accompanies the application and this point has been raised by the local community.
- 9.2.2 The needs report explains that in 2021 the university received 34,255 applications from students, which has grown by 17% over the past five years and the demand for student housing is set to increase, given the continued expansion of Loughborough University, which is ranked at a height of 7th place by the University Guide. It is also noted in the report that Loughborough University received research excellence framework 91% that was rated 'world-leading' or 'internationally excellent' and the demand for student accommodation can only increase, given the excellent reputation Loughborough University has nationally and internationally.
- 9.2.3 In terms of supply of purpose-built accommodation, the report advises all University provided bed spaces are either located on campus or within a 10 minute walk of the campus. There is no University accommodation (purpose built) located near the town centre, in contrast to private sector supply. It is reported that in contrast, the amount of students living in HMO accommodation in the town in 2019/2020 reached

approximately 5,470 and the supply of purpose built accommodation in the pipeline is 267 beds, therefore the report confirms there is an identified need.

- 9.2.4 Following an updated response from the Local Plans Team it is confirmed that the lack of supply for purpose-built student accommodation is further evidenced in the 2020 Housing Needs Assessment (para 9) where it is explained that Student houses are concentrated in Loughborough, the home of the Borough's University and College. This is because of a limited amount of purpose-built student accommodation and a desire of many students to live off campus in private housing. Data extracted from the Higher Education Statistics Agency (HESA) shows that student numbers at the University have grown from 15,590 in 2014/15 to 18,025 in 2018/19, an increase of around 16%. The data also confirms that the majority of students at the University are full-time and all of the growth in student numbers is accounted for by those attending full-time. They have grown from 14,025 in 2014/15 to 16,825 in 2018/19, an increase of 2,800, or 20% (rounded). Conversely, the number of part-time students has fallen over the period from 1,565 to 1,200, a fall of 23%, therefore the need for students to be accommodated in Loughborough in purpose-built housing is considered to be essential for the university's continued success.
- 9.2.5 It is acknowledged in the Housing Needs Assessment (2020), as with the related planning policies, that the Borough values the University and College, and the significant economic, social, and cultural contribution the student population brings to Loughborough.
- 9.2.6 However, it is also evident that a negative impact has been experienced in some neighbourhoods because of the over concentration of houses in multiple occupation (HMO). These impacts have affected some community facilities, the character and appearance of the area and caused disturbance and parking problems, whereby as indicated in the relevant sections of this report, purpose-built student accommodation can be effectively managed in relation to the impacts on the existing communities of Loughborough. Furthermore, the development will, if supported by Members, provide for student accommodation providing 541 beds, that could result in some of the houses currently in use as HMO's being brought back into use as general housing stock (C3) further contributing towards the Borough's housing supply, whereby under planning policy CS3 the borough needs to deliver a mix of housing type and tenures of 13,940 homes between 2011-2028.
- 9.2.7 The Housing Needs Assessment (HNA) report concludes that a criteria-based policy rather than anything more proactive to meet demand is therefore sufficient, as such those policies are set out above. The policies contained in the new emerging Draft Local Plan have a more restrictive approach to granting permissions for new HMOs and this may also increase the need for Purposed Built Student Accommodation, if other elements of supply and demand remain the same.
- 9.2.8 Furthermore, the PPG clearly states that plan-making authorities are required to plan for "sufficient student accommodation whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus". To do this they are advised: "to engage with universities and other higher educational establishments to ensure they understand their student accommodation requirements in their area". In this regard, a letter provided by the applicant confirms

a close working relationship with the university has been established, to understand the needs of the students, in terms of living spaces and facilities provided with the accommodation and ongoing discussions will take place with the university in terms of growth plans that cater to the evolving needs of the student body.

9.3 Design and Townscape Matters

- 9.3.1 Policies CS2 and CS11 of the Core Strategy are concerned with protecting the landscape and ensuring new development respects and enhances the character of an area whilst reinforcing a sense of place and local distinctiveness through high quality design.
- 9.3.2 Saved Policy EV/1 of the Local Plan supports development that is of a design, scale, layout and mass compatible with the locality and which uses appropriate materials. It seeks positive and attractive built frontages to existing or proposed public spaces including roads, footpaths and areas of public open space.
- 9.3.3 These policies generally accord with the NPPF and National Design Guide and do not frustrate the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to them.
- 9.3.4 Emerging Local Plan Policy DS5 requires development to make a positive contribution to Charnwood by responding positively to local distinctiveness. The emerging Local Plan is at an advanced stage and this policy can be given moderate weight.
- 9.3.5 In terms of scale of the building, the application has been amended to allow for a second staircase, for ease of escape in a fire emergency situation, in response to the Health and Safety Executive (PGO). The amended scheme indicates a modest extended area on the upper floor layout to provide for the staircase, that has resulted in a further 16 units provided from 525 to 541 units. All third parties have been consulted in relation to the extended footprint of the upper floor (the Health and Safety considerations are fully considered under other matters section of the report below).
- 9.3.6 The site is located adjacent to residential properties in Limehurst Avenue, that abut the street and are generally formed of properties dating back to the Edwardian era. The current land use of the site is commercial, being the former Council Depot that has fallen into disrepair and the buildings and overall site do not contribute to the character and appearance of the area.
- 9.3.7 To the west of the site significantly higher and more modern buildings are evident that form the edge and basin of the canal bank. These are the mixed use student and retail scheme, gym and the Travelodge. To the south and southwest is a busy, vibrant commercial and retail area that feeds into Loughborough Town Centre to the south. Core Strategy Policy CS7, as noted above, supports the regeneration of the site and is clear in highlighting the importance of the site close to the canal. The Grand Union Canal Strategy prioritises Loughborough as a hub on the canal network and expects developments to contribute to an active waterfront with public access.

- 9.3.8 The application proposes to demolish the existing unsightly former Council Depot buildings and associated large area of hardstanding, replacing it with two blocks of buildings with amenity space and landscaped areas provided within the blocks, forming a courtyard.
- 9.3.9 The blocks have a mix of heights throughout the development, the taller block being 8 storeys and adjacent, but set into the site from the canal bank and set back into the from Bridge Street (for reference on the layout plan as building A1/A2). The 4-5 storey building located to the north of the site is proposed to be set into the site, with an access internal roadway (for site management purposes) separating the built form from the residential properties further north (building reference B1). The lower building block, set at 3 storey fronts Limehurst Avenue, with a narrow defensible space abutting the highway (building reference B2).
- 9.3.10 The site is proposed to be secured by gated access points, one for vehicles, and the other two are pedestrian. The main pedestrian access is taken from the Canal Bank side of the site, off Bridge Street on the corner of building A1/A2, with two further pedestrian gated entrances leading to the outdoor amenity spaces adjacent and to the front of Building A1 and A2. A further pedestrian access is taken at the southern end of building B2. This access also acts as a drop off point for students and for deliveries and it is gated with a secured keypad entrance lock (building B2). The northern access is taken adjacent to building B1 from Limehurst Avenue and indicated as an internal road for vehicles to access the site associated with the use only. This is proposed to be a managed gated access point with the gates set into the site from Limehurst Avenue.
- 9.3.11 Two large communal bin stores are shown on the layout plan to be within the footprint of the buildings, one on the southern end of building B2 and the other is indicated on the northern elevation of building B2 facing the internal access road. A large covered and secured bicycle shed is provided and abuts the northern boundary of the site.
- 9.3.12 In terms of the accommodation, the ground floor of building A1 and A2 will comprise a mix of quiet and shared study areas, games room, private shared dining area, recording studio, meeting rooms, staff break out area, and a large gym area. The external treatment on the ground floor is proposed to be glazed to ensure an active street frontage with the canal basin and Bridge Street. The other ground floor areas and upper floors will facilitate the mix of studio flat accommodation.
- 9.3.13 The application is accompanied by a Townscape and Landscape Visual Appraisal, that assesses the long distance views of the building in its setting as well as the localised views. The localised views appraisal has been updated 28th September 2023, based on the need to increase the upper floor to provide for the further internal staircase for fire safety.
- 9.3.14 The Council's Urban Design Officer has considered the proposals from a townscape and design perspective and the assessment is as follows:

Layout

Urban Structure

9.3.15 The site is located on the edge of the town centre within an area of Loughborough that has a very contrasting urban structure. Suburban 2 storey semi-detached housing including some workshops along Limehurst Avenue, with some commercial 2 storey development fronting Bridge Street and Canal Bank. In stark contrast are the six storey apartment and hotel buildings surrounding the canal basin to the south, and the tall rear façade of the shopping centre on the south side of Bridge Street. The site occupies a transition zone between the taller buildings of the town centre and the predominantly 2 storey town beyond. The Townscape and Visual Appraisal Appendix demonstrates how the proposed building will integrate successfully into the existing urban structure.

9.3.16 The urban structure is characterised by perimeter blocks, but these become perforated and fragmented closer to the town centre, either as a result of gaps in the built form or the desire for permeability through the block. The proposed arrangement of buildings creates a perimeter block structure that relates well and reinforces the characteristics of the existing buildings around the canal basin and the contrasting perimeter block characteristics of Limehurst Avenue.

9.3.17 There are well-used routes for local access to and from the town centre along the north and south sides of the site. Proposed buildings are orientated to face these routes and provide direct access to these routes from within the site.

Urban Grain

9.3.18 The pattern of blocks and plots forming the urban grain varies significantly from the north to the south side of the site. Small plots with a distinct rhythm and form on the north side, and to the south larger plots with less rhythm, with a fragmented urban grain between. The Townscape and Visual Appraisal Appendix demonstrates how the proposed building strengthens the visual quality of the differing townscape characteristics to the north and south of the site, and address the issues of an existing fragmented urban grain.

Scale

Height & Massing

9.3.19 All Saints Church and Carillion Tower with their distinctive architectural forms are the prominent buildings that distinguish the Loughborough skyline and visual competition between these features and the proposed structures need to be avoided. The site is located on low laying land to the west of the town centre which has provided the opportunity to create a built form of significant mass and height without compromising the distinct characteristics of the Town's skyline.

The height and massing of proposed buildings varies significantly in order to address the relationship between existing development. To the south a similar height and massing to the existing buildings around the canal basin, and to the north a terrace with garden frontages which relates well to the suburban characteristics of Limehurst Avenue.

Building Type

- 9.3.20 The proposed building facing Limehurst Avenue derives its characteristics from the existing suburban built form, front doors facing the street, a rhythm of architectural façade features similar to the existing semi-detached houses, elements of the proposed façade breaking the line of the roof similar to the visual punctuation provided by existing chimneys.
- 9.3.21 Proposed buildings facing Canal Bank are similar in height and form to those existing around the canal basin, Both existing and proposed buildings display similar architectural characteristics of rhythmical fenestration, clearly defined ground floor and principal entrance. Together they will form a distinct visual group of buildings enclosing the canal basin.

Appearance

Façade & Interface

- 9.3.22 Façade of building 'A' facing Canal Bank provides a glazed ground floor elevation and a distinctive easily recognisable main entrance, allowing for good visual connection between activity within the building, and immediate outside spaces and the public realm beyond. The top storey is set back to reduce visual overbearing.
- 9.3.23 Façade of building 'B' is setback from the street to allow for small front gardens, defined by railings along the street frontage, and gates providing access to front doors. These features reflect distinctive built form characteristics of Limehurst Avenue.

Details & Materials

- 9.3.25 Contemporary details for windows and doors are mixed with more traditional approach to the detailing the means of enclosure of front gardens and the shape and proportion of window apertures. This is married with the use of traditional brickwork facades which lack a uniformity of colour, helping to provide visual texture. This is in contrast to the uniformity of the materials of existing buildings but will enhance the architectural quality of the new development.

Bin and cycle storage

- 9.3.26 The bin storage areas are proposed to be facilitated within the footprint of the buildings and if members are minded to support the application, the external appearance of this element of the proposal will be controlled by a planning condition.
- 9.3.27 Whilst the layout plan indicates the position and footprint of the cycle store, there are no elevational treatment to assess in this regard. Therefore, a condition will be imposed to ensure the external appearance of the cycle, including the materials to be used in its construction will be imposed by a suitably worded planning condition.

9.3.28 Based on the above assessment the proposed layout and design of the scheme including scale, appearance and the chosen materials will provide a high quality, legible and coherent scheme that will be locally distinctive and in keeping with the character of Charnwood, and as also requested from the River and Canal Trust. The details therefore accord with the relevant provisions of Policies CS2 of the Core Strategy, Saved Policy EV/1 of the Local Plan, Emerging Policy DS5 the NPPF and the Design SPD. However, if members are minded to support the proposal a planning condition will be imposed to ensure large scale drawings are submitted to the local planning authority for approval to include external construction detailing of all external surfaces.

9.4 Heritage

9.4.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

9.4.2 Policy CS14 (Heritage) of the Core Strategy seeks development to conserve and enhance historic assets in the Borough for their own value and the community, environmental and economic contribution they make, developments are expected to not only protect the assets, but also their setting.

9.4.3 Saved Policy CT/14(i) of the Local Plan requires that the replacement would not result in a loss of a building acknowledged to be of local historic or architectural interest.

9.4.4 Emerging Local Plan policy EV8 seeks to protect and enhance heritage assets, including non-designated heritage assets, and prevents harm to their significance and setting. Under the guidance of NPPF paragraph 48 it is considered that the emerging Local Plan is 'well advanced' having been subject to Examination and policies are consistent with the NPPF. Policy EV8 is largely uncontested and can therefore be afforded moderate weight.

9.4.5 The application is accompanied by a heritage assessment addressing the settings of nearby heritage assets. NPPF chapter 16 provides national guidance on consideration of heritage assets.

9.4.6 The heritage assets that have the potential to be impacted upon by this proposal are clearly identified in the submitted heritage statement. The assets themselves and their settings are on the whole visually separated from the site and include:

- The listed Carillon Tower in Queen's Park, which is situated 1.3 miles in a southerly direction to the site.
- the Church of All Saints situated 0.5 miles also in a southerly direction
- the locally listed building ATS site fronting Bridge Street to the south east of the site

These assets have a wider setting given their prominence within the Loughborough skyline. The proposal has sought to mitigate any impact on the contribution these statutorily listed and locally listed buildings make to the Loughborough skyline so that any impact will be minimal, as the site is set at a lower level than the listed properties and the orientation and relationship of the proposal with the listed buildings assists in mitigating undue harm to the setting of listed properties.

- 9.4.7 In relation to archaeological interests of the site, no objections are raised from the Council heritage team, given the previous invasive use of the site. However, a planning condition is proposed to request a written scheme of investigation to ensure the level of detail required to safeguard any historic artifacts are preserved,
- 9.4.7 It is therefore concluded that this proposal will have minimal if any impact and this will result in no harm to the identified heritage assets or their setting.
- 9.4.8 The proposal is in accordance with Policy CS14 of the Core Strategy, policy CT/14(i) of the Local Plan and Policy EV8 from the emerging Local Plan.

9.5 Landscaping

- 9.5.1 Policy CS2 of the Core Strategy seeks to ensure high quality design including landscaping. This policy generally accords with the National Planning Policy Framework and does not conflict the supply of housing.
- 9.5.1 Emerging Local Plan Policy DS5 makes similar requirements. These policies are at an advanced stage following hearing sessions in June 2022 and they are consistent with the NPPF and can, therefore, be given moderate weight.
- 9.5.2 The site does not currently contribute positively to the street scene and wider area given the condition and appearance of the existing buildings and the large areas of hardstanding within the site. Whilst the site is located in an urban area, where the expectation of planting differs from rural areas, soft planting that contributes to the high quality design and appearance of the site is encouraged by planning policy and the NPPF.
- 9.5.3 The application is accompanied by a proposed landscape and open space plan and a landscape master plan. The submitted drawings are (Proposed Landscaping and Open Space Plan – Drawing no 22407-CWA-ZZ-A-0116 Corstorphine & Wright and Landscape Masterplan – Drawing no 7774-L-2000 Park Hood Chartered Landscape Architects).
- 9.5.4 Whilst the soft planting indicated on the above plans indicates planting along on the perimeter of the site and further planting in the amenity areas within the courtyard area and this is welcomed, in terms of softening the urban form and offering a more permeable solution to the site's surfaces, the landscape scheme does not offer the level of detail in relation to the soft planting proposed along Limehurst Avenue.
- 9.5.5 Some concern is also raised from the Council's Landscape Officer in relation to the landscape detail next to the Brook as this is indicated as being predominantly hard landscaped and the Landscape Officer considers the small geometric shaped

planting beds may struggle to thrive. There have been previous discussions regarding this space and how the hard and soft landscaping will interface with the existing Brook, potentially sweeping down to the Brook. These discussions need to be fully explored with cross sections submitted to demonstrate how the level change will work in practice, and a full detailed hard and soft landscaping scheme will need to be submitted prior to the first occupation of the development, if members are minded to approve the application.

- 9.5.6 Subject to these planning conditions being imposed, the design approach adopted is therefore considered policy compliant with Core Strategy Policies CS2 and CS11, alongside the Design SPD and emerging local Plan Policy C1, DS5 and Policy EV1.

9.6 Open space

- 9.6.1 Policy CS15 of the Core Strategy and emerging policy EV9 of the draft Local Plan seek to ensure adequate open space is provided to serve the needs of new development. This policy generally accords with the NPPF and does not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to the policy.

- 9.6.1 The applicant engaged with the University to assist in identifying the needs of students that attend the University in terms of open space and amenity areas. The development generates a need for young people's facilities in relation to open space. It has been confirmed by the Council's Open Spaces Team that the facilities to meet the needs of young people will be provided on-site and no objections are raised in this regard. The on-site facilities as indicated on the landscaping/open space plan, to include gym areas and outdoor landscape amenity spaces contributing towards the young people's facilities shall be secured via the S106 legal agreement or a planning condition will be imposed, following further comments requested from the open spaces team.

- 9.6.2 An off-site contribution towards the provision/enhancement of amenity green space is also requested to meet the need of the development. The sum of £36,028.00 is therefore required to be secured in a S106 legal agreement to meet the offsite need. The scheme to be secured in the S106 agreement will be confirmed to members prior to the plan committee meeting.

- 9.6.4 The Open Space Officer has raised no objections subject to the open space indicated on the layout plan following good design principles to create a space that is visually attractive and encourages active lifestyles and an off-site contribution towards amenity greenspace, which the applicant has agreed to. The proposal therefore accords with Policy CS15 of the Core Strategy and emerging policy EV9 of the draft Local Plan, which seek to ensure adequate open space is provided to serve the needs of new development. This policy generally accords with the NPPF and does not directly prevent the supply of housing. As a result, it is not considered that there is a need to reduce the weight that should be given to the policy.

Ecology and Biodiversity

- 9.7.1 Policy CS13 of the Core Strategy seeks to conserve and enhance the natural

environment with regard to biodiversity and ecological habitats. The policy supports development that protects biodiversity and geodiversity and those that enhance, restore or re-create biodiversity. The loss of features of biodiversity and geodiversity will only be supported in exceptional circumstances where the benefit of the development clearly outweighs the impact. Where there are impacts, the policy requires mitigation or compensation of equal or greater value, likely to result in a net gain in biodiversity. The NPPF states that planning decisions should minimise impacts upon and provide net gains for biodiversity.

9.7.2 Emerging policy EV6 of the Draft Local Plan seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and is not currently required by national policy. Therefore, emerging Local Plan policy EV6 can be given only moderate weight until the emerging policy is further progressed towards adoption.

9.7.3 The Council's Ecologist confirms the ecological appraisal identifies a number of buildings with high potential to support bat roosts and proposes emergence surveys. These are particularly important because, according to the appraisal, it has not been possible to conduct internal inspections because of asbestos within the buildings. A further bat survey prepared in August 2023 by RammSanderson confirms that the buildings to be demolished have been surveyed and the recommendations contained in the report suggest:

- such as timing of the development in the active season (March to October)
- work at night using artificial light should be avoided

these recommendations should be subject to a planning condition, and the development should be carried out with those recommendations.

9.7.4 Whilst the results of a BIA are reported in the submitted appraisal, it has been confirmed by the Council's ecologist that the BIA is not considered necessary for this site because it is for the redevelopment of a brownfield site with no existing biodiversity value.

9.7.5 The ecological appraisal also proposes surveys for black redstart. Whilst there are records locally, the application site (based on its known characteristics) is unlikely to have important site characteristics. However, the inclusion of extensive green roofs would represent an enhancement for the local population of this species as well as contributing to urban cooling, building insulation and runoff attenuation, and this roof design is welcomed.

9.7.6 Having said this, some concern is raised in relation to potential contamination of the adjacent water course during construction, it is therefore considered that a construction environmental management plan (CEMP) is submitted prior to any development taking place to address this matter.

9.7.7 In terms of the construction of the development, it is considered that the site would represent a good location for swift boxes to be included as integrated features on

suitable elevations (away from opening windows), and a condition will be imposed to ensure details of the swift boxes are agreed as well as how they can be integrated into the buildings.

- 9.7.8 It is therefore considered that, subject to conditions requiring a CEMP, swift boxes to be integrated into the development and the development to be carried out in accordance with the bat survey, the development can be considered as acceptable, to both ensure accordance with Policy CS12 of the Core Strategy and Policy EV6 of the Draft Charnwood Local Plan.

9.8 Residential amenity

- 9.8.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seek to protect the amenity of existing and future residents. They require high quality design that does not impact on the amenity of adjacent properties or create poor standards of amenity for future occupiers.
- 9.8.2 Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development. The policy is at an advanced stage following hearing sessions in June 2022 and it is consistent with the NPPF but is subject to objections and can therefore only carry limited weight.

Existing residents

- 9.8.3 A sunlight and daylight amenity report has been submitted with the application in response to the significant number of concerns raised by local residents in relation to the development.
- 9.8.4 It is fully acknowledged that the development will change the existing living environments in Limehurst Avenue, but it should also be acknowledged that improvements to the outlook and character of the area will be made compared to the existing situation. In relation to amenity, an assessment is necessary in this regard according to planning policy.
- 9.8.5 In relation to the daylight and sunlight assessment it is confirmed that properties that may be affected by the development are in the main situated in Limehurst Avenue, with the exception of 2 properties in Bridge Street and 1 in William Lyon Court, (adjacent to the ATS building) and it is these properties that are assessed in terms of daylight and sunlight potential loss impacts. Other commercial properties in the locality are excluded from the assessment as the exception of amenity issues differ in this regard.
- 9.8.6 It is confirmed in the report that the majority of the residential properties will not be overshadowed by the development and the detailed analysis confirms the BRE standards are met in this regard.
- 9.8.7 It is acknowledged in the report that some impacts may occur on 14 Limehurst Avenue and 23-29 Derby Road. However, the 2 windows that fall only marginally short of the BRE guidelines to No. 14 Limehurst Avenue are located to the rear of

the property overlooking the development site. Whilst some reduction in sunlight and daylight to the rear of this property, it is confirmed that it will only fall materially short of the BRE 0.8 time former value recommended. It is No. 14 Limehurst Avenue that marginally falls short of the loss of light to the amenity area, however the study confirms, 39% of the space will remain adequately sunlit when tested in March 2021, and this falls short of the 50% recommended by BRE. It is acknowledged that there is some conflict with the amenity policies, CS2, EV/1 and emerging policy DS5 and this considered in the planning balance.

- 9.8.8 The one window that will fall marginally short of the BRE guidelines, at 23-29 Derby Road, is at the rear and on the upper floor, however, the levels of light remaining at the rest of the windows are broadly in line with the BRE recommendations, as the rooms are served by multiple windows and will not fall materially short of the recommended 0.8 form value.
- 9.8.9 It is recorded in the report, that of the 603 rooms assessed for loss of sunlight using illuminance method E 557 92% of the rooms will meet the target levels as set out in BRE Guidelines. Context drawings are provided in the Daylight and Sunlight Assessment (2.0), to assist members in quantifying the above.
- 9.8.10 In terms of loss of privacy, Building B2 is proposed to sit opposite to the existing residential properties along Limehurst Avenue. It is proposed to be a 3 storey high block that fronts Limehurst Avenue, and it is acknowledged that the proposal is one storey higher than those buildings found opposite the site in Limehurst Avenue. It is also acknowledged the properties along Limehurst Avenue are currently not overlooked by any residential properties; however, it is normal practice in terms of urban design for properties to sit either side of the highway. In this regard, Limehurst Avenue (the highway and pathway) itself creates a suitable distance of approx. 15 metres from the residents opposite and the loss of privacy is not considered to be significant, given this separation distance. The separation distance along with orientation and relationship of the new building here will also contribute to the new building not being significantly overbearing or creating a situation of loss of natural light.
- 9.8.11 Building B1 (north west) is proposed to be four storey high and sits at the north western edge of the site with an internal roadway separating the building with the neighbouring properties. A bicycle store is proposed to abut the boundary with No. 14 Limehurst Avenue, along with four disabled parking spaces. The internal roadway will be used for management of the site only, as the site is a parking free zone, therefore the use of the road is considered to be minimal in terms of unacceptable levels of noise causing harm to No. 14 Limehurst Avenue. The windows directly facing No. 14 will give rise to some amounts of overlooking into the garden space, however, the other windows along building B will in the main face the side elevation of No. 14, apart from those situated at the southern end of proposed building, where whilst they may be a perception of overlooking, the due to oblique angles of the windows with No 14. The loss of privacy will not be significant to refuse the application on this basis. The separation distance of approx. 14.2 metres will also contribute to the new building not being overbearing or creating a situation of loss of natural light.

- 9.8.12 Building A1, the larger building to be positioned on the canal side of the development, whilst being between 6 and 8 storeys high, it is positioned at the shortest distance of 42.7 metres away from the adjacent properties in Limehurst Avenue and building A2 is separated from these properties by 71.4 metres. Therefore, the development meets the expectations of privacy as set out in the Design Guide SPD.
- 9.8.13 In relation to the issue of noise and anti-social behaviour, the main entrance to the site will be from the canal side, where it is expected most students will enter and leave the site. In addition, the application is accompanied by a resident management plan, that explains amongst other things, the site will have a 24 hour management oversight of the premises, the continuous presence will serve as a point of contact for residents and for the local community.
- 9.8.14 A number of objections have also been raised in regard to noise and disturbance when students are moving in and out of the accommodation. Whilst it is acknowledged that this will be a busier time than the usual proposed living environment, it has been confirmed in the management plan (to be secured by condition) that the moving will be by appointment only and this will be managed by the operators of the site, who are also the applicants.
- 9.8.15 In relation to the need for student accommodation and the impacts on the wider town, this point is covered by the relevant paragraphs (9.2.1 – 9.2.8) above.
- 9.8.16 In relation to the issues raised about potential noise during construction, it is acknowledged that some noise and disturbance will be evident during construction, however this will be temporary disruption to neighbours. It is proposed to impose a planning condition to ensure the building operation times will be controlled to aid the noise and disturbance caused.
- 9.8.17 The objections to the application in relation to lack of parking is considered below in the highway section.
- 9.8.19 The details contained in the application submissions confirm that CCTV cameras will be secured for safety purposes; however, no details of the positioning or type of cameras are submitted to understand any potential impacts upon amenity and privacy, therefore a planning condition will be imposed for a scheme to be submitted for approval to ensure the development does not result in privacy related issues.

Response to other matters raised not relating to amenity

- 9.8.20 Some concern is also raised about the pressure on local services, in this regard the NHS has requested a financial contribution from the applicant to upgrade/provide sufficient services at the local doctor surgery, to be secured by a S106 legal agreement. In relation to concerns about asbestos, this is covered by environmental health legislation and the applicant will be required to gain a license to remove any asbestos from the site.

Future occupiers

- 9.8.21 The site is proposed to accommodate students in a purpose-built establishment, that will provide safe and secure living environments for the students, along with on-site indoor and outdoor facilities to aid studies and contribute to the general well-being of the students, the site is also within walking distances of the town centre for the use of the facilities and services provided.
- 9.8.22 In terms of fire safety for safe egress if an emergency occurs, the Health and Safety Executive have confirmed that the amended layout on the upper floor that introduces a further escape stairwell is acceptable.
- 9.8.23 Whilst it is acknowledged that there is a conflict with the amenity standards set out in the BRE guidelines, the conflict is considered to be marginal, and this point will be weighed in the planning balance. The proposal would, therefore, comply with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan along with NPPF, National Design Guidance and the guidance set out in the Design SPD to protect residential amenity and H3 and DS5 of the Draft Local Plan.

9.9 Flooding and drainage

- 9.9.1 Core Strategy Policy CS16 and the NPPF direct development away from areas at the highest risk of flooding. Emerging Local Plan Policy CC1 (Flood Risk Management) and Policy CC2 (Sustainable Urban Drainage Systems) require that development proposals are assessed for their risk of being flooded, and the risks arising from the proposals themselves. Policy CC1 can be afforded limited weight at this date. The Examination Inspectors have requested further submissions following publication of the PPG on Flood Risk and Coastal Change published in August 2022. Policy CC2 can be afforded moderate weight as the discussions on representations to that policy have concluded, and the policy is consistent with NPPF paragraphs 167 and 169.
- 9.9.2 The site is allocated for housing under the emerging policy DS3 (HA26) of the Draft Local Plan 2021-37 to provide for 138 units, the emerging policy makes it clear that any application for housing will need to address the flood risk issues. The application has therefore been accompanied with a flood risk assessment.
- 9.9.3 The Environment Agency (EA) have confirmed the whole the development sits within flood zones 1 and 2 on the flood map for planning, (see image below) The flood maps are based on the latest hydraulic model data, the Environment Agency's Wood Brook 2021 model. The EA have raised no objection to the application based on the submitted FRA. Concerns were raised in relation to the plant (the drinking water and fire sprinkler system pumps and associated electrics) being located in the basement; however it has been confirmed that a number of safeguards to prevent the basement being affected by flooding such as a basement plantroom entrance flood door, the plant being lifted 200mm from the flood, flood 'bunds' and an emergency evacuation plan and the EA have removed their objection, however, it has been requested that to ensure the methods are safe that further consultation is carried out with the flood emergency team. Further consultation has been carried out and members will be updated prior to the plans committee meeting. It is however confirmed that from a

flood risk perspective the development meets the criteria in the NPPF, subject to a planning condition being imposed, to ensure the development is carried out in accordance with the submitted flood risk assessment (ref S01-P02-0001; Flood Risk Assessment, Limehurst Avenue, Loughborough complied by JBA Consulting and the email correspondence from Sean Andrews, Associate Director of Faithful Gould Project Management, Dated 24/20/2023 and the Building B-Basement Section 02 drawing, uploaded 19/10/2023.

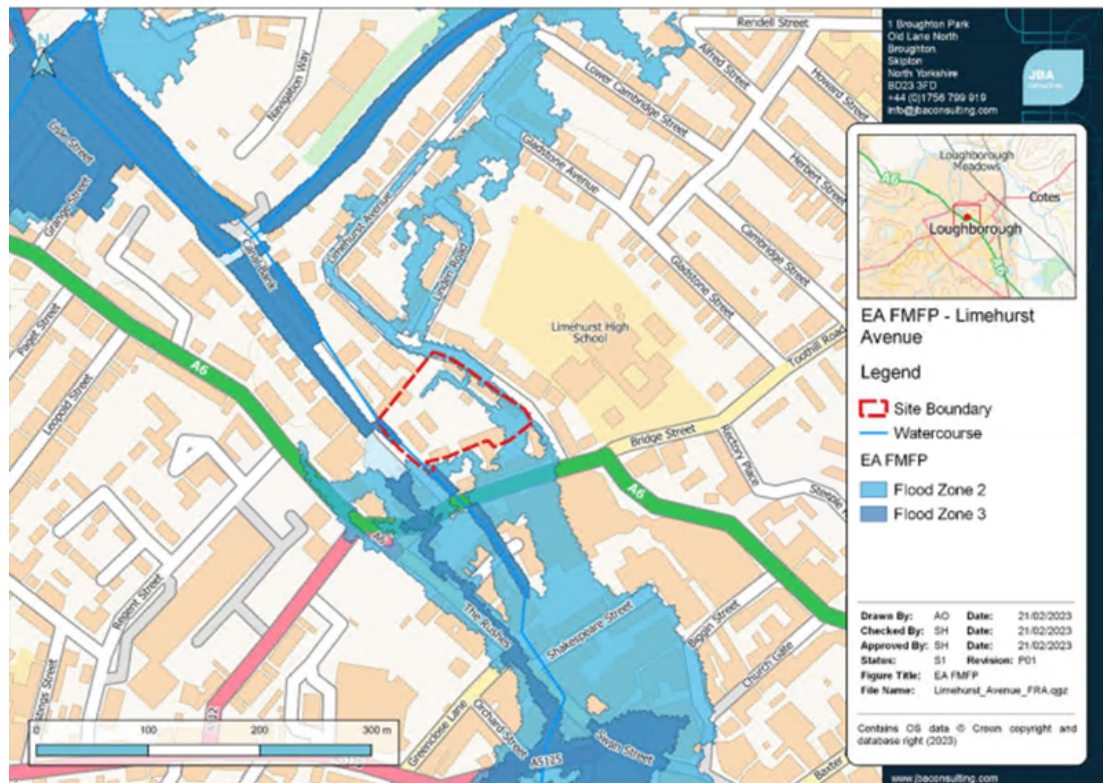


Figure 3-1: Environment Agency Flood Zone Map (February 2023)

- 9.9.4 In terms of flood risk mitigation The Flood Risk Assessment and Drainage Strategy submitted confirm the finished floor levels will be set no lower than 600mm above the maximum water level, and it is proposed the development will have a green roof and it will be connected to the sewers rather than stored on site, and permeable paving is proposed in the amenity areas with attenuation tanking.
- 9.9.5 The previous Lead Local Flood Authority (LLFA) responses stated that, since part of the development appears to be located within Flood Zone 3b (functional floodplain), a response from the Environment Agency (EA) would be required prior to a substantive response from the LLFA being submitted. The EA have subsequently reviewed the proposals and have set a planning condition relating to floor levels. No objections are raised from the LLFA in terms of drainage. Whilst a surface water drainage scheme has been submitted with the application, the LLFA have suggested conditions are imposed for a surface water drainage scheme, management of surface water on site during construction of the development and a long-term maintenance of the surface water drainage system to be submitted for approval.

9.9.6 The Canal and River Trust have confirmed that the application site is located on the north-east side of Loughborough Basin and is separated from the basin by an access road (Canal Bank which incorporates the canal towpath and a separate canalised watercourse (Wood Brook) running parallel to the canal and the Canal bank is owned by the Canal and River Trust. Whilst no objections are raised from the Canal and River Trust, planning conditions are suggested to be imposed for:

- A method statement for the construction of building A to ensure the structural integrity of the canal is maintained.
- A Construction Environmental Management Plan (CEMP) is submitted to the LPA for approval
- The materials, landscaping and boundary treatment are submitted for approval.
- A lighting scheme is submitted proposed along the canal bank

9.9.6 The EA, LLFA and the River and Canal Trust, who are statutory consultees in the determination of planning applications, raise no objection to the scheme, and subject to the planning conditions being imposed, it is considered that the scheme does comply with Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

9.10 Sustainable Construction and Energy efficiency

9.10.1 Core Strategy Policy CS16 seeks to encourage sustainable design and construction and the provision of renewable energy (including exceedance of Building Regulations), where this will not make the scheme unviable. Emerging Local Plan Policy CC4 requires sustainable construction practices. This policy is at an advanced stage and was discussed at the hearing sessions in June 2022 and is consistent with the NPPF so can be given moderate weight.

9.10.2 The application is accompanied by an Energy Strategy Report that has demonstrated sustainable measures can be used in the construction of development, as it has reviewed and proposed low and zero carbon technologies and presented the results from an initial BRUKL assessment. The strategy seeks to reduce the carbon emissions for the building using a 'lean, mean and green' approach, by amongst other things, maximising passive measures to reduce the initial load of the building in terms of heating and anticipated lighting loads and the use of air source heat pumps will be used to generate heating and hot water for the building. The proposals presented also support the government's and local authorities' policy on phasing out fossil fuels and, as the grid decarbonises further, it will offer more carbon reduction towards the net zero carbon target. The detail in the energy strategy will be secured by a planning condition. The proposal in the interest of air quality and climate change would comply with policy CS16 of Charnwood Development Plan.

9.11 Land Contamination, Noise and Air Quality

9.11.1 Policy EV/1 of the saved policies from the Charnwood Local Plan 2004 requires that new development respects and enhances the local environment, utilises materials appropriate to the locality, and uses the landform and existing features as the focus around which any new development is designed.. Policy CC4 in the emerging Local

Plan, dealing with sustainable construction, would support the use of previously developed land, provided that it is not of high environmental value, and that it protects environmental resources. Policy CC4 is consistent with paragraph 157 of the NPPF.

9.11.2 Policy DS5 (High Quality Design) in the Emerging Local Plan requires new development to, amongst other considerations, to protect the amenity of those who will live in the development. Policy DS5 carries moderate weight at this date. No further discussion is planned during the Examination and the policy is consistent with NPPF paragraph 130. The development is considered compliant with this Policy so far as contamination is concerned.

9.11.3 A phase I and phase II Ground Investigation Report (ref 27669-GEO-0401) compiled by MEC GEO Environmental and prepared in February 2023 is submitted with the application. The ground contamination report submitted recommends at section 14 that:

- Additional ground gas monitoring to determine the required gas protection measures for residential development,
- Production of a detailed Remediation Method Statement,
- Production of a Piling Risk Assessment to identify potential vibration impacts on nearby residential properties and industrial premises,
- Further investigation around the location of underground tanks and their subsequent removal,
- Further investigation of the historical pumps and associated wells requiring infilling and capping,
- Groundwater monitoring.
- Implementation of a clean cover system within soft landscaped areas- the proposed chemical analysis suite and validation rates given in Table 13.1 is recommended,
- Incorporation of ground gas and volatile vapour protection measures within the proposed structures, in compliance with Table 13.2 of the report, and
- Verification/validation of the approved remedial works.

9.11.3 The report also states that during the monitoring programme, methane was consistently recorded at the WS01 location, and any excavation works undertaken at the site, in particular around the underground storage tank shall adopt appropriate measures to mitigate the risk of fires and explosions. This could include continuous gas monitoring and use of intrinsically safe plant. If, during the development, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed in an appropriate remediation scheme to be imposed by a planning condition approved in writing by the local planning authority.

Noise

9.11.4 Based on the Acoustic Report prepared by Apexacoustics dated 3rd November 2022 (Report No. 10321.1A) the development site is impacted by road traffic noise. The acoustic performance requirements for glazing and ventilators are summarised in Table 1 within that report. In addition, the plant noise limits at this stage and exact mechanical plant specifications are unavailable. Plant noise limits for the cumulative impact of all proposed plant at the nearest noise sensitive location are proposed in

Table 2 of the submitted report. It is therefore recommended the Acoustic report is conditioned to ensure the development is constructed in accordance with these details.

Air Quality

9.11.5 Based on the Air Quality Assessment compiled by Wardell-Armstrong (Ref: GM12565/DRAFT OCTOBER 2022), site-specific dust mitigation measures will be necessary to ensure dust effects from demolition and construction activities are not significant to existing receptors. It is recommended that the measures identified in section 5.1.15 of the report be incorporated into a Construction Management Plan. Therefore, a construction management plan should be submitted for approval prior to the first occupation of the development and this will be imposed by a suitably worded planning condition.

9.11.6 The proposal will comply with policies EV1 and CC4, and policy DS5 of the emerging local Plan with the imposition of the conditions as suggested in the above assessment.

9.12 Highway and Transport Matters

9.12.1 Policy CS2 of the Core Strategy requires new development to provide well-defined and legible streets and spaces that are easy to get around for all. Policy CS17 makes provision to achieve a 6% shift from travel by private car to walking, cycling and public transport. Policy CS17 and the provision of new and improved cycling and walking routes.

Background

9.12.2 It is confirmed that a pre-application response was provided by the Highway Authority to the applicant on 14th November 2022. In its pre-application response, the Highway Authority identified that the following documents would be required:

- Transport Statement (TS);
- Travel Plan (TP);
- Stage 1 Road Safety Audit (RSA) and Designer's Response; and,
- Car Park Management Plan (CPMP).

9.12.3 In initial observations dated 25th August 2023, the Highway Authority requested further information with regard to:

- Site Access
- Highway Safety
- Trip Generation
- Internal Layout
- Transport Sustainability
- Travel Plan

9.12.4 In secondary observations dated 9th October 2023, the Highway Authority requested further information with regards to:

- Site Access
- Highway Safety
- Internal Layout
- Travel Plan

9.12.5 The Highway Authority observations are based on the submission by the applicant of the following document: Calibro 'Limehurst Avenue - Letter of response' - dated 17th October 2023.

Site Access

9.12.6 The Highway Authority notes that the Applicant has stated that the development will be 'car-free' with access to the site restricted for private vehicles and provided for servicing, emergency and disabled parking access only. The north-eastern access will form a simple priority junction onto Limehouse Road. The width of the access road in this location is 6.0m with 6.0m junction radii.

9.12.7 Limehurst Avenue is an adopted unclassified, non-weight restricted road subject to a 30mph speed limit enforced by street lighting. The Highway Authority notes that the carriageway comprises a mix of double yellow lines and formal, permitted on-street parking bays.

9.12.8 The south-eastern access will be provided via the existing shared access junction in the south-eastern corner of the site. The existing junction onto Limehurst Avenue will be retained, given that it also provides access for adjacent businesses outside the proposed development. At present, the access junction comprises a wide bellmouth of approximately 18.0m in width and opens onto an informal, tarmacked parking area. The proposals will look to formalise the arrangement, with a gated entrance provided into the main area of the development.

9.12.9 The Highway Authority point out that, as a general rule of thumb, it seeks to minimise the number of accesses on to the highway in the interests of safety.

9.12.10 The Highway Authority note that there are signs, double yellow lines and gullies in close proximity to the access. The main pedestrian access for the proposed development will be at the southwest corner of the site, connecting directly onto Canal Bank via a bridge over the adjacent canal. In this way, the non-car access will facilitate movement onto the footway in place on the western side of the carriageway and also the stepped access to the pedestrianised plaza at the Canal Basin.

9.12.11 The Applicant has provided a review of the pedestrian and cycle infrastructure within close proximity to the site and along key desire lines as discussed within the relevant sections below.

9.12.12 A Stage 1 Road Safety Audit (RSA) and Designer's Response have been provided. The RSA raised four problems including surface water drainage, carriageway markings, dropped kerb provision and visibility splays. The first three

problems the designer has suggested can be resolved at the detailed design stage. The Highway Authority have countered this and recommended that the dropped kerb provision is detailed within the application. A dropped kerb extent measuring in excess of 23.5m at the southern access is therefore shown and the Highway Authority are satisfied that its extent meets the minimum requirements.

- 9.12.13 It was agreed that surface water and carriageway markings can be dealt with at a later date, via a s278 legal agreement between the applicant and the Highway authority under the Highway Act.
- 9.12.14 The Highway Authority say the vehicular visibility at the site accesses will need to be in line with Part 3, Table DG4 of the Leicestershire Highway Design Guide (LHDG), available at 'resources.leicestershire.gov.uk/lhdg'. The Highway Authority previously advised the Applicant to undertake a speed survey in the vicinity of the site access in order to demonstrate that appropriate visibility, in line with the 85th percentile speeds of passing traffic, can be achieved. Surveys were undertaken from 7th to 14th September 2023. The north-western access had 85th percentile speeds of 21.8mph southeast-bound and 24.0mph northwest-bound. The south-eastern access had 85th percentile speeds of 28.0mph southeast-bound and 18.0mph northwest-bound. The recorded 85th percentile speeds require visibility splays of 2.4 x 33.0m in either direction at the northwest access. For the southeast access, visibility splays of 2.4 x 43.0m and 25.0m and required to the northwest and southeast respectively. Visibility splays in accordance with the above, measured to a 1.0m offset from the kerb line are shown on Drawing 22-391 20-100 Rev. 04 and therefore the Highway Authority are satisfied that appropriate visibility splays can be achieved.

Highway Safety

- 9.12.18 As per the previous observations, an assessment of Personal Injury Collisions (PIC) undertaken for a study area should of a *minimum* of 500m from the proposed site access and include any junctions that are subject to junction capacity assessments. As per industry-standard practice, the assessment should provide data for the most recently available five-year period, not four.
- 9.12.19 The Highway Authority noted the PICs in a length along Bridge Street and the clusters at the junctions of Derby Road / Regent Street and Derby Road / Alan Moss Road should be investigated following the provision of a complete five years worth of data. In the absence of a complete data set. the Highway Authority have undertaken their own review of PIC data and draw the following conclusions:

Six (6) PICs took place along Bridge Street between the junctions with Derby Road and Fennel Street within the most recent five-year period.

- Of which, two were recorded as 'serious' and four recorded as 'slight'.
- Two PICs involved pedestrian crossing movements but in separate locations.
- Two PICs involved vehicles disobeying a red light.

Four (4) PICs took place at the Derby Road and Regent Street junction within the most recent five-year period.

- Of which, one was recorded as 'serious' and three recorded as 'slight'.
- Three PICs involved cyclists. Each of these PICs involved motorised vehicle turning right from Derby Road in to Regent Street colliding with a cyclist heading north west along Derby Road.
- The LHA have reviewed the site and consider that sufficient forward visibility is available and therefore it is considered that the PICs are the result of 'driver error' and that no mitigation measures would therefore be required in this instance.

Six (6) PICs took place at the Derby Road and Belton Road junction within the most recent five-year period.

- Of which, one was recorded as 'serious' and five recorded as 'slight'.
- One PIC had no report received.
- Upon review of the collision reports, there are no discernible trends in the collision data

9.12.20 Based on the data above, the Highway Authority consider that the proposed development would not exacerbate any known highway safety concerns subject to the planning conditions in the relevant section below.

Trip Generation

9.12.21 In pre-application advice, the Highway Authority advised that a trip generation exercise be completed for each use type of the development in order to determine the likely number of two-way trips during the AM (08:00-09:00) and PM (17:00-18:00) peak periods. The trip generation should be based on person trips given the proposed car-free approach. The Highway Authority would add that person trips should be factored by local census data.

9.12.22 In the initial observations, the Highway Authority reviewed the submitted trip generation within the Calibro Transport Statement and noted that the trip rates were notably lower than previously approved schemes in Loughborough.

9.12.23 The Highway Authority noted that there are committed developments of student accommodation buildings within Charnwood Borough. Trip rates from planning permissions (reference: P/18/2067/2 & P/18/0250/2) relating to the development of student accommodation ranging from 3-7 storeys and including circa 520 student bedrooms in Loughborough were suggested as comparators to be considered.

9.12.24 The two-way pedestrian rates in the submitted Transport Statement were 0.063 and 0.142 in the AM and PM peak periods respectively. The Applicant has adopted the approved trip rates from P/18/0250/2 with pedestrian two-way rates of 0.186 and 0.255 in the AM and PM respectively. For a development of now 541 units, this could generate 101 and 138 two-way movements in the AM and PM respectively.

- 9.12.25 The Highway Authority welcome that the newly submitted Technical Note and updated Residence Management Plan have a cohesion regarding staffing numbers.
- 9.12.25 The Highway Authority note that there are a total of 14 full-time equivalent staffing roles that would result in a trip demand. It is noted that the Applicant has put forward a series of measures to ensure that staff do not travel via private car to/from the site.
- 9.12.26 The applicant has detailed that these roles are likely to result in 11 arrivals and 3 departures in the AM peak and 3 arrivals and 11 departures during the PM peak. With no more than 14 two-way private car trips in any peak period, the Highway Authority would require no further information with regards to trip generation, as this the information provide is considered to be acceptable.

Internal Layout

- 9.12.26 Internally, the Highway Authority note that the site seeks to provide a car-free development. The Highway Authority consider that whilst this may be supported, a level of parking should still be provided to ensure the start of term arrivals and end of term departures can be completed without spilling over to the highway. The details contained in the residence management plan confirm that during term arrivals and end of term departures an appointment system will be in place using the internal roadway, whereby onsite parking is provided and this will be managed by the site operators from the gated access point. It is considered necessary, however, to condition the details contained in the residence management plan to ensure parking demands do not over spill onto the highway.

Vehicle Parking

- 9.12.27 The Highway Authority note that four vehicle parking bays are shown on the submitted drawings. It is understood that the bays will be reserved for use by disabled students only. The Highway Authority would add that it would be preferable for the bays to be marked as such to limit the potential for contraventions. The Highway Authority note that disabled parking bays should measure 4.8m x 2.4m with a 1.2m hatched buffers space to the side and rear. The bay dimensions are shown to be acceptable.

Cycle Parking

- 9.12.28 The use class of the site within the submitted application form is 'Sui Generis'. The Highway Authority do not maintain cycle parking standards for this use class. As such, reference should be made to national design guidance. In this instance, the Highway Authority would consider LTN 1/20 to be the most recent, adopted national guidance.
- 9.12.29 In accordance with consented planning applications P/18/2067/2 and P/18/0250/2, cycle parking is proposed to be provided in accordance with 'flats' at a 1:5 ratio.

9.12.30 As previously mentioned, two-tier stands and Sheffield stands proposed are supported by the Highway Authority. The Highway Authority have requested further information in this regard as set out in the bullets points below and a planning condition will be imposed for the following:

- As be secure and normally with weather protection provided;
- be conveniently located at entrances to buildings;
- enjoy good natural and/or CCTV observation;
- be well lit; and
- be located so it does not obstruct pedestrian and cycle routes.

9.12.31 In addition, the Highway Authority have requested, due to the 'car-free' nature of the proposals, cycle parking facilities to include charging points for electric bikes and a bike repair station. As not details have been provided in this regard, it is considered appropriate to impose a planning condition to ensure this detail is submitted for approval by the Highway Authority.

Moving In and Out Periods

9.12.32 The Highway Authority noted that it has been suggested that the NCP Rushes Car Park will be utilised for the moving in and out periods. It has now been confirmed that moving in and moving out procedure will be managed from within the development red line only. The Highway Authority note that a welcome pack will be provided for residents which will indicate the location of the car park. The Highway Authority consider that the welcome pack should be secured via a S106 obligation.

9.12.33 The Highway Authority also note that arrival times will be staggered to limit demand. The Highway Authority welcome detail that there are spaces for four users within the site to park at any one time and that 15 minutes will be allotted. The Highway Authority note the idea of pre-arranged times which have been proposed on other sites within Leicestershire. The Highway Authority consider that such proposals should allow for an overlap period and ensure a reasonable amount of time for residents to be dropped off and picked up given the additional items they are likely to be moving.

9.12.34 The Highway Authority also note the measures outlined to restrict students and staff from utilising a car. The Highway Authority welcome new information that the applicant has confirmed that the moving in procedure typically takes place over a 6-week period depending on the teaching and travel requirements for individual residents and that each resident must complete a mandatory pre-induction process via a residents' online portal.

9.12.3 The drop off and pick up arrangements should be considered in greater detail within a future Travel Plan (TP) and Car Park Management Plan (CPMP) as per the conditions outlined in the relevant section below. The Highway Authority considers that the focus of the CPMP would be term change over days (i.e. end of term pick-up / start of term drop off) as well as avoiding on-street parking connection with students.

Refuse Collection

- 9.12.35 The Highway Authority have noted the location of bin stores shown on the submitted drawings and the submitted refuse vehicle tracking. Whilst it is the Highway Authority confirm that it would ordinarily seek to resist movements including reversing in the highway, it is also noted that this movement is only required for a refuse vehicle which is an infrequent movement, that typically takes place outside of the network peak hour and that the operators will function as banksmen to aid the reversing movement. Therefore, on balance, the refuse collection proposals are accepted, in this instance.

Transport Sustainability

- 9.12.36 The Highway Authority have confirmed they are aware that Bridge Street severs the site from the town centre of Loughborough.

Pedestrian and Cycling

- 9.12.37 The Highway Authority have noted that cycle routes are located along Canal Bank, Bridge Street and Alan Moss Road, in close proximity to the site.
- 9.12.38 The Applicant has provided a detailed review of the pedestrian and cycle infrastructure within close proximity to the site and along key desire lines. The review concluded that all crossings within the vicinity of the site are illuminated to modern standards and well-maintained allowing for and facilitating pedestrian and cyclist movements throughout. Given the site is for student accommodation, the Highway Authority expect a clear desire line to Loughborough University and potentially Loughborough College. As per any user, the Highway Authority would also expect to see desire lines accommodated to key retail, leisure and health facilities. These are most prominently within Loughborough Town Centre (Derby Square / The Rushes), Regent Place Retail Park, Loughborough Hospital and Willowbrook Retail Park.
- 9.12.39 The Highway Authority have therefore conducted its own review of current infrastructure and desire lines. In all scenarios, the Highway Authority would expect users to travel via the Bridge Street / Derby Road / The Rushes signalised junction and for all locations except Loughborough Town Centre, the Highway Authority expect a proportion of users to utilise Derby Road. The Highway Authority note that, in particular, cycle users heading to the university would likely utilise Derby Road and Alan Moss Road.
- 9.12.40 The Highway Authority note that the Bridge Street / Derby Road / The Rushes junction requires up to three phases for pedestrian users to cross. The Highway Authority note that the pedestrian refuge locations comprise no more than 50sqm. The Highway Authority also note that cycle provision along Derby Road ceases circa 85.0m north of the Bridge Street / Derby Road / The Rushes with users onboarded onto the carriageway following the toucan crossing facility.
- 9.12.41 With due regard to the level of trips expected by a car-free development of 541 student beds, the Highway Authority consider that addition of more than 2

pedestrians every 60 seconds at the junction alongside cycle users is likely to impact the existing pedestrian and cycle infrastructure. Should the infrastructure become overwhelmed by the number of users, the Highway Authority would expect the infrastructure to not be used correctly potentially resulting in highway safety concerns. The Highway Authority therefore consider it necessary to the development for improvements along Derby Road and at the Bridge Street / Derby Road / The Rushes signalised junction to be made and a planning condition to be imposed to ensure the off-site works are carried out prior to the first occupation of the development.

- 9.12.42 In addition to the above, it is noted that the Loughborough Cycling and Walking Infrastructure Plan (LCWIP) was adopted by Leicestershire County Council on 24th November 2023. The Highway Authority note from the LCWIP that Derby Road comprises Route IDs 4A, 4B and 4C, in close proximity to the site. The Highway Authority consider that improvements in accordance with Route ID 4C would be specific to the development providing improvements to the Bridge Street / Derby Road / The Rushes signalised junction and along Derby Road to provide a comprehensive cycle network to Loughborough University via Alan Moss Road. Route ID 4C comprises of Derby Road for the extent between Clifford Road and Swan Street.
- 9.12.43 Whilst no scheme is yet developed, the adopted LCWIP describes the improvements involving 'segregated cycleways, upgraded segregated crossings, two-stage right turn junction arrangement, priority side road crossing and low-level vegetation'. The Highway Authority have requested a planning condition as set out below in recommendation B, to secure improvements to Derby Road and the Bridge Street / Derby Road / The Rushes signalised junction. The description provided should form the starting point for the development of a scheme and it is considered that contact should be made with the Highway Authority at the earliest opportunity via its free of charge pre-application advice service to discuss proposals prior to submission to the Local Planning Authority. This would allow the Applicant to establish whether any schemes had been developed prior to the time of submission.
- 9.12.44 The Highway Authority consider that a condition should be imposed to mitigate potential highway safety concerns and to provide a cohesive cycle route to Loughborough University, a key trip attractor for a car-free student accommodation development.

Bus Provision

- 9.12.45 The proposed development site is located circa 190m from the Fennel Street Stand FA stop, 230m from the Derby Road Stand DA and DB stops and 250m from The Rushes Stand RA, RB and RC stops. The stops are served by the 3, 5, 11, 12, 16, 16A, 126, 127, 866, Skylink Derby, Sprint and National Express 440 services which provide frequent services to locations including Leicester, Derby, Coalville and London.

- 9.12.46 The Highway Authority consider that the Applicant may wish to consider measures to increase bus travel as part of establishing the site as 'car-free' in the travel plan to be submitted, as suggested below.

Travel Plan

- 9.12.47 The Highway Authority have considered the details contained the travel plan and have requested amendments from their observations made on 25th August 2023. The development proposal is not supported by an amended travel plan as requested; therefore, a planning condition will be imposed to ensure a travel plan that sets out the actions and measures with quantifiable outputs and outcome targets is submitted for approval prior to the development being first occupied.

9.13 Other Matters

Safeguarding Authority for East Midlands Airport

- 9.13.1 The site is located in a safeguarded area that requires consultation with East Midlands Airport. Whilst no objections are raised, the Safeguarding Authority for East Midlands Airport have recommended that planning conditions are imposed to remove permitted development rights to ensure no reflective materials are used on the building, all lighting on the exterior on the building shall be capped, and a detailed plan be submitted for the management of smoke and dust during demolition. These planning conditions will support air travel safety as requested by East Midlands Safeguarding Authority, and comply with the Strategic Objectives in the Core Strategy Policy SO1 and the NPPF to meet the aims of sustainable Development.

Health and Safety Executive – Fire Safety in higher risk buildings)

- 9.13.2 As proposal is for a high building, (over 7 storey's) the Health and Safety executive are required to be consulted, to ensure that fire risk escape measures are considered in the design of the building. The original consultation response from the H&SE expressed concern about safe egress from the higher Block A1 / A2 in a fire emergency situation, as only one emergency staircase was proposed. The scheme was therefore amended in response to the comments received and a second staircase is now proposed in Black A1/A2. Following further points of clarification being provided from the applicant in terms of the internal layout, the H&SE have confirmed the design meets the standards for fire safety and no further objections raised.

9.13 Section 106 Contributions

- 9.13.1 Policies CS3, CS13, CS15, CS17 and CS24 of the Core Strategy require the delivery of appropriate infrastructure to meet the aspirations of sustainable development either on site or through appropriate contribution towards infrastructure off-site relating to a range of services. As set out within related legislation such requests must be necessary to make the development acceptable in planning terms, directly related to the development and fairly related in scale and kind. Consultation regarding the application resulted in the following requests to meet infrastructure deficits created by the development:

| Consultee | Response |
|--|--|
| Open Spaces | <p>To secure the minimum floor space of the facilities for indoor and a minimum outdoor amenity as indicated to be provided within the site (as indicated on the submission plans).</p> <p>Off-site Contribution to be secured of £36,028.00 to provide provision or enhancement of amenity green space to meet the need of the development</p> |
| Highways | <p>Travel Plan Monitoring Fee via MODESHIFT STARSfor. The Applicant is advised that the required for this site will be the sum of £6,000.00.</p> <p>Travel Packs - to inform new residents/ employees from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which would attract an administration charge of £500.</p> <p>Six month bus passes, one per employee and two per residential apartment (application form to be included in Travel Packs and funded by the developer); to encourage new employees and residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (approximately) £510.00 per pass (cost to be confirmed at implementation).</p> <p>The Applicant is required to pay a sum of £7,500.00 for the submission of a Traffic Regulation Order (TRO) consultation, in accordance with the Road Traffic Regulation Act 1984, for the proposed amendments of double yellow line provision.</p> |
| County Council Contributions Team | Contributions are sought to be secured via a S106 towards Loughborough Library £7,926.90 . |
| NHS | Contributions are sought to be secured via S106 for £173,120.00 towards the three closest doctor surgeries. |
| Charnwood Borough Student Support Scheme | Contributions to be secured via a S106 for the installation of CCTV and ongoing maintenance of £10,500.00 . |

10 Consideration and Planning Balance

- 10.1 Section 70(2) of the Town and Country Planning Act 1990 requires the decision taker to have regard to the Development Plan, so far as it is material to the application. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that: "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 10.2 The application proposes a purpose-built student accommodation building on a site allocated for housing in the emerging Local Plan, that will deliver much needed housing at a time when the Council cannot demonstrate a 5 year land supply. The site currently does not offer social or economic benefit to the local area. The delivery of the student accommodation will regenerate a brownfield site, close to the town centre, following the demolition of unsightly buildings situated on a former council depot. The proposal is considered to contribute towards the continued economic growth of Loughborough and the continued expansion and growth of Loughborough.
- 10.3 The proposed new building has been through a rigorous design process and whilst it is acknowledged that there will be an inevitable change to the overall townscape and more localised character of the area, it will provide a high quality, legible and coherent scheme that will be locally distinctive and in keeping with the character of Charnwood.
- 10.4 The proposal will result in a larger/higher building compared to current situation, and there will be an inevitable change to the outlook of the local residents and whilst some harm has been identified in terms amenity to the local residents, the harm is not considered to be significant and this is outweighed by the benefits the proposal brings in regenerating a site that currently brings no benefit to the character of the area.
- 10.5 There are no technical constraints relating to highways, drainage or flooding that cannot be mitigated. The development will not result in a loss of biodiversity on site, but any mitigation requirements for protected species can be secured by way of planning condition.
- 10.6 The impacts of the proposed development on local infrastructure can either be offset within the application site or otherwise secured via commuted payments to improve facilities in the area secured under s106 of the Planning Act.
- 10.7 In conclusion, it is considered that there are no impacts of the development of this site that cannot be mitigated and that would be so significant and demonstrably harmful as to outweigh the benefits of providing a regeneration scheme that provides for purpose-built student accommodation in this sustainable location. The benefits relate to the contribution of the proposal to the Council's housing land supply deficit and deliverability, sustainable location, the economic growth of Loughborough and the continued growth of the University and other infrastructure provision. The application should therefore be supported subject to appropriate conditions being attached and contributions being secured to support local infrastructure as part of a S106 Legal Agreement as set out below.

10.8 It is considered that the development represents strong fulfillment of the ambitions and policies of the adopted Development Plan and emerging Local Plan in most respects, and some considerations add further positive weight in their own right. It is therefore considered that planning permission of this full application should be granted.

11 **Recommendation**

RECOMMENDATION A

11.1 That authority is given to the Head of Planning and Growth and the Head of Strategic Support to enter into an agreement under section 106 of the Town and Country Planning Act 1990 to secure improvements, on terms to be finalised by the parties, as set out below:

| | |
|---------------------------------|---|
| <p>Open Spaces</p> | <p>To secure the minimum floor space of the facilities for indoor and a minimum outdoor amenity as indicated to be provided within the site (as indicated on the submission plans). Off-site Contribution to be secured of £36,028.00 to provide provision or enhancement of amenity green space to meet the need of the development</p> |
| <p>County Highway Authority</p> | <p>Travel Plan Monitoring Fee via MODESHIFT STARSfor. The Applicant is advised that the required for this site will be the sum of £6,000.00.</p> <p>Travel Packs - to inform new residents/ employees from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which would attract an administration charge of £500.</p> <p>Six month bus passes, one per employee and two per residential apartment (application form to be included in Travel Packs and funded by the developer); to encourage new employees and residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (approximately) £510.00 per pass (cost to be confirmed at implementation).</p> <p>The Applicant is required to pay a sum of £7,500.00 for the submission of a Traffic Regulation Order (TRO) consultation, in accordance with the Road Traffic Regulation Act 1984, for the</p> |

| | |
|--|--|
| | proposed amendments of double yellow line provision. |
| County Council Contributions Team | Contributions are sought to be secured via a S106 towards Loughborough Library £7,926.90 . |
| NHS | Contributions are sought to be secured via S106 for £173,120.00 towards the three closest doctor surgeries. |
| Charnwood Borough Student Support Scheme | Contributions to be secured via a S106 for the installation of CCTV and ongoing maintenance of £10,500.00 . |

RECOMMENDATION B

11.2 That subject to the completion of the S106 agreement in recommendation A above, grant outline planning permission conditionally subject to the imposition of the following draft planning conditions and reasons and that the Head of Planning and Growth be given delegated authority to determine the final detail of these planning conditions, in consultation with the Chair of the Plans Committee:

1. The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development, hereby permitted, shall be carried out in accordance with the approved plans and documents listed in as:

- 22407-0110-P01 Proposed Site Location Plan
- 22407-0115-P01 Proposed Site Plan
- 22407-0100-P01 Proposed Basement Level Plan
- 22407-0101-P01 Proposed Ground Floor Plan
- 22407-0102-P01 Proposed Mezzanine Plan
- 22407-0103-P01 Proposed Levels 01-02
- 22407-0104-P01 Proposed Level 03
- 22407-0105-P01 Proposed Level 04 - 05
- 22407-0106-P01 Proposed Level 06
- 22407-0107-P01 Proposed Level 07
- 22407-0108-P01 Proposed Level 08
- 22407-0109-P01 Roof Level
- 22407-0116-P01 Proposed Landscaping and Open Space Plan
- 22407-0120-P01 Proposed Ground Floor Plan with Amenity Layout
- 22407-0121-P01 Proposed Mezzanine Plan with Amenity Layout
- 22407-0212-P01 GA Site Sections
- 22407-0222-P01 Proposed GA Sections 01 & 02
- 22407-0223-P01 Proposed GA Sections 03 & 04

- 22407-0224-P01 Proposed GA Sections 05 & 06
- 22407-0225-P01 Proposed GA Sections 07 & 08
- 22407-0250-P01 Proposed Section A and B
- 22407-0230-P01 Proposed Elevation - Building A - South
- 22407-0231-P01 Proposed Elevation - Building A - North
- 22407-0232-P01 Proposed Elevation - Building A - East and West
- 22407-0233-P01 Proposed Elevation - Building B - North and East
- 22407-0234-P01 Proposed Elevation - Building B - South and West
- 22407-0240-P01 Proposed Elevation - Building A - Proposed Bay Study 01
- 22407-0241-P01 Proposed Elevation - Building A - Proposed Bay Study 02
- 22407-0242-P01 Proposed Elevation - Building A - Proposed Bay Study 03
- FW2253-C-500 [A2] Engineering Layout prepared by Farrow Walsh
- Flood Risk Assessment (S01-P02-0001) prepared by JBA Consulting
- Management Flood Response Plan for Limehurst Avenue, Loughborough v1 prepared by JBA Consulting
- Residents Flood Response Plan for Limehurst Avenue, Loughborough v1 prepared by JBA Consulting
- 22407-8001-01 Refuse, Delivery and Servicing Strategy
- FSE2241 - Helios Gateway 1 Fire Statement - Fusion Loughborough - 20.09.23 - 02
- FSE2241 - Helios Stage 2 Fire Safety Strategy - Fusion Loughborough - 02 - 20.09.23
- Bat Survey Report (RSE_6797_R1_V1_BR) prepared by RammSanderson
- Highways Technical Note Report 22-391-20 Response to LHA V01 – Final (002) prepared by Calibro
- 10-19 Residence Management Plan – Loughborough, September 2023 prepared by Fusion
- BREEAM Pre-Assessment Rev A prepared by CPWP
- Phase I and II Ground Investigation V1 prepared by MEC
- Noise Impact Assessment Rev A prepared by Apex Acoustics
- Energy Statement Report 5020028-RDG-XX-XX-MEP-RP-500000 prepared by Ridge

REASON: To provide certainty and define the terms of the permission.

3. Notwithstanding the details shown in the submission of the application, the development hereby permitted shall not reach past slab level until full details of the materials to be used in the construction of the external surfaces and drawings at a scale of 1:10 (including sections) or at another scale agreed by the Local Planning Authority showing external construction detailing of all key elements have been submitted to and approved by the Local Planning Authority in writing. The drawings shall include details of:

- a) windows, cills, reveals, doors and louvers;
- b) wall vents;
- c) copings, parapets, soffits and upstands;
- d) decorative brick detailing;
- e) roof structure (including decorative features)
- f) rain water goods;
- g) soffits and railings);
- i) lighting of communal spaces and buildings;
- j) building signage;
- k) art installations;
- (l) mail boxes;
- (m) elevations of entrance gates
- (n) elevations of bin storage

The development shall thereafter be carried out in accordance with the approved material details and drawings.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area in accordance with Policies CS2 of the Charnwood Core Strategy, Policy EV/1 of the Local Plan, Emerging Policy DS5 the NPPF and the local and national design guide.

4. Notwithstanding the landscaping master plan submitted, prior to the first occupation of the development a soft and hard landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submission details shall include:
- the treatment proposed for all ground surfaces, including hard surfaced areas;
 - planting schedules across the site, noting the species, sizes, numbers and densities of plants and trees; including tree planting within the planting belt to the east of the site;
 - finished levels or contours within any landscaped areas;
 - any structures to be erected or constructed within any landscaped areas including street furniture and means of enclosure;
 - All other boundary treatments;
 - functional services above and below ground within landscaped areas.

The landscaping scheme shall thereafter be implemented in complete accordance with the approved details and within the first available planting season following approval of the detail and the boundary treatment provided prior to the first occupation of the development.

REASON: To ensure that a satisfactory landscaping scheme for the development is provided so that it integrates into the landscape and surrounding area and complies with policies CS2 and CS11 of the Development Plan.

5. Prior to the first occupation of the development a 10 year landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all public open spaces, ecological mitigation areas and surface water drainage systems, shall be submitted to and approved in writing by the Local Planning Authority.

The approved landscape management plan shall then be fully implemented.

REASON: To ensure that public open spaces are maintained so that they are of good quality, in the interests of flood risk and to ensure that drainage systems retain full function. This is to make sure the development remains in compliance with Development Plan policies CS2, CS11 of the Core Strategy, Policy C1 and Policy EV1 of the Emerging Draft Local Plan.

6. The development shall be carried out in complete accordance with recommendations contained in the Bat Survey Report prepared by RammSanderson in August 2023.

REASON: To ensure any harm to the protected species is fully mitigated against as recommended, in accordance with Policy CS12 of the Core Strategy and Policy EV6 of the Emerging Local Plan.

7. No development shall commence until a scheme indicating the number, position and how swift boxes will be integrated into development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme prior to the occupation of the development hereby permitted and shall thereafter be retained and maintained for the lifetime of the development.

REASON: To ensure the scheme for swift boxes agreed in a timely manner and to encourage enhancements to biodiversity, in accordance with Policy CS13 of the Core Strategy and emerging Policy EV6 of the Draft Charnwood Local Plan.

8. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. To include and not limited to

- minimum details of the routing of construction traffic,
- wheel cleansing facilities,
- vehicle parking facilities,

The CEMP shall include a detailed timetable for the provision of the above

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

REASON: To ensure the development accords with Policy CS13 of the Core Strategy and Policies, EV6 of the Draft Charnwood Local Plan and safeguards highway safety during construction.

9. No development shall commence until a detailed scheme for the installation of the proposed external CCTV cameras has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the position and type of cameras to be provided and details of how privacy of residents in and surrounding the development can be secured. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the development hereby permitted and shall thereafter be retained and maintained in perpetuity.

REASON: In the interests of neighbour amenity in accordance with CS2 of the Core Strategy and Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development.

10. The development shall be carried out and managed in accordance with the residence management plan prepared by Fusion Group in perpetuity.

REASON: In the interests of neighbour amenity in accordance with CS2 of the Core Strategy and Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development.

11. No demolition or development shall commence until a construction management plan is submitted to and approved in writing by the Local Planning Authority. The management plan will provide details on the control of dust and smoke during the demolition of the existing buildings and the construction of the proposed building, and proposed times of construction, to be agreed with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved construction management plan.

REASON: To ensure the demolition and the construction of the development hereby approved does not unduly impact upon the local residents to comply with policy DS5 of the emerging local Plan, and to support air travel safety as requested by East Midlands safeguarding authority, having regard to the Strategic Objectives in the Core Strategy Policy SO1 and the NPPF to meet the aims of sustainable Development.

13. The development hereby permitted shall be carried out in accordance with the noise report prepared by Apexacoustics dated 3rd November 2022 (Report No. 10321.1A). The noise mitigation measures contained in the report shall be fully implemented prior to occupation and subsequently maintained in perpetuity.

REASON: In the interests of neighbour amenity in accordance with CS2 of the Core Strategy and Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of future occupiers and the people who live or work nearby and those who live in the new development.

12. No development shall commencement until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the positioning of all external lighting and specification

manufacturing details of the proposed lighting. All exterior lighting shall be capped at the horizontal with no upward light spill. The development shall thereafter be carried out in accordance with the approved lighting scheme and shall remain and be maintained as approved in perpetuity.

REASON: In the interests of neighbour amenity and to ensure the lighting to be provided sympathetic to the character of the canal and the wider area, in accordance with CS2 of the Core Strategy and Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of future occupiers and the people who live or work nearby and those who live in the new development to support air travel safety as requested by East Midlands safeguarding authority, having regard to the Strategic Objectives in the Core Strategy Policy SO1 and the NPPF to meet the aims of sustainable Development.

13. Notwithstanding the details contained in the surface water drainage strategy, no development shall commence until a surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the drainage strategy and prior to the first commencement of the development.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, in accordance with the Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

14. No development shall take place until a management of surface water on site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details.

REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase, in accordance with the Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

15. Prior to the first occupation of the development hereby approved the long-term maintenance of the surface water drainage system within the development shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

REASON: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, in accordance with the Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

16. The development shall be carried out in accordance with the submitted flood risk assessment (ref S01-P02-0001; Flood Risk Assessment, Limehurst Avenue, Loughborough compiled by JBA Consulting; Dated September 2023), the email correspondence from Sean Andrews, Associate Director of Faithful + Gould Project

Management, Dated 24/20/2023 and the Building B-Basement Section 02 drawing, uploaded 19/10/2023 and the following mitigation measures they detail:

- Finished floor levels of shall be set no lower than 40.44mAOD (buildings A2 and B1) and 40.65mAOD (buildings A1 and B2).
- BSI certified flood door installed at basement entrance
- 'tanked' construction and waterproofing in accordance with the Building Regulations and BS 8102
- Basement plantroom floor level at 36.65mAOD
- Threshold of basement plantroom entrance flood door at 36.80mAOD
- Water and sprinkler tanks built off plinths at 36.85mAOD
- Pumps set on plinths at 37.85mAOD, Electrical switchgear serving basement pump sets at 37.85mAOD
- LLS and Substation floor level at 40.35mAOD
- LSS and Substation plant plinths at 40.55mAOD
- Ground level at 40.50mAOD
- Generator and LV switchroom floor level at 40.50mAOD
- Top of 300mm freeboard on entrances to LSS and Substation at 40.65mAOD
- Generator and LV switchroom plant plinths at 40.70mAOD
- entrances to generator and LV switchroom at 40.80mAOD
- Ground level entries to basement accessed over raised waterproof threshold at 40.95mAOD

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON: To reduce the risk of flooding to the proposed development and future occupants in accordance with Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

17. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no reflective materials other than clear or obscure glass, including solar PV, shall be added to the building without the express consent of the local planning authority in consultation with the aerodrome safeguarding authority for East Midlands Airport.

REASON: In the interests of flight safety and to prevent distraction and ocular hazard to pilots using East Midlands Airport No reflective materials to be used in the construction of these buildings.

18. Prior to the commencement of development, a method statement for the construction of building A that indicates how the construction of the building will ensure the structural integrity of the canal is maintained shall be submitted to and agreed in

writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

REASON; To reduce the risk of flooding to the proposed development in accordance with Core Strategy Policy CS16 and emerging Local Plan Policy CC1 and the NPPF.

19. Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of land/ground gas/controlled waters, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
1. A preliminary risk assessment which has identified:
all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways receptors potentially unacceptable risks arising from contamination at the site
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To protect the health of future occupiers of the site and the environment from any possible effects of contaminated land in the interests of neighbour amenity in accordance with CS2 of the Core Strategy and Emerging Local Plan Policy DS5 states that new development will be required to protect the amenity of future occupiers and the people who live or work nearby and those who live in the new development.

22. Prior to each phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON: To ensure that the site does not pose any further risk to human health and environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

23.If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the site does not pose any further risk to human health and environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

24.No development shall take place until a programme of archaeological work which includes a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and method
- The programme for post investigation assessment
- Provision to be made for analysis of the site investigation and recording
Provision to be made for the publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of th site investigation
Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

All works including site clearance shall be carried out in accordance with the Written Scheme of Investigation.

REASON: To make sure that any heritage assets are appropriately recorded and/or protected to allow compliance with policies CS14 of the Development Plan and the advice within the NPPF.

25. Notwithstanding the submitted plans, the proposed northern access shall have a width of a minimum of 6.0 metres and shall be surfaced in a bound material with a 6.0 metre kerbed radii. The access once provided shall be so maintained at all times.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2023).

26. No part of the development hereby permitted shall be occupied until such time as the southern access arrangements shown on Drawing 22-391 20-100 Rev. 04 have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general

highway safety and in accordance with the National Planning Policy Framework (2023).

27. The new vehicular accesses hereby permitted shall not be used for a period of more than one month from being first brought into use unless any existing vehicular accesses on Limehurst Avenue and Canal Bank that become redundant as a result of this proposal have been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework (2023).

28. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 33.0 metres in either direction at the northern access and visibility splays of 2.4 metres by 43.0 metres north and 25.0m south at the southern access have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2023).

29. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

REASON: In the interests of pedestrian safety and in accordance with the National Planning Framework (2023).

30. The development hereby permitted shall not be occupied until such time as the parking and facilities have been implemented in accordance with Drawing FW2253-C-500 Rev. A2. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

31. The development hereby permitted shall not be occupied until such time as secure and under cover cycle parking shall be provided in accordance with details first submitted to and agreed in by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such uses in perpetuity.

REASON: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2023).

32. The development hereby permitted shall not be occupied until such time as a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan must include mitigation measures that would be undertaken during periods of high demand in order to prevent congestion on the local highway network.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally, to encourage sustainable modes of travel, in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

33. No part of the development hereby permitted shall be first occupied until an amended full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

REASON: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2023).

34. No part of the development shall be occupied until such time as a scheme of off-site works providing pedestrian and cycle improvements along Derby Road between Clifford Road and Swan Street, including the the Bridge Street / Derby Road / The Rushes signalised junction, has been implemented in full. The scheme shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

REASON: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2023) and to reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2023).

35. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any orders revoking and re-enacting those Orders), the development site shall not be used for any purpose other than car-free student accommodation use.

REASON: In the interests of general highways safety and in accordance with the National Planning Policy Framework (2023) as a more traffic-intensive development at this site would be inappropriate due to the limitations of the vehicular access and the local road network.

APPLICATION SITE

