

## Item No. 4

**Application Reference Number** P/18/0250/2

<b>Application Type:</b>	Full Planning Permission	<b>Date Valid:</b>	05/02/2018
<b>Applicant:</b>	Future Generation Ltd		
<b>Proposal:</b>	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 Aumberry Gap following demolition of existing buildings and associated works.		
<b>Location:</b>	Land to the West of Aumberry Gap Aumberry Gap Loughborough LE11 1BG		
<b>Parish:</b>	Loughborough	<b>Ward:</b>	Loughborough Hastings
<b>Case Officer:</b>	Patrick Reid	<b>Tel No:</b>	01509 634747

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The application has been brought to Plans Committee as in the opinion of the Head of Planning and Regeneration, it is an application of significant public interest.

### 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 612 student rooms in a range of purpose built accommodation ranging from 3-15 storeys, and including approximately 1,774 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, including a roof-top football pitch, cycle storage, refuse and recycling areas. A new vehicular access/egress is proposed from Aumberry Gap.

The scheme consists of a 3-4 storey terrace block on Pinfold Gate. At Aumberry Gap the development is 4-5 storeys rising to 7 storeys. It is 7-9 storeys on Barrow Street and features a 15 storey (including mezzanine) tower on the Barrow Street/Leicester Road corner. Central to the site is a 6-7 storey block with a rooftop football pitch.

The main pedestrian entrance to the development is from Barrow Street with vehicular access from Aumberry 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.

The application is supported by the following documents:

- Design and Access Statement (updated 1st March 2018)
- Transport Statement and Travel Plan
- Statement of Community Involvement
- Student Housing Management Plan
- Acoustic Assessment
- Energy Statement
- External Lighting Assessment
- Ventilation Assessment
- Heritage Impact Assessment (updated by an Addendum on 5th April 2018)
- Drainage Strategy
- Phase 1 Desk Study Report
- EIA Screening Opinion
- Daylight Sunlight Assessment
- Fire Strategy
- Student Demand Study
- Tenancy Agreement
- Wireline views of proposed development. (14th June 2018)
- Review of design by Dr C Miele (29th June 2018)

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 (PBSA) 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 PBSA blocks within Loughborough. These schemes provide 1,325 bed spaces for students;
- The supply of PBSA 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 PBSA 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 by E.H. 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 2011-2028 (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 CS12 – Green infrastructure -seeks to protect and enhance our Urban Green Infrastructure Enhancement Areas by enhancing our network of green infrastructure assets through our strategic developments, addressing the identified needs in open space provision and supporting development.

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 Lemington 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.

Leicestershire Minerals Core Strategy and Development Control Policies document (2009)

The Leicestershire Minerals Development Framework Core Strategy sets out the policies and proposals for the development and use of land for minerals within the

framework area. It sets the key principles to guide the future of winning and working minerals in the County. There are no known minerals issues within the development site.

Leicestershire Waste Core Strategy and Development Control Policies document (2009)

The WDF sets out policies and proposals for the development and use of land for waste management within the framework area which will guide decisions about planning applications for waste facilities and provide a 'spatial plan' or 'geographic blueprint' to help shape the future of the area in respect to waste.

**Other material considerations**

The National Planning Policy Framework 2012 (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 14 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.

Para 17 sets 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 23 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 4: Promoting Sustainable Transport

Paras 29-32 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 6: Delivering a wide choice of high quality homes

Paras 47 & 49 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.

Para 50 advises local planning authorities to plan for a mix of housing.

#### Section 7: Requiring good design

Paras 56, 58, 63 & 64 – Development is required to achieve high quality design that respects local distinctiveness and poor design should be refused.

Para 60 – Planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

#### Section 8. Promoting healthy communities

Paras 69 and 70 – Facilitating social interaction and creating healthy, inclusive communities.

#### Section 10: Climate change and flooding

Para 96 directs 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.

Para 103 seeks to ensure that development is flood resilient and designs in sustainable drainage.

#### Section 11: Conserving and enhancing the natural environment

Para 109 – Developments should promote the natural environment and safeguard protected species.



Para 111 – Decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Para 123 – Planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

#### Section 12: Conserving and enhancing the historic environment

Para 128 – 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 133 and 134 – 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:

Paras 186 and 187 – Local Planning Authorities should act in a positive and proactive manner in decision making.

Para 196 – Re-emphasises the primacy of the Development Plan in decision making.

Paras 203-206 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 travels plans, supporting the policy framework as set out in the NPPF.

#### Consultation Draft on Review of the National Planning Policy Framework (March 2018)

Whilst not a formal document the Consultation Draft sets out the direction of Government Policy following a number of consultations on housing delivery. This includes promotion of high density development in town centres and in locations accessible to public transport. The final revised NPPF is due for publication in late summer of 2018.

### 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 including an objectively assessed housing need figure to 2036 based on forecasts and an assessment of the recommended housing mix based on the expected demographic changes over the same period. Whilst the objectively assessed need figure remains untested in a plan making environment and is therefore not to be relied upon at the current time, the housing mix evidence reflects known demographic changes.

### Leicestershire Highways Design Guide

This guidance deals with highways and transportation infrastructure for new developments include the amount of access required for a development of this size.

### Leicestershire Draft Economic Strategy 2050

Objective 4 states that the plan will:

*'Support the City of Leicester, Loughborough, Hinckley and the other market towns across the County as accessible business, service and cultural centres.'*

### Town Centre Masterplan 2018

Successive local plans and planning policy documents have promoted the redevelopment of the Aumbery 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 CS9 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.

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 Aumberry 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 is 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)).

### S106 Developer Contributions Supplementary Planning Document (2007)

This supplementary planning document (SPD) sets out the circumstances which might lead to the need for a contribution to the provision of infrastructure, community services or other facilities. However, recent appeal decisions have confirmed that Inspectors will not support obligations (even if agreed by the appellant) unless the planning authority can demonstrate that they are specifically related to the proposed development. Regulation 122 of the CIL Regulations introduced on the 6th April 2010 prescribes the limitations on the use of planning obligations. Accordingly it is unlawful for a planning obligation to be taken into account when determining a planning application for a development that does not meet all of the following tests:

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

### **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 – Permission 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

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 response to concerns raised by the Highway Authority on 16th March 2018 the applicants produced a Technical Note, which it is considered satisfactorily addresses their concerns.

In summary, the issues are:

- There would be a single access to the development off Aumberry 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.
- Footways surrounding the site would be resurfaced.
- Management Plan to control use of 10 parking spaces on site for drop off/pick is acceptable.
- Arrangements for service vehicles is acceptable.
- Proposal for 140 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 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 appropriate planning conditions being attached to any permission.

### Environmental Health

No objection subject to conditions relating to securing appropriate residential environment through glazing and air quality, managing the development 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

The proposal does not impact upon existing sports facilities but provides an opportunity for sport and active recreation and in that regard sport England would not wish to raise any further issues.

### Historic England

Proposals would constitute less than substantial harm.

## **Third Party Representations**

### Loughborough University

Considers that the proposal would fail to achieve the aims of the Development Brief for the site and Town Centre Masterplan by virtue of its scale and massing and its consequential impact upon the character and appearance of its surroundings.

Express concern that the development would significantly increase pedestrian movements between the university campus and the application site along routes where there are already complaints about students from local residents.

The representation also questions the applicant's student number projections and their demand/supply calculations for students.

### Hastings Community Association

Support the proposals. The Hastings Community Association have put the effort in to connect and engage with the community and have engaged with the applicant. We were pleased with the building in community space in the development.

### Great Central Railway

Object on the grounds of the impact of car parking and lack of parking and the impact of the proposals on heritage assets. All student accommodation should be built on the west side of town by the motorway and adjacent to the University.

## Public Comment

53 letters of support have been received from residents, a number of the surrounding businesses and services including The Ramada, Falcon Support Services, Youth of Loughborough Group, Moor Lane Stores, the Orange Tree public house and a Senior Lecturer in Architecture at the University. The applicants note that there have been 124 letters of support from a range of local interests. It would appear that these were sent directly to the applicant and were not submitted to the Council as representations on the application. The applicant also questions the level of objection, noting that there are only 4 letters of objection.

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
- The proposals are a key gateway site
- 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.

13 Letters of objections from residents have also been received to the application objecting on the grounds:

- Too high
- No need for more student housing
- Loss of/lack of parking
- Impact on traffic
- Proposals are poor quality design
- Loss of light
- Noise and disturbance
- Overlooking.

## **Other Comments**

The proposal has been assessed by an independent Design Review Panel (OPUN) in March 2018.

In summary the panel considered that:

- The bulk of the building at 7-8 storeys, with a 15 storey high tower would be the tallest building in the town by a substantial margin. Due to the intense level of development, including a not insubstantial central block, the development was considered to be read as one large building, especially when viewed from street level. This will appear very dominant and overbearing in relation to the adjacent Phantom PH and neighbouring buildings. The height of the proposed development is a fundamental concern and the Panel is unable to support the scheme as currently proposed.

- Suggest that a development which does not dominate the town centre, but respects the scale, form, character and heritage of the area should be pursued.
- Height is contrary to guidance in Town Centre Masterplan.
- Notwithstanding concerns about height and scale support the contemporary design approach. But noted that architectural precedents provided by applicants appeared more appropriate to their settings in terms of height and scale.
- Welcome the design proposals for the new development on Pinfold Gate, where three storey townhouses are proposed opposite the Grade II terraced cottages. In contrast to the larger scale development proposals this approach to creating new modern housing in an historic setting is well considered and appealing.
- Consider that Heritage Assessment does not adequately test impact of development upon heritage assets.
- Concerned about size and quality of central landscaped courtyard and need for a comprehensive landscape framework for the development.
- Welcome community facilities, but queried their accessibility.

### **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 therefore 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.

The application proposals would contribute to the Council's Housing Land Supply and therefore considering the Council Housing Land Supply position, with a 4.93 year supply as at end of March 2018, the tilted balance should be applied to the assessment of the application in accordance with the requirement of Paragraph 14 of the NPPF which states that 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 the Framework taken as a whole; or – specific policies in the Framework indicate development should be restricted.

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. 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 12th 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 Council's 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 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 only 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.

It should be noted that this is separate to the consideration of matters of detail relating to the Design and Layout and other key planning issues relating to the proposal which are considered later in this report.

### 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. The comments of the University which do not support the proposals should also be given some weight.

Policy HSPD16 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.

There have been exchanges of detailed commentary between the University and the applicants relating to the demand for Purpose Built Student Accommodation (PBSA). These conflicting and unresolved comments have not been capable of detailed assessment. However, considering the key issues in the planning assessment of this case limited weight is given to the provision of PBSA in the determination of this application.

### 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 Design Review Panel raise a number of concerns about the proposal and should be given significant weight.

The application site, as existing, is a poor mix of low industrial buildings, fencing and hoardings. To the 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.

The application proposes a perimeter style proposal 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. Whilst the overall quality of the design is acceptable, it is not considered to be sufficient to overcome fundamental objections to the height, bulk and scale of the proposed buildings in this context.

While it is accepted that good urban design encourages the adopted perimeter block structure, providing continual built form located at the back or close to the back of the highway, the height, bulk and scale of the development is considered to be unacceptable in this context. The development would have an overbearing impact upon this part of the town centre in general and upon neighbouring buildings in particular.

The Masterplan identifies Baxter Gate and Aumberry Gap as an opportunity site. It proposes that particular attention should be given to the design of the building on the southern corner of the Aumberry Gap site, which is where this application proposes to site the significant bulk of the building and the tower feature. It states that:

*Particular attention should be given to the design of the building on the southern corner of the Aumberry Gap Site. This building will be especially prominent and is located on one of the key gateways into the town. 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 buildings in Loughborough are 3 storeys in height with some more modern developments 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.*

While it does not take a prescriptive approach, the Masterplan includes illustrations of how the corner of Leicester Road and Jubilee Road could be accentuated through architectural expression. These are shown to be 4/5 storey blocks with a corner feature up to 3 storeys taller.

It is accepted that the general quality of the architecture of the proposal is good, with some interesting features, but this does not overcome the impact of the sheer scale of the buildings. A bulky 7-8 storey development with a large 15 storey block would dominate this part of the town and the approach into Loughborough from the south.

The Design Review Panel's concerns about the height of the buildings are supported.

The Team Leader for Natural and Built Environment has similar views.

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. However, the overall scale and bulk is greater than is considered to be necessary to provide a substantial modern frontage to this wide, new road.

The Design Review Panel's assessment of the Pinfold Gate elevation is supported. This is a well conceived group of 3 storey townhouses which makes a positive contribution to the character and appearance of the area and setting of the adjacent listed buildings.

The development of this site will help to establish the context for future new development in the town centre. It is not considered that buildings of this height and dominance would set the appropriate tone for future development.

In informal responses from the applicants they have reiterated that, in their opinion, the development accords with the Masterplan. They have consultants assessing the architectural quality of the design and the landscape framework.

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.

Within the town centre the Carillon Memorial stands at a height of 46 metres with the tower of All Saints Church a similar height. The recently adopted Town Centre Masterplan refers to new development attaining an approximate height of up to 20 metres, and only in exceptional circumstances should new development be taller. The proposed building attains a height of 26 metres at the Barrow Street/Aumberry Gap junction, rising to 31 metres at the corner of Leicester Road/Barrow Street, with the tower element rising to 50 metres.

The applicant has undertaken a photographic survey and evaluation of the impact of the development from distant viewpoints around Loughborough and this demonstrates, in their opinion, 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. It is considered that the current lush vegetation at this time of year and the exact positioning of the camera location, mean that this survey and evaluation has to be treated as inconclusive.

A second review of the design has been commissioned by the applicant, engaging a tall building and view management specialist, with the scope of this review being similar to that of the OPUN Design Review Panel. It concludes that the proposed development will not have an unacceptable impact on heritage, and whilst it has a considerably greater scale than its surroundings, those surroundings are of poor townscape quality and lack distinction or definition, and that the scale has been mitigated by good design.

It is considered that while the second review of the design of the proposed development, by the specialist, clearly identifies the need for a prominent building of high architectural quality that will deliver a significant enhancement to the existing townscape, it does not entirely justify why a design of such magnitude in terms of its mass and height is necessary or even desirable to deliver this significant enhancement.

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 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. 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. It is considered that the scale and bulk of this proposal would be dominant and overbearing in this location.

Having taken account of the significant design issues raised by this substantial proposal on a gateway site into the town, and the input provided by relevant design specialists, it is considered that the proposals do not accord 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. This is because the height, scale and bulk of the proposals fail to respect the context of this town centre site. It would have an adverse impact upon the character and appearance of the town centre in general and nearby buildings in particular.

### 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 133 and 134 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 the Loughborough Church Gate Conservation Area and northwest of the Leicester Road Conservation Area as extended by the recent review. Pinfold Gate Cottages, a Grade II listed structure is opposite the application site.

The site at this moment in time 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. However, it is considered that this could still be achieved with a significantly smaller building than the one proposed in this application.

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

The disparity in scale between the proposed development and the taller historic buildings of All Saints Church and the Carillon Memorial, is at its most apparent from distant views. From here the new building would appear to finish just above the height of the Carillon Memorial but the relationship to the Memorial diminishes significantly within the town boundaries and the Memorial is not visible on approaches along the A6.

The present site significantly detracts from the setting of a non-designated heritage asset (the Phantom PH) and the designated heritage assets close to the site. 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, 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 134 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.

Considering the heritage assets, there is therefore conflict with paragraph 132 of the Framework and with Policy CS14 of the Core Strategy, which specifically seeks to safeguard the setting of such assets.

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 and great weight in the planning balance, as required by paragraph 66 of the Act, it is considered that harm is marginally outweighed by the public benefits of the scheme as set out elsewhere in this report.

#### Relationship to neighbouring properties

Saved Policy EV/1 of the Local Plan and Policy CS2 of the Core Strategy are material considerations 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 light and that sunlight levels would remain above World Health Organisation guidance in this respect.

The proposals, particularly on Pinfold Gate, have been designed to a 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 proposed rooftop football pitch is set within the central area and therefore is relatively distant from nearby residents. Its impact would also be mitigated by the surrounding walls which are provided to the lower levels. The football pitch would be netted at upper levels, as is the case in a number of other examples around the country. It is also noted that the Phantom Public House has external entertainment space and that the town centre environment is more 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 supporting documents and the design of the proposals and 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.

#### Flooding and Drainage

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

Paragraph 103 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 and 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 103 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 comments and concerns of residents and the LLFA have been carefully considered 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, CS11, CS12 and CS15 of the Core Strategy seek to ensure that appropriate designs and layout are provided which delivers high quality design and the provision of appropriate green infrastructure is also a relevant consideration in this context.

Given the current low ecological value of the site and the proposal to include a significant area of green roofing, 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 32 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 the Grand Central Railway have been considered. However, it should be noted that the existing use would generate a level of movement and the site is not a public car park. The site is also 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 and the comments raised by the Great Central Railway relate to behavioural issues about the willingness to pay for town centre car parking, which is not a planning matter.

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. 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.

Following the submission of additional information the Highway Authority also has no objection to the application, subject to conditions and contributions should the scheme be approved.

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 CS3, CS15 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. 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*

Healthcare – The West Leicestershire Clinical Commissioning Group are interested in using the multi-functional space as an enhanced offer in place of the Park View Surgery. Discussions were ongoing with the applicant as to the provision. If being unable to be agreed an off-site contribution would be progressed to enhance doctor's surgeries of £50,000.

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

The delivery of these elements will be secured through the S106 legal agreement.

#### *Off-site contributions*

To Town Centre Parks - £ 8,037.08

To Town centre Public Realm (including play equipment for young people) - £68,612.70

To process of Traffic Regulation Orders - £7,500

To monitoring fee for STARS (Sustainable Travel Accreditation and Recognition Scheme) - £6,000

### **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.

The application proposals would contribute 146 dwellings to the Council's Housing Land Supply and therefore considering the Council Housing Land Supply position with a 4.93 year supply as at end of March 2018 the tilted balance should be applied to the assessment of the application in accordance with the requirement of Paragraph 14 of the NPPF which states that 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 the Framework taken as a whole; or – specific policies in the Framework indicate development should be restricted.

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 applicant also estimates that should the space be vacant for the summer break this could generate Council Tax receipts.

The proposals could also decrease pressure on HMO provision, which could then come back to private / local residents.

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.

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

Negatively, it is considered that the proposal has failed to address most of the concerns which have been raised by the Design Review Panel and the Council's Team Leader for Natural and Built Environment which considered that due to the height, scale and mass of the development the proposal would have a dominant and overbearing impact upon the area. Consequently, the proposal would be in conflict with policy CS2 and saved Local Plan policy EV/1. 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.

In addition, it is not a scheme which 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. While the overall design is good quality, the height, scale and bulk of the proposal fails to respect the local context, to the detriment of the character and appearance of the town centre.

Although officers have sought to negotiate a reduced scheme the applicant wished to progress with the submitted scheme backed by further work from appointed specialists for both views of the proposal and design considerations.

## **Conclusion**

The proposal could deliver benefits and be seen to accord, in part, with policies CS1, CS3, CS7, CS9, CS16, CS17, CS18, CS24 and CS25 of the Core Strategy and saved policy TR/18 of the Local Plan.

However, it is considered that the adverse impacts of this development would significantly and demonstrably outweigh the benefits. In principle, it is accepted that development on the Leicester Road/Barrow Road (Jubilee Way) corner of the site and the elevations overlooking Barrow Road (Jubilee Way) could be taller than three storeys. The application site is in an area characterised by predominantly traditional terraces and modern and traditional three storey development, which would be dominated by the height, bulk and scale of this proposal. This would have an adverse impact upon the character and appearance of the town centre and upon a main approach road into the town.

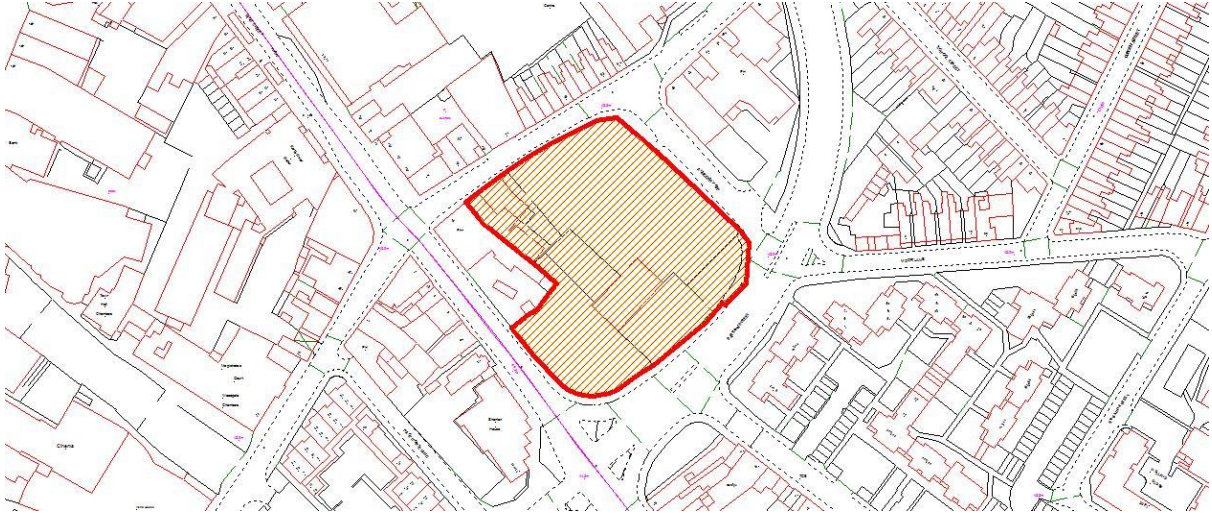
The proposal fails to achieve the aims of the Town Centre Masterplan by virtue of its height, scale and bulk and its consequential impact upon the character and appearance of its surroundings. It has not addressed the fundamental concerns of the Design Review Panel and the Council's Team Leader for Natural and Built Environment.

Consequently, it is considered that the proposal is contrary to policy CS2 of the Core Strategy and 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**

That planning permission is REFUSED for the following reasons:

1. The proposed development, due to the height, scale, and bulk of the buildings fails to respect the context of this town centre site. It would have a significant adverse impact upon the character and appearance of the town centre in general and the surrounding nearby buildings in particular. This would be contrary to policies CS2, of the Core Strategy and saved policy EV/1 of the Local Plan and guidance contained in the approved Town Centre Masterplan 2018 and paragraph 56 of the National Planning Policy Framework.
2. For the reasons set out in this report it is considered that the adverse effects of the proposed development could not be overcome with the use of planning conditions or the completion of a Section 106 agreement.



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