

Item No. 3

Application Reference Number P/18/2067/2

Application Type:	Full Planning Permission	Date Valid:	13/11/2018
Applicant:	Future Generation Ltd		
Proposal:	Redevelopment to provide student accommodation ranging from 3-7storeys in a range of purpose built accommodation and approximately 1,702 sq. m. of associated reception area, and flexible commercial space in use classes A1, B1 and D1, (retail, offices, communal areas, community space), together with public realm, landscaping, plant rooms, cycle storage, with servicing, refuse and recycling areas and car parking spaces with new vehicular access from Aumberry Gap following demolition of existing buildings and associated works.		
Location:	Land to the West of Aumberry Gap Aumberry Gap Loughborough LE11 1BG		
Parish:	Loughborough	Ward:	Loughborough Hastings
Case Officer:	Patrick Reid	Tel No:	01509 634747

The application has been brought to Plans Committee as in the opinion of the Head of Planning and Regeneration, it is a proposal of significant public interest and a previous recent application on this site was reported to committee.

Description of the Site and Surrounding Areas

The application site is bounded to the northwest by Pinfold Gate, which includes a row of Grade II listed, two storey, terraced cottages, with the retail core of Loughborough Town Centre beyond with its range of facilities including shops, market stalls, cafes, and other uses. To the northeast the site is bounded by Aumberry Gap, which includes a two storey building (Co-op Funeralcare) and car park; to the southeast by Barrow Street / A6, which is a key route to the edge of the town centre connecting north and south Loughborough. Adjacent is a three storey block of apartments and residential area beyond. The residential development comprises terraced properties in the Moor Lane area. There is also a traffic light controlled junction with pedestrian crossing point at the junction of Barrow Street and Leicester Road.

The application site lies within the Town Centre. There are two Conservation Areas close to the site, including Loughborough Church Gate Conservation Area to the northwest, and Leicester Road Conservation Area, immediately to the south of the site.

Description of the Application

It is proposed to develop the site following demolition of existing buildings, to provide student accommodation comprising a total of 440 student rooms in a range of purpose built accommodation ranging from 3 – 7 storeys, and including approximately 1,702 sq. m. of associated reception and flexible space in use classes A1, B1, and D1, (retail, offices, communal areas, community space). Associated landscaping and amenity space is proposed, cycle storage, refuse and recycling areas. A new vehicular access/egress is proposed from Aumbery Gap.

The scheme consists of a 3 storey terrace block on Pinfold Gate. At Aumbery Gap the development is 4-5 storeys. It is 5 storeys on Barrow Street, with a short 6 storey section linking to 7 storeys on the Barrow Street/Leicester Road corner. Central to the site is a 5 storey block. It was originally proposed that the building would have a rooftop football pitch; this is no longer proposed.

The main pedestrian entrance to the development is from Barrow Street with vehicular access from Aumbery Gap to a shared pedestrian and vehicle courtyard which includes cycle storage. Public realm proposals include a landscaped courtyard to south of the Pinfold Gate terrace block. There are pockets of landscaping and public space associated with pavement widening around the periphery of the building, e.g. next to the Phantom Public House beer garden, including cycle racks and planting, as well as seating areas to Barrow Street and tree planting on Aumbery Gap.

The application is supported by the following documents:

- Design and Access Statement
- Transport Statement and Travel Plan
- Statement of Community Involvement
- Student Housing Management Plan
- Acoustic Assessment
- Energy Statement
- External Lighting Assessment
- Ventilation Assessment
- Landscape Strategy
- Heritage Impact Assessment – with Addendums I & II
- Drainage Strategy
- Phase 1 Desk Study Report
- EIA Screening Opinion
- Daylight Sunlight Assessment
- Fire Strategy
- Student Demand Study
- Tenancy Agreement.

The applicant sets out in support of the application that the following benefits should be considered:

- 29,000 university applications for university places in Loughborough in 2016 (86% from UK residents) up by 45% since 2012, in 2016 there were 7.5 applicants for every accepted place;

- Currently Loughborough has 17,130 students on higher education courses up 11% from 2012/13;
- There are 7,064 purpose built student accommodation bed spaces in Loughborough representing spaces for 45% of total full time students, this equates to a ratio of 2.2 students per bed space (0.45 bed spaces per student). If the current potential pipeline (681 bed spaces with planning) is included the ratio decreases to 2.0 students per bed space. (0.50 bed spaces per student). The current proposal would reduce this by 0.2 to 1.8 students per bed space;
- 16 halls of residence supplied by Loughborough University provide approximately 5,740 bed spaces to students in Loughborough;
- 12 privately operated Purpose Built Student Accommodation blocks within Loughborough. These schemes provide 1,325 bed spaces for students;
- The supply of Purpose Built Student Accommodation has remained almost unchanged since 2012;
- Increased numbers of full-time students in higher education (HE) means traditional student halls of residence have been unable to accommodate the increase in demand for student bed space;
- Students end up in shared accommodation in the private rental sector when they are unable to access traditional student accommodation, (university halls or PBSA) and often reside in second hand housing stock or Houses of Multiple Occupation (HMOs) which present a cheaper housing alternative, but remove housing stock from the local private market;
- HMOs provide competition to Purpose Built Student Accommodation at the lower end of the price and quality scale;
- Local authorities have noticed the impact this HMO based student housing is having on local property markets and local government revenues;
- Charnwood Borough Council has granted HMO licenses against 343 properties (as of December 2017) the total number of HMOs is likely to be significantly higher once all have been inspected.. A recent estimate from Charnwood Borough Council was of 2,077 HMOs, approximately six times more than those currently licenced;
- 20,202 new homes required within Charnwood over the 25 year period (2011 – 2036) to meet current and future need (Leicestershire SHMA);
- Planning Policy Guidance states under Housing and economic development needs for student housing that:

“Local planning authorities should 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. Student housing provided by private landlords is often a lower-cost form of housing. Encouraging more dedicated student accommodation may provide low cost housing that takes pressure off the private rented sector and increases the overall housing stock. Plan makers are encouraged to consider options which would support both the needs of the student population as well as local residents before imposing caps or restrictions on students living outside of university-provided accommodation. Plan makers should engage with universities and other higher educational establishments to better understand their student accommodation requirements.”

Development Plan Policies

Charnwood Local Plan Core Strategy 20011-2028 (Adopted 9th November 2015)

Policy CS1 - Development Strategy sets out the development strategy for the Borough. This focuses housing development in locations around the Leicester Principal Urban Area and Loughborough and Shepshed with three Sustainable Urban Extensions.

Policy CS2 – High Quality Design requires developments to make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access; protect the amenity of people who live or work nearby, provide attractive well managed public and private spaces; well defined and legible streets and spaces and reduce their impact on climate change.

Policy CS3 – We will manage the delivery of at least 13,940 new homes between 2011 and 2028 to balance our housing stock and meet our community's housing needs. This will be done seeking an appropriate mix of types, tenures and sizes of homes, having regard to identified housing needs and the character of the area; and seeking all new housing to be built to 'Lifetime Homes', where feasible.

Policy CS7 – Regeneration of Loughborough - We will make a significant contribution to the regeneration of Loughborough by 2028 by supporting proposals for town centre uses at our strategic regeneration sites in particular those at Devonshire Square and towards the southeast of Loughborough Town Centre in accordance with Policy CS9.

Policy CS9 – Town Centres and Shops – Loughborough Town Centre supports the regeneration of Loughborough to reinforce and enhance the compact and walkable nature, strengthen the retail core and make a significant improvement in the character and appearance of Loughborough Town Centre particularly from key gateways. The principles of the masterplan should be followed unless an alternative higher quality solution is proposed.

Policy CS13 – Biodiversity and Geodiversity seeks to conserve and enhance the natural environment and to ensure development takes into account impact on recognised features.

Policy CS14 – Heritage sets out to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make.

Policy CS15 – Open Space, Sports and Recreation deals with open space and requires all new development to meet the standards in the Open Space Strategy.

Policy CS16 – Sustainable Construction and Energy supports sustainable design and construction techniques. It also encourages the effective use of land by reusing land that has been previously developed.

Policy CS17 – Sustainable Transport seeks a 6% shift from travel by private car to sustainable modes by requiring major developments to provide access to key facilities by safe and well-lit routes for walking and cycling that are integrated with the wider green infrastructure network and by securing new and enhanced bus services where new development is more than 400m walk from an existing bus stop.

Policy CS18 – The Local and Strategic Highway Network seeks to ensure that appropriate highway improvements are delivered and applications are supported by appropriate Transport Assessments.

Policy CS24 - Delivering Infrastructure seeks to ensure that development contributes to the reasonable costs of on site, and where appropriate off site, infrastructure, arising from the proposal through the use of Section 106 Agreements. This is so the local impacts of developments will have been reasonably managed and mitigated.

Policy CS25 – Presumption in Favour of Sustainable Development sets out a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Borough of Charnwood Local Plan 1991-2026 (adopted 12th January 2004) (saved policies)

The policies relevant to this proposal include:

Policy EV/1 – Design seeks to ensure a high standard of design for developments which respect the character of the area, nearby occupiers, and is compatible in mass, scale, layout, whilst using landforms and other natural features. It should meet the needs of all groups and create safe places for people.

Policy EV/31 – Sewage Disposal Capacity seeks to ensure that development proposals address capacity within the foul drainage network.

Policy H/12 – Student Halls of Residence - 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. 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.

Policy CA/7 – Pedestrian Preference in Loughborough Town Centre – Measures will be introduced to limit vehicular access and traffic movement in order to give greater preference to pedestrians and to enable improvements to the pedestrian environment within the following streets:

- i) Baxter Gate (between High Street and Lemyngton Street);
- ii) Devonshire Square;
- iii) Biggin Street; and
- iv) The A6 Corridor (between Derby Square and Woodgate).

In the development of specific schemes the Borough Council will have regard to the particular needs for vehicular access for the emergency services, essential maintenance, people with disabilities, the servicing of shops and businesses, and to private car parks. In addition provision will be made for cycling consistent with pedestrian safety and comfort.

Policy CA/11 – Use of Upper Floors – Planning permission for new built development within Loughborough Town Centre will be granted provided that the development is of a scale appropriate to the centre it seeks to serve, and subject to the provisions set out above and to the inclusion of positive proposals for the use of premises at first floor and above which will contribute to the vitality and viability of the centre. In particular elements of housing should be provided wherever possible.

Policy CA/12 – Shop front design – In granting planning permission for shop fronts in new buildings the Borough Council will require that they be designed as an integral part of the overall frontage having regard in particular to the style, materials and proportions of the building and to the overall character of the area. Shop fronts will be required to reflect the architectural composition of the existing frontage, particularly where a commercial ground floor user crosses several facades of differing character.

Policy TR/18 – Parking in New Development seeks to set the maximum standards by which development should provide for off street car parking dependent on floorspace or dwelling numbers.

Other material considerations

The National Planning Policy Framework 2018 (NPPF)

The NPPF is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development.

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are 3 dimensions to this;

- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation;
- A social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built development with accessible local services;

- An environmental role – contributing to protecting and enhancing our natural, built and historic environment.

Para 11 where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

Paras 7-10 set out the core principles of sustainable development.

In terms of the remainder of the NPPF, relevant sections are as follows:

Section 2: Ensuring the vitality of town centres

Para 85 states that policy should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality; include a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres and recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites; and plan positively for their future to encourage economic activity. Define a network of hierarchy of centres that is resilient to anticipated future economic changes.

Section 9: Promoting Sustainable Transport

Paras 102-111 promote sustainable modes of transport which reduce congestion and give consideration to highway implications together with the use of smarter technologies which reduce the need to travel. Where development results in a severe impact it should be refused unless supported by a viable Transport Statement or Transport Assessment..

Section 5: Delivering a sufficient supply of homes

Paras 59-79 require Local Planning Authorities to significantly boost the supply of land and need for a 5 year housing land supply. Where a 5-year supply cannot be demonstrated relevant policies for the supply of housing should not be considered up-to-date.

Section 12: Achieving well-designed places

Para 127 – developments should be sympathetic to local character and history

Para 129 – LPAs should use and take account of design review processes

Para 131 – Great weight should be given to outstanding or innovative design which help raise standard of design so long as they fit in with overall form and layout of their surroundings.

Section 8. Promoting healthy and safe communities

Paras 91 and 92 – Facilitating social interaction and creating healthy, inclusive communities.

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

Para 153 – Direct development away from areas at high risk of flooding, and it should take account of layout, landform, building orientation, massing and landscaping to minimise energy consumption

Section 15: Conserving and enhancing the natural environment

Para 170 – Developments should promote the natural environment and safeguard protected species.

Section 16: Conserving and enhancing the historic environment

Para 189 – Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paras 195-196 – Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

On decision taking the NPPF advises:

Para 38: Local Planning Authorities should act in a positive and proactive manner in decision making.

Para 47: Re-emphasises the primacy of the Development Plan in decision making

Paras 54 - 57: Set out the tests for the use of planning conditions and obligations.

Planning Practice Guidance

This was launched as a web based resource and replaces a list of previous practice guidance documents and notes, as planning guidance for England and consolidates this guidance on various topics into one location and condenses previous guidance on various planning related issues. The guidance also 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 travel plans, supporting the policy framework as set out in the NPPF.

Leading in Design Supplementary Planning Document (February 2006)

This document encourages and provides guidance on achieving high quality design in new development. Appendix 4 sets out spacing standards for new housing developments to ensure that overlooking and over dominance do not occur and that a good quality design is achieved.

Housing Supplementary Planning Document (2017)

Adopted in May 2017, the SPD provides guidance to support the Local Plan Core Strategy and the saved policies of the Borough of Charnwood Local Plan. Of particular relevance is Chapter 5: Campus & Purpose Built Student Accommodation. In accordance with the Borough of Charnwood Local Plan Policy H/12 additional student housing provision within the campus and in locations with good accessibility by cycle, public transport or on foot to the university and college campuses will be encouraged in principle. In assessing applications for campus student accommodation we will take into account the University's existing sustainable transport plan which is reviewed with Leicestershire County Council on a regular basis.

Leicestershire Housing and Economic Development Needs Assessment (HEDNA) – 2017

HEDNA provides an up to date evidence base of local housing needs to 2036 including an assessment of the recommended housing mix based on the expected demographic changes over the same period.

Town Centre Masterplan 2018

Successive local plans and planning policy documents have promoted the redevelopment of the Aumberry Gap site alongside the balance of the former Baxter Gate General Hospital site. The recently adopted Town Centre Masterplan endorses that policy commitment in reaffirming the sites as a major redevelopment opportunity, providing guidance to assist in the application of policies CS7 and CS 9 of the Core Strategy.

The Masterplan advises that the primary use of the Aumberry Gap site should be residential, including the prospect of student or other specialist housing, with elements of commercial uses at ground floor to assist in the delivery of active frontages.

The Masterplan notes that the site is located on one of the key gateways into the town and that to fulfil a gateway landmark this part of the building may be taller in height than the remainder of the block. It states that states that:

“A majority of the buildings in Loughborough are three storeys in height with some more modern development going up to 4 or 5 storeys. Any significant increase in height above the 5 storey datum will need to be justified by the quality of the architectural solution proposed”

In advocating the regeneration of the site the masterplan recognises that, along with the Baxter Gate site, it is underutilised and occupies a significant part of the “Baxter Gate / High Street Character Area.”

It notes that:

“..... the Aumbery Gap site is currently occupied by a car park and a short row of shops. It is a critical site in the town located at the southern gateway and currently presents a poor first impression to visitors. Further development opportunities are presented by the undeveloped portion of the Baxter Gate site located to the rear of the Cineworld development. This site is currently occupied by a single storey health centre and car park but offers potential to connect through to Baxter Gate.

It also confirms that:

“.... interest by developers in the student housing sector in Loughborough relates to the internationally renowned University of Loughborough, located a few kilometres west of the town centre in a campus style setting. Around 17,000 students are enrolled at the University. The University itself is building additional student accommodation, amounting to 600 beds. This suggests that there is demand for additional stock and student numbers are expected to grow.

Offering a range of student accommodation and locations is likely to appeal to students. This would be expected to include a mix of on and off campus locations, including in the town centre. A number of local authorities have sought to direct student activity into the town centres as part of regeneration strategies – for example, Southend and a new college in the heart of the town. The development at Woodgate demonstrates that student development can be a viable proposition.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duty in respect of listed building and requires that in exercising this duty an Authority should have special regard to the desirability of preserving the building and its setting.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority's planning function special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

The Community Infrastructure Levy Regulations 2010 (CIL) (as amended)

The Regulations set out the process and procedure relating to infrastructure requirements. Regulation 122 states that it must relate in scale and kind to the development. Regulation 123 precludes repeat requests for funding of the same items (pooling). The Community Infrastructure Levy (CIL) places the Government's policy tests on the use of planning obligations into law. It is unlawful for a planning obligation

to be a reason for granting planning permission when determining a planning application for a development, or part of a development, that is capable of being charged CIL, whether or not there is a local CIL in operation, if the obligation does not meet all of the following tests:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

Environmental Impact Assessment Regulations (2017)

The Environmental Impact Assessment Regulations set out the parameters, procedures and Regulatory detail associated with the screening, scoping and preparation of an Environmental Statement and consideration of significant environmental impacts of development. For residential development the threshold to consider under Schedule 2 developments are 150 dwellings or 5 hectares (Criteria 10(b)).

Relevant Planning History

P/94/0749/2 and P/94/1074/2 - granted planning permission for vehicle repairs with a car park, and exhaust and tyre fitting centre and this forms the basis for the current use on the site.

P/09/1125/2 - Change of Use of unit to hand car-wash facility was refused P/13/0021/2 was granted for the Change of use of land for business/public car parking on 24/04/13.

P/17/1570/2 – (Advice) Redevelopment of site to provide student accommodation and associated development

P/18/0250/2 – Redevelopment to provide student accommodation ranging from 3- 12 storeys in a range of purpose built accommodation and approximately 1,774 sq. m. of associated reception area, and flexible commercial space in use classes A1, B1 and D1, (retail, offices, communal areas, community space), together with public realm, landscaping, roof terraces and football pitch with associated green roofs, plant rooms, cycle storage, with servicing, refuse and recycling areas and car parking spaces with new vehicular access from Aumbery Gap following demolition of existing buildings and associated works. Planning permission refused. This refusal of planning permission is the subject of an appeal which would be considered at a Hearing. No date has been agreed for the Hearing and the appeal is currently held in abeyance until 8th April 2019, pending the outcome of the application which is the subject of this report.

It is noted that nearby the Baxter Gate regeneration scheme also delivered the cinema and other retail and leisure developments. Planning applications for large student housing developments were refused in applications considered in 2006/7 and 2008/9 and both were subsequently dismissed on appeal. The primary issues were related to design (references APP/X2410/A/07/2054662– LPA Ref: P/06/2325/2 and APP/X2410/A/08/2090584 – LPA Ref: P/08/1555/2). The first of these appeals related to a building of between four and seven stories high opposite the Magistrates Court.

While supporting objections to elements of the design of that scheme, the Inspector considered that in relation to the height of the building it would not look out of place in that particular location as it would reflect the height and mass of the Magistrates Court.

Response of Statutory Consultees

Leicestershire County Council Highway Authority

No objection, subject to conditions and developer contributions. In summary, the issues are:

- There would be a single access to the development off Aumbery Gap with the loss of three on-street parking spaces. To compensate for this loss the existing parking bays on Pinfold Gate would be extended to provide three additional spaces. Details to be agreed through Traffic Regulation Order process, which may be a different configuration of new spaces.
- Footways surrounding the site would be resurfaced.
- Management Plan to control use of 6 parking spaces on site for drop off/pick is acceptable.
- Arrangements for service vehicles is acceptable.
- Proposal for 110 secure cycle parking spaces for residents and 56 cycle spaces for general use is acceptable.
- Confirmed that no part of the building will overhang the highway.

Eight planning conditions are recommended relating to construction of access; construction traffic management plan; car parking management plan; provision of parking spaces and agreement of travel plan.

Seek contributions to process of Traffic Regulation Orders and monitoring fee.

Leicestershire County Council – Lead Local Flood Authority

No objection subject to planning conditions.

Environmental Health

No objection subject to planning conditions relating to securing appropriate residential environment through glazing and air quality, managing the development due to possible contamination and construction process.

Charnwood Borough Council Open Space Team

No objection subject to developer contributions to town centre parks and town centre public realm, including play equipment for young people.

Sport England

No comments as the proposal does not impact upon existing sports facilities.

Historic England

Proposals would constitute less than substantial harm.

West Leicestershire Clinical Commissioning Group

Request contribution for refurbishment and re-configuration of local medical practices to provide increased capacity to accommodate patients who would be generated by this development.

Severn Trent Water

No objection subject to planning conditions.

Leicestershire Police

Generic comments and advice relating to parking, fencing, landscaping and installation of alarms.

Third Party Representations

Loughborough University

The University has submitted two letters of representation. The first confirmed their satisfaction that there had been a reduction in scale of development but they remain concerned about the massing of the proposal and impact upon the character and appearance of the area. They considered it was likely there would be an increased adverse impact upon residential amenity from pedestrian movements between the university and town centre. To this end they seek a contribution towards the 'Student Street Support Scheme'.

The University advise the applicant's student number and demand supply calculations need to be treated with caution.

The University's second response claims they are reassured following a meeting with the applicant, about scale of development and are pleased with applicant's willingness to discuss the impact of increased footfall. They note that the development will change the pattern of student pedestrian traffic in the town, not necessarily negatively. Could be mitigated by Student Street Support Scheme.

President of Loughborough Students Union

Supports the application and considers that the development, with the provision of shared space would help to develop better relationships between students and the local community. Notes that the applicant has a record of providing quality spaces, which would promote comfortable living and excellent study opportunities.

Loughborough Town Team

Welcomes beneficial development of largely vacant site, which is identified as an 'opportunity site' in the Masterplan.

Consider that the revised scheme is more proportionate in scale and massing, but are concerned about impact upon listed cottages on Pinfold Gate.

Suggest that the mass of building could be broken up by the use of palette of contrasting materials.

Park View Medical Surgery

Surgery has insufficient capacity to accommodate additional patients.

Councillors

Councillor Draycott – Amended application is far better than scheme which was refused. Remains concerned about impact upon amenities of neighbours on Pinfold Gate. Notes that site requires adequate drainage and questions adequacy of parking. Risk that development is not filled by students. Local need is for affordable housing.

Councillor Smidowicz – Objects to the application, but appreciates efforts made to amend the design. Would have a dominating effect upon conservation areas in the town and three local landmarks; University Tower, The Carillon and All Saints Church. Questions need for additional student accommodation and reliance upon UCAS figures. Inadequate parking and LCC, Police and University are unable to successfully enforce current parking restrictions. Would disturb amenities of neighbours and would not make a significant contribution to local economy.

Public Comment

158 letters of support have been received from students, local residents and local businesses, the majority of which are a pro-forma letter.

The key reasons for supporting the application include:

- Proposals (in particular the community facilities) will be a significant and much needed facility for both students and the wider population
- Need for regeneration and the site is poor quality
- Will support local enterprises and boost the vitality and viability of the town centre.
- Meet need for high quality student accommodation
- Result in release of HMOs.

25 Letters of objections from residents have also been received. Their objections can be summarised as follows:

- Development is too high and too large
- 3-4 storeys would be acceptable

- Overbearing and out of character with the area
- Conflicts with the Masterplan
- Would not enhance this approach into the town on a key gateway site
- Adverse impact upon heritage assets
- No need for more student housing
- Loss of/lack of parking
- Impact on traffic
- Result in loss of town centre shops
- Noise and disturbance from students and general adverse impact upon residential amenity
- There are other better uses for the site
- Local facilities (doctors) unable to accommodate proposal.

Other Comments

The proposal was assessed by an independent Design Review Panel (OPUN) on 4th December 2018. In summary the panel considered that:

The scheme offers many positives, including a significant reduction in the overall impact of the development due to much reduced building heights; provision of large areas of active building frontage with good visibility from the street and a development which now more closely references the design parameters identified for the site in the Loughborough Town Centre Masterplan.

The main issues to be addressed included:

- i) Strengthening the proposed Heritage Impact Assessment to comply with national guidance which should include technical detail on the images provided, discussions with Charnwood BC to agree viewpoints, in particular verified views from strategic routes into the town centre, and more clarity in terms of the assessment of the impact of the development on high status heritage assets.
- ii) Further work could usefully be undertaken in revisiting/strengthening the design concept, in particular the relationship of the gateway/landmark corner building with the main buildings.
- iii) The development of the landscape proposals to ensure the design ambition, for example provision of street trees, can be fulfilled.

Consideration of the Planning Issues

This application is for full planning permission as explained at the beginning of this report and the key considerations are the following:

- Principle of development, Housing Land Supply and Regeneration of the Town Centre
- Student Accommodation in Loughborough and relationship to the University
- Design and layout
- Heritage
- Relationship to neighbouring properties

- Flooding and Drainage
- Ecology and Wildlife
- Highway safety, servicing and parking
- Environmental Impact Assessment Regulations
- S106 developer contributions

Principle of development, Housing Land Supply, Regeneration of the Town Centre

The application site is located within the town centre on a key gateway location. Policies CS1, CS7 and CS9 seek to ensure that developments are promoted in town centre locations and the application site is previously developed land which is a benefit of the proposals. The site is sustainable in terms of its location and relationship to public transport including buses and the train station.

Policy CS1 clarifies Loughborough's role as a main town in Charnwood and a key focus for services, facilities and sustainable development. The area is within the Baxter Gate and the Inner Relief Road corridor where regeneration is supported by Policy CS7. While the proposal is not in the Town Centre Core Area, as defined by the Core Strategy, it is a site where, in addition to Policy CS7, regeneration with town centre uses is also encouraged by Policy CS9.

In considering the housing supply situation in accordance with paras 73-75 of the NPPF, the Council's position is that it has 5.93 years supply of housing land as of 31 March 2018. Consequently, full weight can be given to the policies of the Core Strategy. Notwithstanding the current position, the application would contribute 440 small units to housing land supply in a sustainable location.

The aims and ambitions and the growth of Charnwood as a Borough should also be noted in terms of future housing growth (e.g. the Economic Strategy 2050) and national reports (GOAD Experian Ranking and Javelin Venuescore Index) that Loughborough as a town centre is performing poorly in terms of the town centre vitality and viability in comparison to other University Towns and those of a similar size. By contrast Loughborough University is considered to be a world class learning and research establishment which consistently ranks highly in the Top10 learning establishments in the UK.

The Town Centre Masterplan, whilst not a statutory planning document and does not form part of the development plan, has been subject to stakeholder engagement and public consultation and represents the latest iteration of a long standing policy commitment to the regeneration of the application site. It is therefore a material consideration that should be accorded weight in decision making. The purpose and status of the Masterplan is set out in its introductory section; that is, amongst other things, to build partnerships, raise awareness of development opportunities, provide an evidence base for the review of the local plan and assist in the assessment of planning applications. This Masterplan was approved by the Council's Cabinet on 12 April 2018. It sets out the vision and broad aims and objectives for the town centre.

The Masterplan recognises that the site is a key gateway site into the town centre and seeks to improve the links into the town centre along the key gateways, particularly for pedestrians and cyclists and the public realm. The document seeks the development

of the site and a high quality designed solution with the potential for landmark development on the corner of Leicester Road and Barrow Road. It is noted that the site has also been mentioned in previous versions of the Masterplan and its redevelopment has not been delivered.

Considering the constant requirement to maintain housing land supply, future plans for growth, and the town centre's performance, there is a need regenerate the town centre. An increase in the resident population of the town centre would contribute towards the viability and vitality of the town centre.

The proposals also include commercial space and a community hub. There would be access to these facilities for the surrounding population and there would be social benefit arising from this aspect of the development. The use of this space would be secured by the proposed section 106 agreement.

The applicant estimates that the delivery of the scheme could generate significant investment into the town centre equating to the region of £50m directly from the development and £142m indirectly.

The proposed range of uses are supported in principle and would be in accordance with policy CS1, CS3, CS7, CS9 and CS25 of Charnwood Core Strategy and the aims and objectives of the National Planning Policy Framework in sustaining and developing town centres and the Town Centre Masterplan.

Student Accommodation in Loughborough and relationship to the University

Core Strategy Policy CS3 alongside Saved Local Plan Policy H/12 and the Housing Supplementary Planning Document are relevant considerations. Policy CS3 seeks to secure an appropriate mix of types, tenures and sizes of homes, having regard to identified housing needs and the character of the area. Policy H/12 supports 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.

The comments of the University, which question the use of UCAS applications to predict future student numbers, should also be given some weight.

HSPD16 of the Housing SPD stipulates that additional student housing provision within the campus and in locations with good accessibility by cycle, public transport or on foot to the university and college campuses will be encouraged in principle. The application site is within walking distance of the University and in a sustainable location.

A Knight Frank Student Accommodation Survey, undertaken with partners UCAS (and submitted in support of the application) notes a growing demand for high quality Purpose Built Student Accommodation (PBSA) in the UK. Students in Purpose Built Student Accommodation are typically happier with their accommodation than those living in the private rented sector. Students reported that the standard of their accommodation had a bearing on their well being.

The survey notes that at 681 bed spaces (9.5% of existing PBSA supply) Loughborough has one of the lowest Purpose Built Student Accommodation development pipelines across the UK. Similar sized towns in terms of Purpose Built Student Accommodation provision, such as Canterbury, Brighton, Bournemouth and Lancaster have pipelines in excess of 20% of existing stock.

The University considers that UCAS applications should not be taken as an indicator of either future numbers of students or demand for student housing. Councillor Smidowicz also has serious doubts about the veracity of this evidence and the application of national data to a local situation. The Knight Frank study assesses both applications and acceptance data from UCAS and consequently the figures which are produced are considered to be relatively robust. They point to the latest UCAS figures, which indicate that the number of students which Loughborough University accepted increased by 330 between 2017 (3,980) and 2018 (4,310).

On balance, while this evidence is mainly one sided, it does point to a need for Purpose Built Student Accommodation in the town, which should be given some weight in the determination of this application. The proposal would therefore generally be in accordance with policy CS3 and saved local plan H/12.

Design and Layout

Saved Policy EV/1 of the Local Plan and Policy CS2 of the Core Strategy are material considerations in this respect alongside the Leading in Design SPD and guidance contained in the NPPF.

The Town Centre Masterplan, as referenced above, confirms that the site currently presents a poor first impression for visitors to the town and is located at a gateway site. The Masterplan also includes a visual image of a contemporary and landmark design solution to the corner by way of an example of contemporary architectural treatment.

The comments of the independent Design Review Panel which are generally supportive of the proposal should be given significant weight.

The application site, as existing, is a poor mix of low industrial buildings, fencing and hoardings. To Pinfold Gate there are two commercial premises which are also of limited quality which would be demolished. Barrow Street (Jubilee Way) presents a significant barrier due to the width and speed of traffic and to pedestrian movement, to and from the town centre.

This application is the third iteration of a design for the development of this site. In addition, the application has been amended and additional information provided in response to the Design Review Panel's comments of December 2018 (see above). While it is useful to understand the genesis of the application, all applications must be considered on their individual merits and, particularly given the prominent location, it is important to secure a well-designed high quality scheme which sets a high benchmark for future town centre development rather than one that is simply better than a previous iteration.

Members may recall that planning permission was refused in July 2018 (P/18/0250/2) for a 612 room scheme with most of the buildings being 7-8 storeys and a 12 storey tower (reduced from an original 15 storeys). It was considered that the height, scale, and bulk of the buildings failed to respect the context of this town centre site. It would have had a significant adverse impact upon the character and appearance of the town centre in general and the surrounding nearby buildings in particular.

The applicants subsequently engaged in informal discussions with officers to see whether it was possible to overcome this objection. This is not unusual in these circumstances. A revised 528 room scheme with 3-8 storey buildings and a 11 storey tower was considered by a Design Review Panel in October 2018. In summary, it was considered that the amended scheme failed to overcome the concerns of the Design Review Panel and officers about the original proposal.

Nevertheless, in October 2018, shortly after the Design Review Panel meeting, the current planning application was submitted. It originally proposed the scheme which had been presented to the Design Review Panel but without taking on board their comments. In November 2018 it was amended to a 440 bed scheme with 3-5 storey buildings and a 7 storey feature.

This scheme was therefore presented again to the Design Review Panel in December 2018 (see summary of advice and points i) – iii) above). In response to their comments the application was further amended as follows:

- i) An extensive assessment of the impact of the proposal upon key heritage assets was undertaken. This comprised producing photomontage images from agreed viewpoints on strategic routes into the town. These illustrated the relationship between the proposal and the high status heritage assets of All Saints Church and the Carillon tower.
- ii) The design concept was strengthened by two alterations to the 7 storey element of the proposal. The fenestration pattern was changed to long slot windows, giving greater prominence to the windows in the tall section and helps to differentiate this from the lower perimeter block buildings. Secondly, the taller corner element would be faced in a different material. Bronze metal cladding is proposed. This is different in texture from the brickwork on the other buildings, but would be tonally similar.

The application now being considered proposes a perimeter style development with a central courtyard. The proposals present a contemporary design solution, using brick detailing, which would include deep recesses to the windows and a variety of ground floor treatment which would allow for the creation of front doors, particularly to Pinfold Gate.

The two long elevations of the site, fronting Aumbery Gap and Jubilee Way, have articulated floor plans which present a series of linked facades. These allow light and shadow to produce a dynamic building which is difficult to accurately represent in a two dimensional image.

The design of the buildings and choice of materials result in a lightweight building which respects Loughborough's market town setting. The main brick structure sits on

a glazed ground floor, which has the appearance of a light plinth. Vertical glazed panels separate the different elements of the building and the taller element would be faced in a contrasting material. In addition, part of the Leicester Road elevation would have a green wall. As a result, the building would be seen as a series of elements and planes rather than a homogeneous façade.

The layout complies with all of the development principles proposed in the Town Centre Masterplan. The development follows a perimeter block pattern; the development faces onto all of the surrounding streets and building height is appropriate to the local context; active ground floor uses are proposed; and the buildings along Pinfold Gate are limited to 3 storeys in height to respect the setting of the listed cottages opposite.

The Masterplan identifies Baxter Gate and Aumbery Gap as an opportunity site. It emphasises the significance of the design of the building at the Leicester Road/Jubilee Way junction which is a key gateway into the town. It states: *“to fulfil a gateway landmark this part of the building may be taller in height than the remainder of the block. However, the height of this element must be in keeping with the local character. A majority of the buildings in Loughborough are 3 storeys in height with some modern development going up to 4 or 5 storeys. Any significant increase in height above the 5 storey datum will need to be justified by the quality of the architectural solution proposed.”*

In accordance with those principles the majority of this development is proposed to be no more than 5 storeys high. The buildings fronting Aumbery Gap and Jubilee Way and the separate building in the centre of the site are this height. The frontage to Pinfold Gate is 3 storeys high.

The relatively small footprint of the block on the corner of Leicester Road and Jubilee Way is 7 storeys in height. This is also in accordance with the development principles of the Masterplan. This increase in height, with a change in design and materials, differentiates this corner element from the other buildings. The design solution incorporates a number of features to accentuate the corner element, without the need to greatly increase the height. These features are glazed recess strips to help provide a separation gap between the taller element and the lower elements; the ground floor window treatment of the taller element is purposefully different from the glazed ground floor of the lower elements, with facing material coming down to the ground to provide a solid base to the element; the top floor window treatment carries up to the parapet line to differentiate it from the other elements and present a much lighter, broken roofline.

The proposed design includes a strong frontage to Jubilee Way which would break down the dominance of the highway infrastructure and would remove the dominance of the blank cinema façade to Baxter Gate as the entrance to Loughborough, which in itself is of significant mass and scale.

The development of this site will help to establish the context for future new development in the town centre. It is considered that buildings of this quality and design would set the appropriate tone for future development.

The applicant has provided information on long distance views for consideration. Views of the town from the south east are from rapidly rising ground and the majority of views offer an experience of looking down on the town rather than across, resulting in less definition between taller and shorter buildings. Evident in these views are the Church of All Saints, the Carillon Memorial, the Telecommunication block to the rear of the former Post Office building, Loughborough University School of Art and the tower block on the main University campus. The townscape is therefore evolving and adapting with new development providing a contrast to the distinctive architecture of the Church and Carillon Memorial.

While the tower block on the University campus can be seen in this view, its location at some distance from the main part of the town means that it does not form part of the general townscape.

The applicant has undertaken a photographic survey and evaluation of the impact of the development from distant viewpoints around Loughborough and this demonstrates that the proposed development will not have a detrimental visual impact on views of All Saints Church tower, the Carillon memorial and the overall townscape character. This is referred to in more detail in the assessment of the impact of the proposal upon heritage assets (see below).

While there are high buildings in parts of the town centre, the area around the application site is characterised by three storey buildings, with both flat and pitched roofs. It is accepted that due to the width and scale of Barrow Road (Jubilee Way) there have been other recent examples cases where taller buildings have been accepted on this road. New buildings such as the Magistrates Court do not look out of place in their specific context. This application site is different to other parts of Barrow Road/Jubilee Way. It is located at a junction on a main approach into the town, where any new development would have a close relationship with a mixture of traditional and new buildings in the town centre.

A predominantly 5 storey high building in this location would relate well to both the town centre and Barrow Road/Jubilee Way. It is considered that buildings on Barrow Road/Jubilee Way would have sufficient scale to make a positive contribution to the design and layout of this new section of wide road. At the same time the detail of the buildings and the glazed, lightweight ground floor with active frontages would enhance the vitality and activity of this part of the town centre. The improvements to the public realm and the permeability of parts of the site are also positive elements which should be given considerable weight.

Overall, it is considered that the proposals are in accordance with Saved Policy EV/1 of the Local Plan, Policy CS2 of the Core Strategy and guidance provided in the recently approved Loughborough Town Centre Masterplan. The buildings would respect the context of this town centre site and would have a generally positive impact upon the character and appearance of the town centre.

Heritage

Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an authority's planning function, special attention shall

be paid to the desirability of preserving or enhancing the character or appearance of Listed Buildings and Conservation Areas. The National Planning Policy Framework at paras 189 and 190 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset.

The site lies immediately to the southeast of Loughborough Church Gate Conservation Area and north west of the Leicester Road Conservation Area as extended by the recent review. Pinfold Gate Cottages, a Grade II listed group of buildings is opposite the application site.

At present, with the discordant mix of commercial buildings, hoardings and tarmaced car parking and servicing areas significantly detract from the character and setting of the Conservation Areas and results in area of fragmented townscape.

The views and entrances across the site are dominated by the blank Cinema façade which forms a significant and undesirable expansive feature to the setting of the Church Gate Conservation Area and as an arrival point to the town centre. Given the size and scale of this feature it would take a building of substantial form to reduce the dominance of this harm to the townscape which dominates the Church Gate Conservation Area. It is considered that this proposal would help to screen the unsightly rear elevation of the cinema from a number of key vantage points.

Historic England considers that the proposals would result in less than substantial harm to the adjacent Conservation Areas and nearby listed buildings and there is no reason to disagree with this assessment.

In response to the comments of the Design Review Panel in December 2018 the applicants have produced Addendum II to their Heritage Impact Assessment (HIA). In addition to previously submitted assessments and photomontages and at the request of officers, Addendum II produced visualisations of the town and heritage assets from the north and the east with the proposed development highlighted. These illustrate that the key heritage assets in the town, the Carillon Tower and All Saints Church, would continue to be the dominant features on the skyline from these vantage points. While the proposed development would be visible from a few of the vantage points it would not diminish the prominence of the heritage assets. When viewed from outside the town the proposal would be mainly screened behind existing buildings or vegetation. Consequently, it is considered that there would be no impact upon the setting of these listed buildings

The proposal has an acceptable relationship with the setting of non-designated heritage asset (the Phantom PH) adjoining the application site and the designated heritage assets close to the site; the listed cottages on Pinfold Gate. The layout and architectural quality of the proposal will improve the setting of these heritage assets through the removal of poor quality buildings and the fencing and hoarding which are poor quality features. In particular the setting of the listed cottages on Pinfold Gate will be enhanced by the proposal.

Views from within the Church Gate Conservation Area along High Street and beyond the conservation area boundary towards Leicester Road make a contribution to its character. Likewise views in the opposite direction along Leicester Road towards the

site contribute to the character of the setting of the Leicester Road Conservation Area. The proposed building will be a significant visual element, but without interrupting the continuity of the diminishing perspective within these views.

When considering the harm caused by the proposal in-the-round, it is concluded the overall effect on the significance of the heritage assets and their setting would be less than substantial. In this regard therefore paragraph 196 of the Framework will apply. Concluding less than substantial harm does not mean that great weight should not be given to that harm in the planning balance. In this instance the harm should not be viewed as considerable.

In conclusion and in accordance with the guidance contained within the NPPF and Core Strategy Policy CS14 the proposed development will result in less than substantial harm to the heritage assets. Even given this less than substantial harm has weight in the planning balance, as required by paragraph 196 of the NPPF, it is considered that harm is outweighed by the public benefits of the scheme as set out elsewhere in this report. Principally, these are the development of a mainly vacant site which would support the regeneration of the town centre; provision of student housing; improvement in the appearance of the site to the benefit of the overall character and appearance of the town centre; 200 construction jobs and 20 jobs once buildings are operational; and provision of community facilities.

Relationship to neighbouring properties

Saved Policy EV/1 of the Local Plan and Policy CS2 of the Core Strategy are the relevant development plan policies in this respect. The supporting letters from local businesses, residents and those in objection have all been balanced and carefully considered.

The key relationships are the local residents adjacent to the site. The proposals are supported by a Light Assessment which demonstrates that the proposals would not unacceptably impact on amenities or daylight and that sunlight levels would remain above World Health Organisation guidance in this respect.

The proposals, particularly on Pinfold Gate, have been designed to be 3/4 storeys (the fourth storey would be in the roofplain) and the proposals would slope up to the higher storey heights on Barrow Street.

The site is in the town centre adjacent to the Phantom Public House. There is unlikely to be any significant impact upon the pub as the Phantom has external entertainment space and the town centre public realm and night time economy is lively and is likely to have higher ambient noise levels than a suburban environment.

Overall it is considered that the local amenity impacts of the proposals have been addressed in the proposal and evidence in the supporting documents and therefore it is considered the design of the proposals would not result in a significant adverse impact on neighbouring and nearby residential amenity would be in accordance with saved Policy EV/1 of the Local Plan and Policy CS2 of the Core Strategy.

In addition to the impact of the development upon immediate neighbours, concerns have been expressed about noise and disturbance elsewhere in the town as students walk between this site and the university campus. Although it must be noted that while the development will change the pattern of student pedestrian traffic in the town, this may not necessarily have a negative impact upon the town.

The university operates a Student Street Support Scheme a number of evenings every week. This aims to provide welfare support to students and to minimise noise disturbance to local residents from students. Professionally trained street officers patrol streets close to the university and the main pedestrian routes between the campus and the town centre.

This development would create additional pedestrian traffic between the town centre and the university campus, which could have an adverse impact upon the amenities of residents. The university has requested a developer contribution to increase the capacity of this scheme to help mitigate disturbance from the future occupiers of the application site. Subject to a suitable, proportionate contribution being agreed it is considered that this request is reasonable and that it would meet the requirements of the CIL Regulations. The applicant has agreed to pay the contribution. At the time of writing this report those details had not been finalised, but full details will be provided to Members at the Plans Committee meeting.

Flooding and Drainage

Policy CS16 of the Core Strategy encourages sustainable design and construction and directs development to locations within the Borough at the lowest risk of flooding, supporting developments which reduce flood risk elsewhere, and requires new developments to manage surface water run off with no net increase in the rate of surface water runoff for Greenfield sites.

Paragraph 155 of the Framework requires local planning authorities to ensure that, when determining planning applications, flood risk is not increased elsewhere and to only consider development in areas of flood risk where, informed by a site-specific flood risk assessment, it will not put the users of the development at risk.

The site falls within flood zone 1, where flood risk to future occupiers would be minimal. Therefore it is considered that development of this site is acceptable in terms of flood risk as it has been directed to an area at lowest risk of flooding. Therefore the application meets the principles of paragraph 155 of the Framework. However, there is a requirement to demonstrate that sustainable drainage methods are employed and that the development of the site would not result in increased flooding elsewhere as a result of the increased requirements of drainage and hard surfacing. The applicant is committed to this approach, which would be secured by a planning condition.

The comments and concerns of residents and the LLFA, which does not object to the scheme, have been carefully assessed and it is considered that the proposals are in accordance with Policy CS 16 of the Core Strategy.

Ecology and Wildlife

Policy CS13 of the Core Strategy seeks to ensure protected species are not harmed as a result of development proposals and wherever possible enhance the potential through landscaping and drainage solutions to provide development that promotes ecological benefit. Saved Policy EV/1 of the Local Plan and Policies CS2 and CS16, of the Core Strategy seek to ensure that appropriate designs and layout are provided which delivers high quality design and the provision of green roofs and a green wall help to combat the 'heat island' effect of urban development is also a relevant consideration in this context.

Given the current low ecological value of the site and the proposal to include an area of green roofing and a green wall, to the application is unlikely to result in net biodiversity loss and potentially, depending on the final detail, could result in net gain. The "Below Ground Drainage Strategy Report" identifies that fact that the precise design of the green roofs will have a bearing on their value to wildlife. The design of these roofs could be provided as part of a landscaping scheme which could be considered as a planning condition on any permission.

Overall subject to appropriate planning conditions the proposals would be considered to accord with policy CS13 of the Core Strategy and relevant guidance within the National Planning Policy Framework.

Highway Safety, Servicing and Parking

Policy CS17 of the Core Strategy seeks to provide a genuine choice for our community to walk, cycle or take longer trips on public transport. Development is expected to be managed in ways which secure improvements or results in an efficient and effective transport network. Policy CS18 of the Core Strategy seeks to maximise the efficiency of the local and strategic road network by 2028 by requiring new developments (including this application) to deliver an appropriate and comprehensive package of transport improvements.

Paragraph 111 of the NPPF states that developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. It further states that decision makers should ensure that the opportunities for sustainable transport modes have been taken up, safe and suitable access to the site can be achieved and improvements can be undertaken within the transport network that cost effectively limits the significant impact of the development. Development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

The application site is located in a sustainable location. There are a number of bus routes and stops in the locality and the proposals are located within easy walking distance of the town centre and the University. The multifunctional use of the ground floor would also promote further activity for both future residents and the local community and promote walking into the town centre.

The comments of the local residents and councillors have been considered. The site is well located in close proximity to the Beehive Car Park and other town centre car parks. The Town Centre Masterplan does not identify this site for a car park.

The applicant is an established student housing operator. The proposals have been designed on their management and tenancy agreement and their operational needs based on their experience around the country. The operator uses a no-car agreement for proposed tenants and they have experience of enforcing this elsewhere. The operator would work with the University to manage beginning and end of term movements. All of these measures would be secured by the proposed section 106 agreement. The Highway Authority considers that this would be acceptable.

The applicant has also demonstrated that deliveries and servicing can take place within the site, with no objection from the Highway Authority.

Overall, considering the sustainable location of the site and the information provided in relation to management which could be secured through a s106 Agreement, and taking account of the existing use which generates a level of traffic movement, together with the appropriate provision of car parking and servicing, the proposals would not result in a significant adverse impact on highway safety.

In light of the above it is not considered that there are any sustainable highway related concerns relating to these proposals.

Environmental Impact Assessment Regulations

Since the original screening opinion was issued, officers have reviewed the application, in light of the updated and current regulations, and consider that the proposals would not be EIA development requiring an Environmental Statement to be provided.

S106 developer contributions

Policies CS15, CS17 and CS24 of the Core Strategy requires 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.

In this case policy CS15 relates to the provision of open spaces, including enhancing the public realm; CS17 seeks to encourage measures which promote sustainable development and CS24 generally seeks to ensure the delivery of infrastructure to mitigate the impact of new development.

This would be in accordance with the Framework and Community Infrastructure Levy (CIL) Regulations to mitigate to the impact of the proposals.

On-site provision

- The Applicant's Assured Shorthold Tenancy Agreements (ASTs) and no car policy and management structure as submitted will also be appended.

- Community Facilities - Provision of ground floor accommodation at nominal rental for local community groups.
- The delivery of these elements will be secured through the S106 legal agreement.

Off-site contributions

- Town Centre Parks - £ 5,778.29
- Town centre Public Realm (including play equipment for young people) - £49,329.39
- The process of Traffic Regulation Orders - £7,500
- Monitoring fee for STARS (Sustainable Travel Accreditation and Recognition Scheme) - £6,000
- Healthcare – The West Leicestershire Clinical Commissioning Group have calculated that £35,948 is necessary to increase the capacity of local health care facilities
- Student Street Support Scheme – Contribution to increase capacity of street patrol staff.

Planning Balance

Overall, the proposals have been carefully assessed against the comments and consultation responses received and the policies of the Development Plan and the National Planning Policy Framework.

On the basis of the information submitted by the applicant, the benefits of the proposals could be the regeneration of a prominent town centre site, with substantial direct and indirect benefits to the local economy. It is estimated that the proposals would create approximately 200 full-time jobs during construction and 20 full-time jobs once the buildings are operational.

The proposal provides facilities that could be accessed by the local community and businesses, with flexible spaces alongside student housing.

The proposals could also decrease pressure on existing HMO provision in the town, presenting an opportunity for some of these properties to revert to C3 dwellings or to accommodate private / local residents.

The provision of housing in general and student accommodation in particular would meet an identified need.

The concerns regarding traffic management and movement are mitigated by the applicant's control over car parking via their Assured Shorthold Tenancy agreements (ASTs) and their on-site management team.

The proposal would support the development strategy in the Core Strategy, encourage regeneration of Loughborough and the Town Centre, in accordance with policies CS1, CS7, CS9 and CS25, which must be given considerable weight.

On balance, it is considered that due to the benefits of the scheme which are outlined above, there is no conflict with policy CS14 which seeks to conserve heritage assets.

Policy CS2 specifically refers to the need for proposals to respect and enhance the character of the area, having regard to issues which include scale, massing and height of development. The amended scheme has satisfactorily addressed the points highlighted by officers and the Design Review Panel. The scale of the buildings and the high quality design and finish of the proposal would ensure that the development would have a satisfactory relationship with the town centre in general and neighbouring development in particular. The proposals therefore comply with policy CS2 and saved Local Plan policy EV/1. In addition, it is considered to be in line with the recently approved Town Centre Masterplan.

The site has lain vacant for 20 years and is in need of regeneration. It is considered that its development with this proposal would make a significant, positive contribution to the town. It would set a high benchmark against which other future development in the town would have to be assessed.

Conclusion

The proposal could deliver benefits and be seen to accord with policies CS1, CS3, CS7, CS9, CS13, CS14, CS15, CS16, CS17, CS18, CS24 and CS25 of the Core Strategy and saved policies H/12 and TR/18 of the Local Plan. Furthermore, the proposal complies with policy CS2 of the Core Strategy, saved policy EV/1 of the Local Plan, the approved Town Centre Masterplan 2018 and the aims and objectives of the National Planning Policy Framework and associated guidance.

RECOMMENDATION A

That authority is given to the Head of Planning and Regeneration and the Head of Strategic Support to enter into a legal agreement under S106 of the Town and Country Planning Act 1990, on terms to be finalised by them, to secure the following infrastructure improvements and management agreements (as detailed above in this report):

- Healthcare – £35,948 to increase the capacity of local health care facilities.
- Assured Shorthold Tenancy Agreements (ASTs) and no car policy and management structure
- Community Facilities - Provision of ground floor accommodation at nominal rental for local community groups.
- Town Centre Parks - £ 5,778
- Town centre Public Realm (including play equipment for young people) - £49,329
- Process of Traffic Regulation Orders - £7,500
- Monitoring fee for STARS (Sustainable Travel Accreditation and Recognition Scheme) - £6,000
- Student Street Support Scheme – increase capacity of street patrol staff.

RECOMMENDATION B

That subject to the completion of the S106 legal agreement in Recommendation A above, planning permission be granted for the development subject to the following Conditions and Reasons:

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 following approved plans:

0310 RIO 00 00 DR A 01000 Ground Floor Plan Rev 10
0310 RIO 00 01 DR A 01001 First Floor Plan Rev 8
0310 RIO 00 02 DR A 01002 Second Floor Plan Rev 8
0310 RIO 00 03 DR A 01003 Third Floor Plan Rev 8
0310 RIO 00 04 DR A 01004 Fourth Floor Plan Rev 8
0310 RIO 00 05 DR A 01005 Fifth Floor Plan Rev 7
0310 RIO 00 06 DR A 01006 Sixth Floor Plan Rev 7
0310 RIO 00 07 DR A 01007 Roof Plan Rev 6
0310 RIO 00 ZZ DR A 02000 Barrow Street Elevation Rev 4
0310 RIO 00 ZZ DR A 02001 Leicester Road Elevation Rev 4
0310 RIO 00 ZZ DR A 02002 Pinfold Gate Elevation Rev 4
0310 RIO 00 ZZ DR A 02003 Aumberry Gap Elevation Rev 4
0310 RIO 00 ZZ DR A 02004 Courtyard Elevations Plan Rev 4
0310 RIO 00 ZZ DR A 02005 Courtyard Elevations Rev 4
0310 RIO 00 ZZ DR A 02005 Courtyard Elevations Rev 3
0310 RIO 00 ZZ DR A 02006 Courtyard Elevations Rev 3
0310 RIO 00 ZZ DR A 02007 Central Block Elevations Rev 3
0310 RIO 00 ZZ DR A 02100 Existing Elevations A, B, C and D Rev /
0310 RIO 00 ZZ DR A 03000 Proposed. Context Section A, B & C Rev 4
0310 RIO 00 ZZ DR A 03001 Proposed Section A Rev 4
0310 RIO 00 ZZ DR A 03002 Proposed Section B Rev 4
0310 RIO 00 ZZ DR A 03003 Proposed Section C Rev 4
0310 RIO 00 ZZ DR A 03100 Existing Context Section A, B & C Rev /

REASON: To define the terms of the planning permission.

3. No development other than site clearance, demolition and erection of hoarding shall commence until details of proposed ground levels and the finished floor levels of all the buildings have been submitted to and approved in writing by the Local Planning Authority. The approved levels details shall be fully implemented.

REASON: To ensure that the development integrates satisfactorily into the landscape and surrounding area.

4. No development other than site clearance, demolition and erection of hoarding shall commence until a construction method statement has been submitted to and agreed in writing by the Local Planning Authority. The statement shall include:

- Hours of construction
- Traffic routeing for contractors
- Wheel wash facilities
- Measures for dust control
- Parking provision for contractors

The development shall be carried out in accordance with these agreed details.
REASON: To ensure harm to the amenity of adjacent residents is minimised and for reasons of highway safety.

5. Except with the prior written agreement of the local planning authority (a) no construction work shall be carried out or construction plant operated other than between the following hours: 08.00 hours to 18.00 hours Monday to Friday, 08.00 hours to 13.00 hours on Saturday and at no time on Sundays, Bank or Public Holidays, and (b) there shall be no collection or deliveries to the site during the construction period outside the hours of 07:00 hours and 19:00 hours on Monday to Saturday and at any time on Sundays, Bank or Public holidays.
REASON: To ensure harm to the amenity of adjacent residents is minimised

6. No occupation of any student accommodation shall take place until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the local planning authority. The proposal shall be carried out in accordance with these approved details in the first planting and seeding season following approval of the details by the local planning authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

- The treatment proposed for all ground surfaces, including hard areas
- Full details of tree and hedge planting;
- Planting schedules, noting the species, sizes, numbers and densities of plants;
- Finished levels or contours;
- Any structures to be erected or constructed;
- Functional services above and below ground; and
- All existing trees, hedges and other landscape features, indicating clearly those to be removed.

REASON: To make sure that a satisfactory landscaping scheme for the development is agreed.

7. No occupation of any student accommodation shall take place until a landscape management plan including details of maintenance responsibilities and schedules of all the public areas and the strategic drainage system has been

submitted to and approved in writing by the Local Planning Authority. This plan should cover all landscape areas other than domestic gardens.

REASON: To make sure the appearance of the completed development is satisfactory.

8. No occupation of any student accommodation shall take place until a scheme for external lighting on the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these agreed details.

REASON: To ensure that any outdoor lighting is in accordance with the approved planning application.

9. The acoustic protection measures hereby permitted shall be implemented in accordance with the approved acoustic assessment prepared by RBA Acoustics dated 4th October 2018. The measures shall be carried out in accordance with the approved details

REASON: To safeguard residential amenity.

10. The development hereby permitted shall not be occupied until a noise insulation scheme has been carried out in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve internal noise levels in accordance with the recommendations of BS 8233:2014, Guidance on sound insulation and noise reduction in buildings (or any successor document), taking account of traffic and other ambient noise levels in the locality.

REASON: To safeguard the amenity of prospective residents.

11. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

12. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 43 metres in a northwesterly direction and 2.4 metres by 27 metres in a southeasterly direction 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 (2018).

13. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Richard Jackson drawing number 4891-PP-01 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 (2018).

14. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Richard Jackson drawing number 4891-PP-01. Thereafter the onsite parking provision shall be so maintained 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 (2018).

15. The development hereby permitted shall not be occupied until such time as secure cycle parking shall be provided in accordance with Rio drawing number 01000 Rev 10. Thereafter the cycle parking shall be maintained and kept available for use.

REASON: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2018).

16. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, 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 and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

17. The new vehicular access hereby permitted shall not be used for a period of more than one month from being first brought into use unless any existing vehicular access on Aumberry Gap/ Pinfold Gate/ A6 Barrow Street 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 (2018).

18. Notwithstanding the details shown on the drawings hereby approved, prior to the commencement of development drawings at 1:10 scale (including sections) or at another scale agreed by the Local Planning Authority showing external construction detailing of all key elements shall be submitted to and approved by the Local Planning Authority in writing, unless otherwise agreed in writing by the Local Planning Authority. The drawings shall include details of:

- a) windows, cills, reveals and doors;
- b) wall vents;
- c) copings, parapets, soffits and upstands;
- d) decorative brick detailing;
- e) roof structure (including decorative features)
- f) rain water goods;
- g) balconies/terrace balustrades (including soffits and railings);
- h) canopies;
- i) lighting of communal spaces and buildings;
- j) building signage;
- k) art installations;
- l) mail boxes;
- m) air conditioning or ventilation ;
- n) cladding;
- o) green planted wall;
- p) shop/non-residential use fascia's and signage; and
- q) shop security.

The development shall not be carried out otherwise than in accordance with the details and drawings thus approved.

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 along with setting of the adjoining conservation and listed buildings. (Policies CS2, CS14 and CS16 of the Charnwood Core Strategy, adopted November 2015)

19. Notwithstanding the details shown on the drawings hereby approved, no works shall commence until sample panels of all external materials shall be submitted to or provided on site for inspection by a council officer and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that the external appearance of the building is satisfactory, protecting its designation as a local heritage asset and does not detract from the character and visual amenity of the area along with setting of the adjoining conservation and listed buildings. (Policies CS2, CS14 and CS16 of the Charnwood Core Strategy, adopted November 2015)
20. Prior to the occupation of any part of the ground floor of the building , the window glass shall be clear glass and shall not be mirrored, tinted or otherwise obscured. The development shall be permanently maintained in this form. No external security roller shutters or roller blinds shall be attached to the ground floor windows hereby permitted, without planning permission having first been granted by the Council.
REASON: In order to prevent visual clutter, and to ensure a satisfactory external appearance to the design of the building. (Policies CS2, CS14 and CS16 of the Charnwood Core Strategy, adopted November 2015).
21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that Order, with or without modifications, no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles.

REASON: To ensure alterations are not carried out that would result in the loss of parking facilities within the site and to ensure that there is no overlooking of adjacent gardens if garages are converted to living spaces.

The Following Advice notes will be attached to the decision:

1. The Local Planning Authority acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy
2. Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.



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