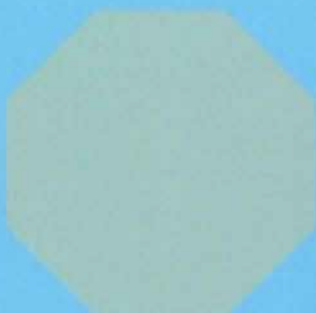
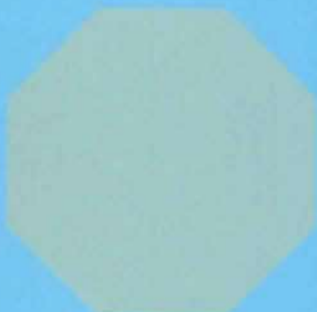


City of Leicester Local Plan



ADOPTED JANUARY 2006

Saved policies version

City of Leicester Local Plan

(Incorporating the City of Leicester Minerals Local Plan)

1996 - 2016

ADOPTED JANUARY 2006

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How to Use the Plan

The City of Leicester Local Plan was adopted by the Council on 16th January 2006 and will provide planning guidance for the City up to 2016.

Each subject area of the Local Plan Written Statement sets out policies and proposals (in heavier print) alongside an explanation of their background, purpose or justification. The intention is to use a mix of promotion and control to influence development, land use and transportation along sustainable lines.

Chapter 2: Plan Strategy incorporates regeneration policies to guide the major redevelopment proposals identified within the Leicester Regeneration Company (LRC) Masterplan.

The Local Plan also includes a series of performance indicators and appropriate targets within the Implementation Chapter. These have been selected and designed to monitor the key policy areas of the Plan. They are complementary to those contained in the Leicestershire, Leicester and Rutland Structure Plan (March 2005) and the Regional Spatial Strategy for the East Midlands (March 2005).

This Written Statement should be read in conjunction with the Proposals Map. The Maps contain appropriate reference numbers for specific policies or proposals affecting individual sites or areas. Sites and properties will often be affected by a number of policies or proposals. In such instances the policies and proposals should be read together: equal weight being attached. All policies apply equally during the whole plan period. Should any discrepancy appear between the Written Statement and Proposals Map the former will have precedence.

The Local Plan can be accessed on the City Council website at:

www.leicester.gov.uk/localplan

Where further guidance on the development of specific sites is available as either supplementary planning guidance or supplementary planning documents, these should be consulted. Further guidance may be prepared to support the adopted policies of this Plan; any such guidance will be approved by the City Council following public consultation and will be a material factor in the consideration of subsequent development proposals.

A list of the latest available planning guidance can be viewed on the Internet at:

www.leicester.gov.uk/index.asp?pgid=2634

Throughout this written statement references are made to Planning Policy Guidance Notes and Statements (PPGs and PPSs) which are regularly reviewed by the Government. A number of new PPSs have been published since the adoption of the Local Plan.



Chapter 1

Introduction

A Sustainable Direction for the City

1.1. Leicester City Council's Strategic Direction guided the authority from 1997; placing integrity and sustainability at the heart of all its activities. In November 2000 the Leicester Partnership for the Future published a Community Plan for the City; this was subsequently reviewed in 2003 and work is now underway by the Partnership on a further review of the Community Plan. Sustainability and integrity remain central to the Community Plan, which also recognises the role of the planning system in protecting and enhancing our environment. The aim of the Replacement City of Leicester Local Plan is to facilitate the future development of Leicester in a sustainable way, a way which addresses the pressures and opportunities the City will face over the period to 2016 and seeks to resolve them successfully. This should be achieved without compromising the ability of future citizens to meet their own needs.

The International Context

1.2. The 1990s saw an increase in political awareness of "sustainable development" as it rose to the top of the planning policy agenda. In 1997 the Treaty of Amsterdam confirmed that achieving sustainable development was a key objective of the European Union. It underpins the work of the European Spatial Development Perspective (ESDP) and remains central to the challenges facing Leicester as an important European city moving into the new Millennium. The ESDP identifies sustainable development as one of the three fundamental goals of spatial development policy alongside economic/social cohesion and balanced competitiveness within European territory.

1.3. Sustainable development, first defined by the Bruntland Commission in 1987, was at the heart of the Rio Earth Summit in 1992, at Kyoto six years later and Johannesburg in 2002. It was adopted as a basic goal of EU policy in Article 2 of the Maastricht Treaty:

"The Community has the task of promoting..... a harmonious and balanced development of the economic activities in the Community as a whole, a sustainable growth, non - inflationary and respectful of the environment."

1.4. However many European cities despite their economic success are failing, through a lack of social cohesion and worsening environmental problems. They do not pass the essential test of modern development - economic, social and environmental sustainability.

1.5. In Leicester the Local Agenda 21 process has been used to carry forward the sustainability initiative with some success. In 1996 the European Sustainable City Award recognised Leicester City Council had achieved:

"outstanding progress in the development of a long term action plan towards sustainability."

The National and Regional Context

1.6. The UK Government's vision of sustainable development was spelled out in "A Better Quality of Life, A Strategy for Sustainable Development for the United Kingdom" (DETR 1999). It defined sustainable development as a "better quality of life for everyone now and for generations to come" and its four objectives were:

1. Social progress which recognises the needs of everyone;
2. Effective protection of the environment;
3. Prudent use of natural resources; and
4. Maintenance of high and stable levels of economic growth and employment.

1.7. This is an ambitious agenda for sustainability; it cuts across people and places, policies and sectors, the present and the future. To succeed it needs to carry public acceptance and tap into underlying cultural attitudes. Its influence must be felt regionally and sub-regionally as well as locally. Following the Local Government Act 2000 local authorities now have a statutory duty to produce Community Plans working in partnership with others to promote economic, social and environmental well being. Clearly then the proper integration of Community Plan and Local Plan will be critical in the quest for truly sustainable development.

1.8. The Community Plan consultation process identified 6 priorities; Equality, Safety, Health and Social Care, Education, Environment and Jobs and Regeneration. The Local Plan can give a land use based policy impetus in most if not all of these areas. Richard Caborn, when Minister for the Regions, Regeneration and Planning in 1998, covered much of this ground. He said he was seeking a much more positive role for planning in terms of growth, competition and innovation:

"We want to focus new development in town centres to secure their revitalisation, to ensure greater social inclusion and to achieve environmental benefits, particularly less dependence on the car. This is not a pious hope. It is a fundamental question about what kind of vision we have for our town and city centres. And what opportunities we want to secure for the less advantaged and less mobile in society."

1.9. Clearly there are many potential conflicts between current lifestyle aspirations and sustainable living, such as the desire for more space, wealth and mobility. Many of the control mechanisms for advances in quality of life issues are outside the scope of land use planning. The onus of this Plan must be to ensure that the physical and economic systems of Leicester help to promote more sustainable lifestyles, whilst maintaining and where possible, improving the quality of life of people living, working or visiting in Leicester.

1.10. This Plan will draw on the principles set out in national Planning Policy Guidance Notes and Statements (PPGs and PPSs) to address these conflicts, especially PPS1 "General Policies and Principles". It will also reflect Regional Planning Guidance Note 8 (RPG8) "Regional Planning for the East Midlands" (subsequently renamed Regional Spatial Strategy or RSS8). Also, to

reflect the importance of the links and movement between all land use elements, the Plan will draw on the contents of the Transport White Paper - "A New Deal for Transport - Better for Everyone" (July 1998). The Plan will also embrace the principles and ambitions described in the government's Urban White Paper.

1.11. The Planning and Compulsory Purchase Act came into force in September 2004. This has significant implications for the future preparation and appearance of Local Plans, which will be known in future as Local Development Frameworks (LDFs). The City Council believes this Plan already fits many of the principles of the new system and could be redrawn readily, to fit with the emerging requirements of LDFs. However subsequent advice from ODPM has indicated that it will not be desirable to seek to restructure significantly a draft plan to follow the LDF format where plan preparation has already reached first statutory deposit stage. In light of this advice the City Council has prepared this Plan under the transitional arrangements.

The Local Context

1.12. The City Council has been working closely with Leicestershire and Rutland County Councils to prepare a joint replacement Structure Plan and a joint Waste Local Plan. It has also prepared a Local Transport Plan for Central Leicestershire (LTP) that builds on the Transport Policy for Leicester and Central Leicestershire adopted in 1998 following the Central Leicestershire Transport Study (CALTRANS). A second LTP 2006-2011 is in preparation and again this work has been in partnership with the County Council. As with the East Midlands Regional Spatial Strategy, work has been undertaken to test the sustainability of Structure Plan policies through a rigorous appraisal process. The same methodology has been applied to policies in this Plan and its predecessor.

1.13. Partnership has also been central in taking work forward. Leicester's Local Agenda 21 programme involved extensive consultation in 1994 under the "Blueprint for Leicester" badge. This culminated in 1999 with the adoption of an Environmental Policy for the City and its implementation, in relation to the activities of the City Council, through the Eco Management and Audit Scheme (EMAS) and a set of Action Plans.

1.14. There are several other important strategies which underpin this Plan; in particular the Leicester Regeneration Company's MasterPlan (2002), the joint City Council and English Partnerships Investment Strategy (1998), the City Council's own Regeneration (1999) and Air Quality Strategies (1998), the Crime & Disorder Strategy, the Local Transport Plan, the Central Leicestershire Retail Study (2003) and the Housing Strategy. These are referred to in more detail in the body of the Plan.

1.15. The policies of this Plan attempt to integrate the social, economic, environmental and spatial pressures facing Leicester and shape the City Council's response to development proposals.

Leicester's People

1.16. The 2001 census gave Leicester's population as 280,000. It is clear that the City will continue to generate a significant level of dwelling need; a need which cannot be entirely accommodated within the City's boundaries because of insufficient development opportunities and land availability.

1.17. Leicester's Community Plan has been built in part on the community participation carried out as part of the Agenda 21 initiative. It identifies the following concerns and priorities for action:

- traffic levels and air pollution; their impact on the quality of the living environment;
- economic prosperity and job opportunities;
- the quality and quantity of available housing;
- community safety;
- further improvements to the City Centre; and
- continued improvement to Leicester's buildings, green spaces and townscape.

1.18. Local Agenda 21 Action Plans address these concerns, and see the Local Plan as a main action to ensure a sustainable future for the City.

1.19. At the time of the 2001 census, 36% of the population belonged to the City's ethnic minorities the highest percentage of any local authority outside London. Given the household size and other characteristics of Black and Minority Ethnic communities, particular needs have been identified in different parts of the City these include:

- larger family homes and smaller self-contained accommodation for older people;
- local job and shopping opportunities, minimising the need to travel;
- measures to secure crime prevention;
- public transport priority, coupled with parking provision for traders; and
- continued need for community facilities.

Work

1.20. Between 1971-1991 Leicester experienced a dramatic change in its economic structure and the types of jobs available. Part time working and an increase in female employment followed the growth of the service sector. By and large there has been a decline in the City's workforce and a corresponding rise in that of the surrounding County. At the same time the number of white collar jobs in the City has grown, creating the conditions for an increase in the level of in-commuting. Blue collar jobs on the other hand are increasingly to be found on the outskirts of the City, producing a counter flow of outward commuting. Overall, however, three and a half commuters come into Leicester daily for every one travelling out.

Social Exclusion

1.21. Almost 60% of Leicester residents in employment are low paid, receiving less than the Council of Europe's decency threshold. Average pay is only three quarters that of the East Midlands region, which is itself one of the lowest paid regions in Britain. Low paid jobs in declining industries are especially common amongst ethnic minority workers and these aspects of social exclusion are even more pronounced when gender is considered.

1.22. Low skills levels, lack of qualifications or training, poor health and very low levels of car ownership are also symptoms of social exclusion. Disadvantaged groups are also more likely to be victims of crime and here Leicester has a poor record; being in the worst 20% of local authorities nationally.

The Purpose and Nature of the Plan

1.23. Change is a natural and essential component of life in a major European city like Leicester, but the impact of that change on the urban environment is often difficult to anticipate. This Plan takes as its base 2001 information and contains land use, transportation and minerals guidance for development in the City to 2016. It forms part of the policy background against which planning applications will be judged. It is predictable in its intentions, but adaptable in implementation. It comprises this Written Statement and a Proposals Map; placing emphasis on the use of criteria based policies, but avoiding unnecessary detail. It contains fewer policies than its predecessor and does not propose policies for every eventuality.

1.24. Seeking the creation of a sustainable City means, amongst other things, prioritising development on previously developed land in preference to 'greenfield' land. Facilitating regeneration and urban renaissance are key themes of the Plan. In some cases the City Council will seek to ensure the remediation of land through the Remediation Notice procedure set out in Part IIA of the Environmental Protection Act 1990.

1.25. At the same time the Plan acknowledges and reassesses previous commitments for new housing and employment land.

Working in Partnership

1.26. As in many other cities, partnership working has become fundamental to the future of Leicester. A number of partnerships involving the public, private and voluntary sectors are now in operation. The Leicester Partnership oversees much of the City's regeneration work, including external funding programmes. The Leicester Economic Regeneration Partnership (LERP) provides a focus for inward investment and aftercare. The City Centre Forum brings together various interests to promote and enhance the City Centre. The Transport Business Partnership for Leicester and Leicestershire, the Freight Quality partnership and the Quality Bus Partnerships have been established to develop a modern transport system and improve access and business potential in a more sustainable way. These and other partnerships will be the key to

securing the future successful development of the City. The role of the Leicester Regeneration Company (LRC) will be especially important and the City Council will work closely to ensure that the aims and objectives of this Plan and the LRC's Masterplan are mutually supportive. The Leicester Shire Economic Partnership (LSEP) has also been established to help implement the objectives of the East Midlands Development Agency's (EMDA) Regional Economic Strategy – this is an important initiative and one which the City Council is determined to work alongside to achieve sustainable economic prosperity.

1.27. The achievement of the Council's planning objectives and priorities is heavily dependent upon appropriate private sector investment taking place. Development proposals individually or collectively requiring expenditure for new or improved infrastructure or services should not rely on the public purse. However the Council's own spending priorities, combined with those of other public sector agencies, can help to pave the way and provide confidence in areas where it may currently be lacking. Chapter 12 provides further guidance on implementation.

1.28. A number of public-private sector partnership programmes to improve health and education facilities throughout the City have been developed. These are the:

- "Pathway Project" - this will improve the services of the three main hospitals through a £711 million rebuilding and refurbishment programme between 2006 and 2011; this Pathway project is one of the largest private finance initiative (PFI) schemes in the country;
- "Leicester LIFT" programme – the Department of Health's Local Improvement Finance Trust (LIFT) will focus on developing new health and social care centres and extend existing GP surgeries across the city over the next 20 years, to enable a wide range of services to be provided closer to the patients' home; and
- "Building Schools for the Future" (BSF) - Leicester City Council has secured funding from the DfES to deliver a £236 million programme for rebuilding and refurbishment of 15 secondary schools in the City. The BSF programme will be delivered in four phases during the period 2006 to 2012.



MAP 01. LEICESTER AND SURROUNDING AREA: LOCAL PLAN BOUNDARIES

Blaby District Local Plan: Adopted September 1999
Borough of Charnwood Local Plan: Adopted January 2004
Harborough District Local Plan: Adopted April 2001
Hinckley & Bosworth Local Plan: Adopted February 2001
Oadby and Wigston Local Plan: Adopted October 1999



Chapter 2

Plan Strategy

Core Statement of General Policies

2.1. Leicester continues to need more houses, jobs and other facilities. Unlike many other cities it does not have a plentiful supply of new land for buildings within its border. Nor does it have a legacy of major industrial dereliction from which it can draw substantial amounts of brownfield land. At the same time it is a City very conscious of the need to safeguard and improve its environment and, where there is industrial dereliction, to generate new jobs as well as homes.

2.2. In reconciling these often conflicting demands, the policies of this Plan will be framed against National, Regional and Sub Regional planning policies, embracing a number of strategic themes, which stem directly from the principles of sustainable development. These seek to emphasise the importance of quality solutions to urban problems, promote regeneration of parts of the City and protect and enhance features of the City's environment. The adoption of a sequential approach to the location of development will be an important component of this.

The Community Plan

2.3. The Leicester Partnership's Community Plan identified six priority areas:

| | |
|------------------------|---|
| Environment | The promotion of a high quality environment, (both built and natural), is considered essential if the City is to remain an attractive place for residents, workers, investors and visitors. |
| Jobs and Regeneration | Here the aim is to consolidate, strengthen and diversify the local economy, primarily to secure and create jobs and attract investment to the city. |
| Health and Social Care | People in Leicester live in enormously varied circumstances. Improving access to facilities and services for all, but especially those suffering disadvantage, is a key corporate priority. |
| Diversity | Prejudice and discrimination are anathema in Leicester. Addressing inequalities and celebrating cultural diversity must be essential components to regeneration activities. |
| Community Safety | Crime and the fear of crime undermine the quality of life of all who come into contact with it. So improving safety and reducing crime must feature prominently in the plans of all members of the Leicester Partnership. |
| Education | Raising school standards is the top priority for education in the city; securing and promoting learning environments for children and young people is fundamental to this. |

2.4. These objectives interrelate and are not mutually exclusive. Planning powers will be used to influence development to bring tangible improvements. They will contribute to a City that is demonstrably better in these areas at the end of the plan period.

2.5. The City Council values a consistent and long-term approach to matters of function and design. But policies must retain sufficient flexibility to deal with emerging priorities and unforeseen circumstances.

A Rationale for the Plan Strategy

2.6. The substantial and growing body of evidence on physical regeneration shows that the benefits are greatest where resources are concentrated and, as a consequence, change is significant and visible:

2.7. Any land in Leicester is a resource to be used to advantage for the City as a whole. It follows that proposals for change in any one part of the City need to relate to notions about how the whole of the City is to develop and change (and, therefore, what land elsewhere is already contributing to the whole):

2.8. Derelict and under-used land clearly needs new purposes; these new purposes, however, need to be sustainable and complementary – meaning:

- uses should be viable to the market both in the short and long term, but should not produce disproportionate environmental or social costs;
- uses should create synergies with established uses, either on neighbouring land or elsewhere, so that there are greater benefits for the overall appeal or competitiveness of the City than there would be otherwise;
- uses do not create nuisance for neighbouring uses, diminishing the value of the new and the neighbouring uses to the City;

2.9. The Plan needs to stipulate the priorities for locating new development, directing it to where it will thrive and where, as a result, it will have the greatest impact; creating in the longer term, the self-sustaining, virtuous cycle of growth and renewal that is the objective of all regeneration. Leicester does not have a legacy of the kind of structural industrial decline commonly found in British cities, but it still has a stock of under-used and vacant land and out-dated and partly occupied premises. The challenge is making the choices necessary to concentrate change and create a sustainable impact.

2.10. Much of the central core of Leicester (the shopping core and most of the central commercial zone) is less successful than it needs to, or could, be. Retail and leisure markets tend to be finite (related to the size of the population) and businesses dealing in these markets require locations that offer a certain critical mass if they are to succeed. Thus dispersal of these activities can be counter-productive and the policies of the Plan will seek to focus such developments in appropriate centres:

2.11. Evidence concerning new economic purposes for our older manufacturing cities shows that city centres, with their capacity for a dense inter-mix of land uses, have a unique capability for producing valuable “economies of agglomeration.”¹ These advantages are sought by the activities that drive growth in the economy (traditionally office-based and consumer services;

but also increasingly residential, cultural, health, educational and institutional). They are at the root of the revival of the city centre cores of many of our major regional cities. Given that Leicester too needs greater representation from the growth sectors of the economy, it follows that a prosperous future for Leicester requires a successful and competitive city centre core.

2.12. Finally, it is critical that the Plan has a spatial rationale that makes sense strategically to the development of the City as a whole. Thus the City centre and the intervention areas within the Strategic Regeneration Area (SRA) need to relate well to each other as well as to the wider City. Isolated priority areas are less likely to be regenerated successfully. Success will be achieved through concentration rather than dispersal and sporadic, ad hoc development. These principles underpin the overall strategy of this plan which seeks to facilitate physical change in the City that would be of greatest value in reversing decline and stimulating, for the benefit of Leicester as a whole, a virtuous cycle of renewal and growth. The creation of the Leicester Regeneration Company in 2001 provides the public and private sector partners the opportunity to guide and implement these changes through setting priorities and following an agreed Masterplan or Strategic Framework for the SRA.

PS01: THE PLAN STRATEGY

The City of Leicester Local Plan seeks to facilitate the City's development, economically, socially, culturally and environmentally; creating a prosperous, civilised and attractive place for all its people. This will be achieved by managing change with integrity in accordance with the principles of quality and sustainability. Key elements of the Plan's locational strategy include:

- a) the creation of an improved City Centre, through its status as a sequentially preferred location for development (See also PS04);
- b) regeneration, especially of areas of land identified within the Strategic Regeneration Area (SRA) (See also PS02 & PS05 – PS09);
- c) integration of planning and transport initiatives, especially in relation to the SRA, Hamilton and Ashton Green development areas (See also PS03); and
- d) conservation and enhancement of the City's buildings, spaces and Strategic Green Network.

[†]These economies are the beneficial externalities that arise from concentrating within an area a large number of activities that trade and compete with each other. Concentration makes the trade between businesses efficient and competing businesses learn from each other, improving each other's competitiveness. The sheer levels of activity and inter-trading give an area vitality and buzz and this in turn enhances its appeal and attracts more activity.

Regeneration

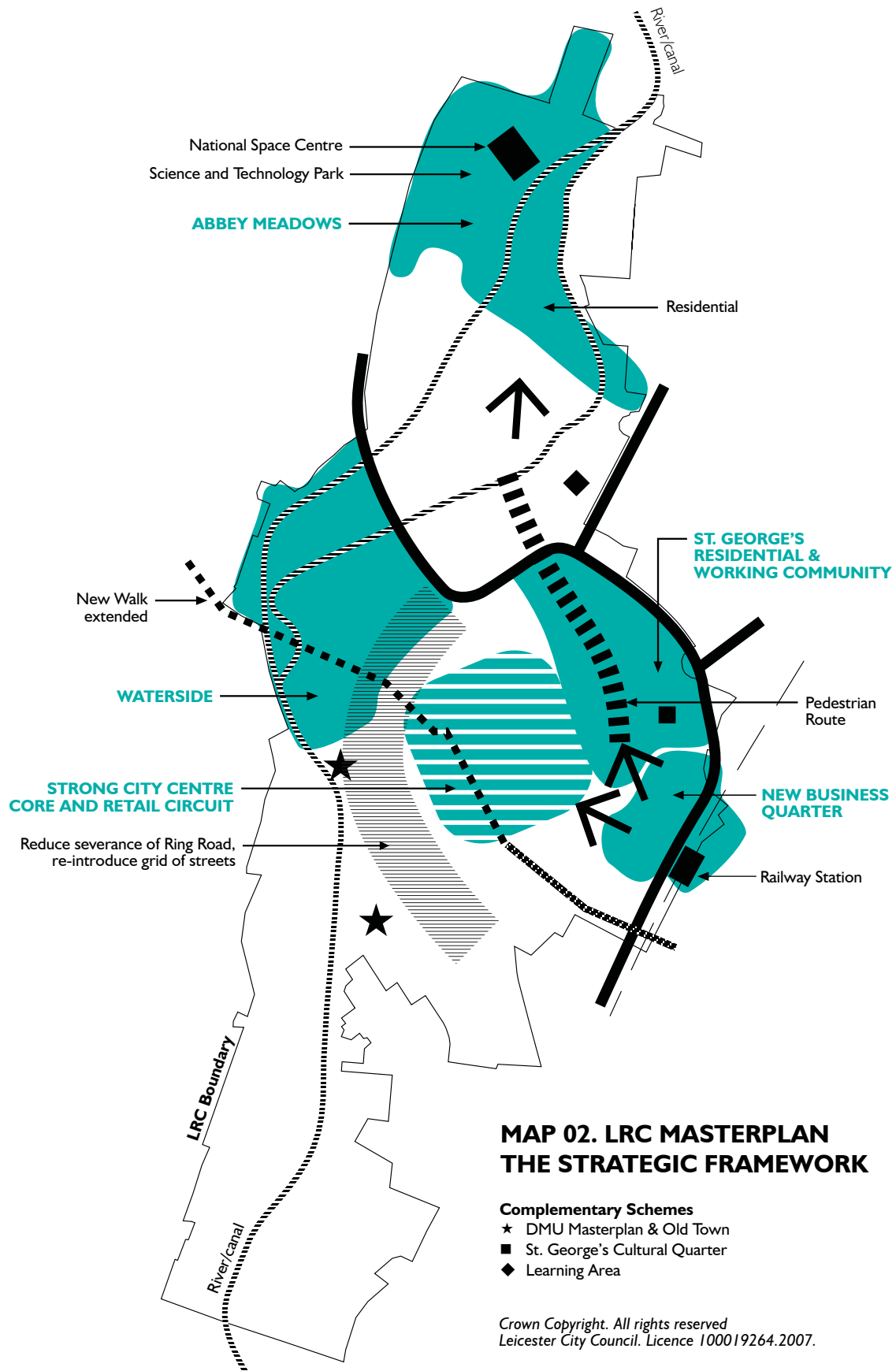
2.13. There are complex and diverse challenges facing Leicester in the future. For the regeneration of the City to happen successfully, initiatives across a broad range of disciplines need to work together, and achieve in concert what they cannot in isolation. Tackling social exclusion, education and training, employment schemes, reductions in crime and disorder, changes in transport and the physical environment and investment in the social infrastructure, are all elements of the regeneration whole.

2.14. This Plan will support the wider work of the City Council and its partners under its “Regeneration Strategy” by providing a framework in which to consider aspects of physical change in a comprehensive manner. The most dramatic spatial (land use and transportation) changes over the Plan period are expected to be within the Leicester Regeneration Area. For the purposes of the Local Plan this area is called the Strategic Regeneration Area and is shown on the Proposals Map. With East Midlands Development Agency and English Partnerships, the City Council is a funding partner for the Leicester Regeneration Company (LRC) and recognises the special role that the LRC has in helping to deliver regeneration schemes. The Council will work closely with the Company to achieve its objectives and help implement the Strategic Framework of the LRC Masterplan (hereafter referred to as the Masterplan). This was supported in principle by the City Council’s Cabinet on 23 September 2002. The five main areas of intervention from the Masterplan are:

- the creation of a prime central office core around the railway station;
- the creation of a new science and technology based business park near the Space Centre at Abbey Meadows;
- the creation of a strong retail circuit and heart within the Central Shopping Core;
- the creation of a major new residential and working community in St. George’s North; and
- the creation of a new waterside development reuniting the City with its waterfront.

2.15. These intervention areas are shown on Map 02. Four of these areas involving the most extensive redevelopment proposals are shown on the Proposals Map. The fifth concerns the Central Shopping Core (CSC) which is also shown on the Proposals Map. The retail circuit within the CSC is shown diagrammatically on Map 02. Within the SRA, the Masterplan’s Strategic Framework contains proposals that aim to link the main five projects to the rest of the City. In particular these include;

- an extension to New Walk,
- linked public spaces on a route between the railway station and the Space Centre,
- proposals to demolish Belgrave and Burleys flyovers (to assist linkages between the City centre and the communities beyond), and
- opportunities to reduce the scale of the inner ring road to make it less of a barrier for pedestrians to cross.



2.16. Also underway within the SRA are regeneration schemes complementary to those that are the priority of the Leicester Regeneration Company and have their own masterplans/delivery plans. These include;

- an extension to the Shires Shopping Centre to include retail, leisure and residential elements. It is the subject of Supplementary Planning Guidance for the St. Peters Lane area and entails an extension to the Central Shopping Core,
- a Masterplan for De Montfort University campus,
- an Old Town Masterplan being drawn up on behalf of the City Council,
- St. George's South Cultural Quarter strategy, including a new performing arts venue, and
- emerging plans for the Haymarket shopping centre.

2.17. Just outside, but with clear links to the SRA, there are also the University of Leicester Masterplan, and the University Hospitals of Leicester NHS Trust Pathway project for the City's three main hospitals. In addition, the Building Schools for the Future (BSF) programme will replace and/or refurbish 15 secondary schools in the City during the Local Plan period.

2.18. Other regeneration initiatives in the City include community based programmes such as "New Deal for Communities" (NDC) in Braunstone, "Single Regeneration Budget" (SRB) areas, and locally based initiatives designed to restore economic, social or environmental health, generally covered by the "Revitalising Neighbourhoods" initiative.

2.19. Regeneration is fundamental to the concept of a sustainable and economically competitive city and the policies of the Plan will contribute to the aims prescribed in the East Midlands Development Agency's (EMDA) own Regeneration Strategy and subsequent Action Plans.

2.20. The previous Local Plan (1994) introduced the concept of the Potential Development Area (PDAs) in which regeneration was encouraged through a more flexible approach to the range of acceptable land uses. Many of these sites have now been successfully redeveloped. This Plan adopts a more selective use of PDAs, mainly within the Strategic Regeneration Area (SRA) (see Policy PS09a) and a smaller number of PDAs outside (see Policy PS09b). The intention is to make the LRC and SRA boundaries co-terminous. The PDAs identify current regeneration opportunities and priorities within this wider SRA and reflect the LRC's Masterplan. A comprehensive and co-ordinated approach is crucial to the delivery of quality, sustainable regeneration, in line with related policy and development guidance. The Council has worked closely with the LRC to produce, as appropriate, detailed development frameworks for each of the major regeneration projects. It is intended that these will be adopted by the City Council as supplementary planning documents and ensure that;

- appropriate developer contributions are sought and are clear to developers at an early stage of the process;
- the necessary framework is established for any Compulsory Purchase that becomes necessary;
- public realm schemes and ongoing maintenance is ensured;

- any necessary relocations are taken into account;
- appropriate consultation is built into the process.

PS02: REGENERATION AND COMPREHENSIVE DEVELOPMENT

~~Within the Strategic Regeneration Area (SRA) planning permission will only be granted where a comprehensive and co-ordinated approach to development can be demonstrated. In particular the City Council will seek to ensure that the density, layout and design of buildings, spaces and access arrangements is comprehensively phased and implemented within the development sites identified on the Proposals Map. Planning permission will not be granted for development that would prejudice comprehensive development within the SRA.~~

~~This would include the provision of open space and could include the enhancement of the quality of existing sites, improvement of access to existing sites as well as the provision of new sites.~~

~~Within the Strategic Regeneration Area, the target for at least 30% affordable housing will be taken as a total across the whole of the Strategic Regeneration Area, rather than per site. Affordable housing will still only be required on developments of 25 or more dwellings, or at least 1 hectare or more in size, as it is recognized as a priority investment area.~~

The Principle of Comprehensive Development

2.21. Comprehensive development is the best method to ensure that the full potential of each of the five key intervention areas is realised – thus the importance of land assembly. Each area offers the City a unique resource for the development of a competitive city; the aim of the comprehensive approach to development is to realise this unique value.

2.22. In Leicester the preferred method of securing comprehensive development is by producing overall development frameworks for the whole of each area. These will set out the broad mix and layout of uses, locate the principal access infrastructure, dictate the character of the public realm, guide the height and massing of buildings and set the standards of architecture to be achieved. They will also establish an approach and level for developer contributions towards infrastructure, affordable housing and support facilities including education and health.

2.23. The guidance will be produced for areas making up the SRA in order to look at the long-term opportunities and guide development. The objective is to guide, encourage and secure regeneration. Where necessary compulsory purchase will be pursued by the City Council acting in partnership with others.

Land Assembly

2.24. One of the biggest obstacles to the successful regeneration of certain parts of the City is the multiplicity of land ownership; as a consequence there is a shortage of sites that appeal to

developers. One of the key aims of the Plan is to help to remove this obstacle – most particularly in areas which have very strong advantages in terms of location or assets, but which also suffer from large tracts of poorly used, under-used and vacant land in multiple ownership. A site can often be left undeveloped because the risk-taker cannot be certain of what will happen to neighbouring uses. Similarly, development can be impeded because the first developer is deterred from putting in the improvements – for example in utility capacity, access or public realm – that will enhance values for subsequent developers who would benefit without having to contribute to costs.

2.25. Appropriate development, regeneration and refurbishment will be encouraged throughout the SRA shown on the Proposals Map. This will be facilitated by the preparation of detailed site development guidance for the Potential Development Areas shown on the Proposals Map (most of which fall within the SRA) and for other sites where there are significant regeneration benefits including the five major areas of intervention of the LRC Masterplan as shown on the Proposals Map.

2.26. This guidance will be prepared in consultation with the local community and other agencies. It will set out a vision for the area, reflecting local characteristics and facilitating a range and mix of appropriate land uses. It is the City Council's intention, ultimately, to encourage appropriate development, redevelopment and/or refurbishment within the whole of the SRA by permitting a range and mix of possible uses and by using its powers for land assembly if necessary. That is through the use of its own Compulsory Purchase procedures (and where appropriate encouraging their use by other agencies) and appropriate commercial arrangements with developers. It is anticipated that at least 60% of new housing and employment land requirements will be accommodated on previously developed land, the majority of which will be located within the SRA. The Council will also seek to ensure that timescales for providing necessary infrastructure are closely related to needs generated by the development and its occupants.

2.27. Site development guidance will be produced for areas making up the SRA in order to look at the long-term opportunities and guide development. The objective is to guide, encourage and secure regeneration. Further policy guidance pertaining to the City Centre and the Riverside is contained in the body of the Plan. The boundaries of the SRA and the development areas may be subject to some alteration when the development initiative begins or the guidelines are prepared.

2.28. The case for regeneration in more local areas is compelling. Economic prospects are enhanced and more jobs become accessible to local people. At its best it can secure the development of previously developed land and buildings, protect and improve the natural and built environments and remove contamination and dereliction. In some cases it can also curb adverse traffic impacts, reduce crime and improve safety. Experience in Leicester shows that these outcomes are more likely to be achieved where there is extensive involvement of the local community and it is important therefore that effective local consultation is the cornerstone of supplementary planning document preparation. This Plan introduces some new PDAs. It also proposes extensions to some existing PDAs and sets out acceptable ranges of use within them. The priority given to particular uses and other factors affecting development prospects are spelled out in more detail in Policies PS09, PS09a and PS09b.

Integrating Planning and Transport

2.29. The appropriate location and juxtaposition of specific land uses, can mean that people's needs are met in a more sustainable way; minimising the need to make unnecessary journeys, restricting the length of those journeys which are necessary and enabling alternative means of travel. To assist with this, the City and County Councils are seeking to establish accessibility profiles for public transport within their areas. It is anticipated that when this work is complete it will play an important role in guiding development to appropriate sites.

2.30. The integration of planning and transport policies is essential to achieve the most effective and efficient use of land. The promotion of walking, cycling and improvements to the public transport network are at the core of the first Local Transport Plan and are major themes in this Plan. The emerging second Local Transport Plan is focused around the priorities of tackling congestion, delivering accessibility, safer roads, better air quality and improving the condition of roads, pavements and cycle routes. The significant regeneration proposals in the plan that serve to strengthen the City Centre need to be served by appropriate transport links. This includes cycling and walking as well as vehicle access.

2.31. Development in locations which are accessible by a choice of these transport modes can reduce reliance on the private car, promoting sustainability, regeneration and social inclusion. Many people need to use their cars, but they must be used sensibly, with restraint and with a proper regard to the environmental consequences. Like other urban centres at certain times Leicester experiences very degraded air quality on many of its main radial routes and within parts of the City Centre. Also it has significant levels of congestion across much of its road network for much of the day. Improving movement within the City is a major task, which again requires a multi-agency approach if sustainable solutions are to be found. The Plan's clear ambition is to see appropriate development focused on the City Centre and other centres in line with the philosophy of PPS6 and PPG13.

2.32. Transport Assessments and Travel Plans will be required for large scale or travel intensive development proposals. These will help to clarify the optimum mix of land uses, design issues, the relationship with the built and natural environment, the suitability of alternative sites, appropriate developer contributions and transport consequences. Appraisals should also outline any necessary remedial measures. More detail is contained in Chapter 5.

2.33. Opportunities will be sought to reduce the impact of the ring road and improve pedestrian access across it. Proposals for the Office Core include measures to downgrade the ring road in front of the railway station and direct pedestrian access to the retail core and the Cultural Quarter. Proposals for Waterside include downgrading of Vaughan Way and an extension of New Walk across it.

PS03. INTEGRATED PLANNING AND TRANSPORT STRATEGY

~~Planning permission will be granted for development where it is in accordance with the objectives and policies of the Local Transport Plan through:~~

- ~~a) concentrating facilities of City wide and greater importance within the City Centre and locating other travel intensive developments where accessibility by walking, cycling and public transport is, or can be, maximised;~~

- ~~b) minimising traffic generation by the development of local transport interchanges; improving bus passage between residential and employment areas and restricting parking provision;~~
- ~~c) improving walking, cycling and public transport networks and giving preference to non-motorised and public transport over the private car;~~
- ~~d) improving access across and reducing the impact of the Central Ring Road; and~~
- ~~e) ensuring the safe and efficient passage of freight.~~

A Strategy for the City Centre

2.34. The preceding rationale for the Plan Strategy and policy PS01 allude to the importance of the City centre for the future of the whole City. Improving the usability and appeal of the City centre is crucial. The LRC Masterplan identified three pre-requisites for change:

- i) improving the usability and appeal of the City centre to the consumer;
- ii) improving the usability and appeal of the City centre to knowledge based service businesses; and
- iii) encouraging a new residential population in the City centre.

2.35. The retail core represented by the Central Shopping Core is the principal key. The focus of the retail core is on The Shires and the Haymarket shopping centres, which are in close proximity, with limited opportunity to feed off them. The radial configuration of the shopping streets compound the difficulty of concentrating and channelling flows outside these areas. These conditions have constrained the opportunities for new retailer representation. Consequently the diminished strength of the retail core has not encouraged a more diverse and appealing leisure market, which in turn affects the City centre and residential markets.

2.36. Greater representation in the office-based and consumer services growth sectors is essential for the City centre to succeed. The underlying reasons for this under representation are the lack of suitable property in the city centre to retain and attract office-based activity exacerbated by substantial competition from out of town office developments. The large stock of old and outmoded office buildings, degraded environments near the Central Ring Road, and no clear demarcated area for offices has deterred developer speculation in new office building in general, and the creation of a demarcated prime office area enjoying advantages of concentration and scale in particular.

2.37. The creation of a significant City centre residential population is essential to give the centre appeal, ambience and vitality and to provide a customer base to support a diverse range of leisure, retail and cultural services. A good City centre residential offer will be capable of attracting and retaining high quality skills needed to attract and sustain investment from growth sectors of the economy.

2.38. The structure of the City centre is an important factor in its under performance. In addition to the flawed retail circuit the City centre core is cut off from the rest of the central area by the Central Ring Road. The road severs it from under utilised assets, such as the canal and river, the Old Town, New Walk and Castle Gardens, that might add interest and appeal to the centre. This issue is partially addressed by policy PS04 but opportunities to reduce the severance affect of the Central Ring Road must be taken into account in any large scale area based development or regeneration scheme within or bordering the central core.

2.39. Functionality is broken up so that the advantage of concentration is difficult to achieve. The lack of a unified centre prevents interaction between different parts of the City and the realisation of synergies between them. A compact and unified City centre is needed.

2.40. The essential elements comprising the strategy to improve the appeal of the City centre are:

- Strengthen the retail core;
- Create a prime office core;
- Create a City centre housing market;
- Ending the centre's isolation;
- Maintaining a compact central core and improving physical and functional linkages within it.

The Central Shopping Core

2.41. The Plan extends the Central Shopping Core in the vicinity of the Shires shopping centre/St Peter's Lane and behind Belgrave Gate/Haymarket in the Mansfield Street area. It will enable the delivery of additional retail floorspace, the need for which was identified in the Central Leicestershire Retail Study (2003) and Leicester Regeneration Company's retail study (2003) and a new retail circuit.

2.42. The Council supports the LRC Masterplan's proposal to create a strong retail circuit and core that addresses the structural problems described above. The purpose of the new retail circuit is to direct and concentrate pedestrian flows across a wider area, that is, southwards of the two shopping centres. It will require a new retail anchor to create the circuit and pull flows to the south eastern area of the Central Shopping Core in the vicinity of Belvoir Street and the southern end of Market Street.

2.43. The envisaged circuit links the Shires shopping centre to the Haymarket and runs via a new link between Mansfield Street and Belgrave Gate, south through to Humberstone Gate, along Gallowtree Gate and part of Granby Street, then along Belvoir Street, Market Street, through St Martins and back to the extended Shires. The western leg of the retail circuit is the extension of New Walk.

PS04. STRONG CITY CENTRE CORE

Planning permission will be granted for development proposals that strengthen and enhance the City Centre core in particular a new retail circuit. In assessing development proposals the following factors will be taken into consideration:

- a) the provision of comprehensively designed schemes which maximise the development potential of the area in accordance with an agreed development framework and the principles of sustainable development;
- b) where appropriate a north-westerly extension of New Walk should be incorporated into any development in the St Peter's Lane area;
- c) where appropriate, the provision of transport and highway measures agreed with the local authority that contribute to a reduction of the severance affect of the Central Ring Road;
- d) the provision of retail development of sufficient strength and quality capable of directing pedestrian flows to the south-eastern area of the Central Shopping Core. Complementary transport provision will be required in order to successfully achieve this.

The New Business Quarter

2.44. The City Council supports the LRC Masterplan's proposal to create a prime office core, the New Business Quarter, integrated with the centre's retail, leisure and cultural offer and capable of achieving a critical mass of employment and supporting activity. It will meet the future employment needs of the City as described in the Employment Chapter of the Plan and help overcome other structural problems in the City centre. The Central Office Core is shown on the Proposals Map.

2.45. The Masterplan proposals include at least 50,000 m² of prime, new office floorspace, supporting leisure and retail, a hotel/conference centre, a re-orientated station, a new car park, a new bus/rail interchange and a re-alignment of the ring road. Area Strategy Guidance: Office Core (New Business Quarter) was approved by the City Council in December 2004.

2.46. Other policies within the Local Plan which will facilitate the development of the prime office core include E05 (Major Office Development) which sets out the sequential approach for locating new major office development. All new office development over 1,000 m² will be required to look for suitable sites within the Central Office Core as the first area of search.

PS05. CENTRAL OFFICE CORE (NEW BUSINESS QUARTER)

Planning permission will be granted for comprehensive development that contributes towards the creation of a prime office area within the Central Office Core as shown on the Proposals Map. In assessing development proposals the following factors will be taken into consideration:

- a) the provision of comprehensively designed schemes which maximise the development potential of the area in accordance with an agreed development framework and the principles of sustainable development, which should include:
- b) the provision of at least 50,000 m² of office floorspace;
- c) the provision of complementary ground floor retail and leisure floorspace;
- d) the provision of transport and highway measures, including the possible realignment of St. George's Way, agreed with the local authority, that contribute to a reduction of the severance effect of the Central Ring Road;
- e) the provision of a new integrated transport interchange; and
- f) the provision of links to integrate the Central Office Core with the Central Shopping Core, the New Community (Policy PS06) and the Cultural Quarter.

St. George's Residential and Working Community

2.47. The St. George's area is widely regarded as incoherent and unattractive, characterised by low-value uses with extensive under-use of buildings and relatively high vacancy levels. In common with the other regeneration areas St. George's is currently contributing to the under performance of the central area of Leicester. The Central Ring Road has a significant influence on the character and function of the area. The road has a blighting effect far wider than the carriageway itself; this has been exacerbated by development that followed the highway's construction that has turned its back on the road because of the noise and visual impact. Similarly the construction of Charles Street and development that followed (notably the Bus Station and Haymarket Centre) has resulted in the severance of the area from the City centre. This has left the St. George's area isolated from both the City centre and surrounding residential areas, areas where interaction could have significant regenerative benefit.

2.48. The LRC Masterplan set out aspirations for the regeneration of the area based around the creation of a new 'walkable neighbourhood' comprising a mix of housing, workspace, accessible community facilities and complementary retail and leisure. These proposals were refined in the LRC's Development Framework document that was published for public consultation in 2004. This framework informed supplementary planning guidance (SPG) for the whole of St George's area which was adopted by the City Council in June 2005. The SPG highlights the following elements as important to the area's redevelopment:

- Fostering new links with surrounding residential areas to overcome the severance effect and blighting of the Central Ring Road, and forging improved links with the city centre;
- Creating improved links within the area; Wharf Street, a link between Belgrave Gate and Humberstone Gate, and a link from the St. George's Churchyard area to the proposed Office Core in particular are key routes;

- Introducing a varied mix of housing to the area, including the critical mass of family housing necessary to make community facilities viable and sustainable;
- The provision of new community services in a compact, accessible and flexible form appropriate to the City centre context;
- The provision of new business space and the retention of existing employment within the area where this is compatible with housing;
- Provision of high quality public realm and new open spaces of varying size, type and function appropriate to the City centre grain to meet the wide needs of the new community;
- Provision of complementary retail and leisure space, predominantly utilising the retail legacy of Belgrave Gate and Humberstone Gate;
- Retaining existing buildings of architectural merit within the area and allowing these buildings to determine the scale of new development that occurs around them.

2.49. Overall, redevelopment proposals in St. George's must make a significant contribution to the attractiveness, dynamism and appeal of the City centre as a place to live. In addition, the City Council is leading a regeneration strategy for a new Cultural Quarter in St. George's South. This will focus around the new Performing Arts and Conference Centre on Rutland St. Within St. George's South, priority land uses are residential (C3), major leisure, including the Performing Arts and Conference Centre (D1, D2) and public open space. Subordinate land uses include Business (B1), shared residential/studio units (C3, B1) and a local centre (A1, A2, A3, A4, A5).

PS06. ST. GEORGE'S RESIDENTIAL AND WORKING COMMUNITY

Planning permission will be granted for development proposals that contribute to the creation of a new mixed use residential neighbourhood in the St. George's area as shown on the Proposals Map. In assessing development proposals the following factors will be taken into consideration:

- a) the contribution towards the formation of new and improvement of existing links between the City centre, surrounding residential areas and within the St. George's area itself;
- b) the provision of new housing providing a mixture of house type, size and affordability;
- c) the provision of modern business accommodation including live/work accommodation for small businesses;
- d) the contribution to provision of high quality public realm and a varied mix of open spaces throughout the area; and
- e) links and complementarity with the Cultural Quarter, St. George's South.

Waterside

2.50. Leicester's river and canal are two of its strongest assets, but are lost to the City centre due to the severance of the ring road and a wide swathe of residual commercial and industrial development characterised by under-used land and buildings set in a degraded environment; the area is a legacy of the contraction of Leicester's traditional economic base and a contributing factor to the under performance of the central area of the City. Historic reasons for the lack of investment and renewal in Waterside are many, however a key theme is fragmented land ownership and the associated difficulties, highlighted at paragraph 2.24 above. This points to a need for comprehensive redevelopment.

2.51. However, the Waterside offers a major regeneration opportunity for new residential, office and leisure development, all set within an environment of exceptional quality. Comprehensive redevelopment could provide the City centre with a clear, distinctive and attractive western edge, provide new water space and reconnect the city centre to the water through the careful control of routes and views, whilst revealing and framing the City's special built heritage. Regeneration of the Waterside in this way could have a significant positive impact on the economic performance of the City as a whole by providing a living environment of outstanding quality to complement the related employment-generating proposals of the Plan.

2.52. The strategy for the regeneration of the area is set out in a Development Framework commissioned by the Leicester Regeneration Company in partnership with the City Council and is based on the following principles:

- A balanced and integrated mix of new residential neighbourhoods closely linked to existing communities;
- High quality business accommodation space, well integrated with the residential property. Office space should be smaller 'own front door' units to complement the proposal for a New Business Quarter in the vicinity of the Railway Station;
- New water space and moorings to bring the river, canal and associated activities closer to the City centre;
- Ancillary leisure and retail space, focused around the new water space with limited provision elsewhere in the area;
- Community facilities including a new school;
- Improved access to allow better links from the City centre to the waterside; better access from surrounding housing areas back into the City centre and unnecessary through traffic to be diverted away from the area to facilitate creation of a more peaceful and clean residential quarter; and
- Provision of public car parking to serve both the Waterside and Central Shopping Core.

2.53. Piecemeal development will not deliver the regeneration of Waterside. Comprehensive redevelopment is required to ensure the proper planning of the area and to ensure that a mechanism can be put in place to assist individual developments to meet their obligations to the overall costs of public realm and facilities required as a result of the development.

PS07. WATERSIDE

Planning Permission will be granted for development that contributes towards a new comprehensive Waterside development in the vicinity of Frog Island, in the area shown on the Proposals Map. Development that frustrates delivery of this project will be resisted.

Development proposals must demonstrate how they contribute towards achieving comprehensive development by addressing the following factors:

- a) creation of a new vibrant predominantly residential mixed-use Waterside area;
- b) provision of comprehensively designed schemes which maximise the potential of the area in accordance with an agreed development framework and the principles of sustainable development;
- c) provision of transport and highway measures agreed with the local authority that contribute to a reduction of the severance effect of the Central Ring Road, particularly at the principal access points to Waterside of Highcross Street and St. Nicholas Circle; that provide opportunities for existing through-traffic to be removed from the area; that provide a comprehensive network of cycle routes and footpaths to link Waterside to the City centre and to surrounding Tudor Road and Woodgate areas;
- d) provision of new housing providing a mixture of house type, size and affordability as well as the necessary supporting community facilities including education infrastructure;
- e) provision of new waterspace and improved access to existing waterspace;
- f) provision of public car parking to serve both the Waterside and Central Shopping Core; and
- g) the contribution to provision of high quality public realm and a varied mix of open spaces throughout the area.

2.54. Land within Waterside to the east of Northgate and north of Sanvey Gate is designated as a Primarily Employment Area and Policy E03 will apply. In the interests of providing an appropriate quality of environment and public realm to the frontage of Northgate and Sanvey Gate, redevelopment proposals on sites directly fronting these streets for uses other than use classes B1, B2 or B8 will be considered in accordance with criterion (d) of Policy E03.

Science and Technology Based Business Park and Environs - Abbey Meadows

2.55. Analysis of Leicester underpinning the LRC Masterplan highlighted a number of areas where the City's economy performs less well than it could. These included a failure of the City to retain an educated workforce, particularly Graduates from the two Universities that

are needed by the higher-value end of the office and science and technology sectors that are key to the City's future prosperity.

2.56. The City's Universities both enjoy world-class reputations in key science and technology areas, however there is little evidence of this in the City's economy, for example in the form of spin-off businesses. This is due in large part to the lack of a suitable property offer for these specialist occupiers. The City needs within its property portfolio the high quality in-city campus style business park environment sought by these target businesses, if it is to compete for this investment against the very substantial competition from out of town developments.

2.57. The proposed science and technology park site shown on the Proposals Map was identified for this purpose both because it presented the best opportunity for delivering the quality of development required (significant areas of underused land in a potentially very attractive setting) and because of the benefits accruing from proximity to the existing iconic National Space Centre building.

2.58. A Development Framework for the area was prepared by LRC in partnership with the Council during 2004 and was subject to extensive public consultation. The proposals emerging from the framework will guide development on the site and form the basis for a Supplementary Planning Document for the area. Key elements of the framework are:

- High quality in-city campus style business park targeted at science and technology businesses at all stages of their growth;
- Mix of housing type/size and affordability on Wolsey Island and Ross Walk and off Abbey Lane with appropriate open space and ancillary retail and leisure;
- New links to the Belgrave community to allow improved access to employment opportunities and amenities from which the area is blocked by the lack of bridges across the river and canal; and
- For all development to positively address the water environment, to make the river and canal more accessible to existing and new residents and visitors, and to encourage provision of additional moorings and other facilities for users of the river.

PS08. SCIENCE AND TECHNOLOGY BASED BUSINESS PARK AND ENVIRONS - ABBEY MEADOWS

Planning permission will be given for development that contributes towards the creation of a science and technology based business park in the vicinity of the Space Centre. In addition, significant new residential development, incorporating limited mixed uses, within local centres serving local need, including cafe (A3), pub (A4), takeaways (A5) & shops (A1), community and leisure (D2), place of worship (D1), moorings/waterside activities will be permitted in the area shown on the Proposals Map. Development that frustrates the delivery of this project will be refused. (See also Policy E15: Abbey Lane Research Business Park).

Potential Development Areas

2.59. The previous City of Leicester Local Plan (1994) identified a number of areas where, in order to encourage regeneration or development, a range and mix of possible land uses would be considered. These were predominantly within the inner area of the City and included both areas where large-scale redevelopment was in the pipeline such as Bede Island North and areas where changes were being, or could be, achieved in a more piecemeal fashion such as the Albion Hill area. The current plan builds on the success of this approach, taking it forward to 2016.

2.60. The PDA locations reflect two of the major strands of the City's physical regeneration strategy:

- the regeneration of old and outdated industrial and commercial sites and properties on the fringes of the City centre, particularly along the Central Ring Road; and
- the regeneration of Leicester's waterways.

2.61. The PDAs are mainly located within the wider Strategic Regeneration Area which is the focus for the Leicester Regeneration Company. It is the Council's long-term aim that site development guidance will be produced to cover all of these areas. It will build on opportunities identified in this Local Plan and the LRC Masterplan for the PDAs and ensure a comprehensive approach to area regeneration. Where necessary the City Council will use its powers with regard to Compulsory Purchase in conjunction with others in order to assemble sites for regeneration. This was an important element in the case of Bede Island North, a Potential Development Area in the previous Local Plan, where the successful regeneration scheme was enabled by the use of Compulsory Purchase powers under section 226 of the Town and Country Planning Act 1990. The Council will also support other agencies with these powers where it considers such an action is appropriate.

PS09. POTENTIAL DEVELOPMENT AREAS (PDAs)

Development, regeneration and refurbishment will be encouraged within the Potential Development Areas shown on the Proposals Map, by allowing a range and mix of land uses within these areas that are identified below. (See Policies PS09a & PS09b)

Within all Potential Development Areas a high standard of urban design and commitment to sustainable development will be required and consideration of residential amenity should be addressed, in any mixed use scheme. Town Centre uses such as retailing and major office & leisure are subject to a sequential approach.

In Potential Development Areas, planning permission for subordinate land uses, or the intensification of existing uses, will only be given if such development will not compromise any potential for the identified priority uses to be provided on remaining land or premises within the Potential Development Area.

Where residential development is proposed as a priority or subordinate use, an appropriate living environment needs to be provided, which includes safe and convenient access to the development. Planning permission will not be granted if

residential development would have an adverse effect on existing, viable businesses by requiring them to make changes to their buildings or working methods in order to make them compatible with the new residential use.

PS09a. PROPOSED PDA USES WITHIN THE STRATEGIC REGENERATION AREA

| Table 1. Potential Development Areas - within the Strategic Regeneration Area | | | |
|---|--------------------|--|--|
| Map Ref. | Location | Priority Land Uses | Subordinate land uses |
| 1 | St. Peter's | <ul style="list-style-type: none"> • Retail (A1, A2, A3, A4, A5) • Major leisure (D1, D2) • Provision for east-west bus operations in the vicinity of St. Peters Lane as a replacement for bus provision in High Street | <ul style="list-style-type: none"> • Business (B1) • Residential (C3) • Education and community facilities (D1) |
| 2 | Mansfield Street | <ul style="list-style-type: none"> • Public transport interchange • Retail (A1, A2, A3, A4, A5) • Major leisure (D1, D2) • Provision for bus operations along Mansfield Street | <ul style="list-style-type: none"> • Business (B1) • Residential (C3) • Community facilities (D1) |
| 3 | Belgrave Gate | <ul style="list-style-type: none"> • Business (B1) • Health and community facilities (D1) • Residential (C3) | <ul style="list-style-type: none"> • Major leisure (D1, D2) |
| 4 | Albion Hill | <ul style="list-style-type: none"> • Offices (B1a, A2) • Residential (C3) | <ul style="list-style-type: none"> • Major leisure (D1, D2) • Community facilities (D1) |
| 5 | Granby Halls | <ul style="list-style-type: none"> • The expansion of the Tigers ground (D1, D2) • Community facilities (D1) | <ul style="list-style-type: none"> • Residential (C3) • Hotel (C1) • Business (B1) • Facilities for the emergency services • Community leisure (D2) |
| 6 | Lower Brown Street | <ul style="list-style-type: none"> • Residential (C3) • Education and community facilities (D1) | <ul style="list-style-type: none"> • Major leisure (D1, D2) • Offices (B1a, A2) |

| Map Ref. | Location | Priority Land Uses | Subordinate land uses |
|----------|----------------------|---|--|
| 7 | Southgates | <ul style="list-style-type: none"> • Residential (C3) | <ul style="list-style-type: none"> • Education and community facilities (D1) • Restaurant/pub (A3/A4) • Offices (B1a, A2) • Major leisure (D1, D2) • Public open space in the vicinity of St. Nicholas Circle |
| 8 | Memory Lane Wharf | <ul style="list-style-type: none"> • Major leisure (D1, D2) • Education and community facilities (D1) • Waterside residential development (C3) • Moorings | <ul style="list-style-type: none"> • Business (B1) • Residential (C3) |
| 9 | Burleys Way | <ul style="list-style-type: none"> • Waterside residential development (C3) • Moorings • Education and community facilities (D1) | <ul style="list-style-type: none"> • Business (B1) • Residual general industry (B2) • Residential (C3) • Major leisure (D1, D2) |
| 10 | St. Augustine's Road | <ul style="list-style-type: none"> • Residential (C3) • Community facilities (D1) • Waterside activities • Moorings | <ul style="list-style-type: none"> • Offices (B1a) • Major leisure (D1, D2) • Pub/restaurant (A3/A4) • Hotel (C1) |
| 11 | Western Road | <ul style="list-style-type: none"> • Residential (C3) | <ul style="list-style-type: none"> • Education and community facilities (D1) • Community leisure (D2) |
| 12 | St. Mary's Mills | <ul style="list-style-type: none"> • Community leisure (D2) • Waterside activities • Waterside restaurant/pub (A3/A4) • Business (B1) | <ul style="list-style-type: none"> • Residential (C3) • Public open space • Community facilities (D1) |

| Map Ref. | Location | Priority Land Uses | Subordinate land uses |
|----------|-----------------------------|---|--|
| 13 | Aylestone Road Gas Works | <ul style="list-style-type: none"> • Business (B1) • General industry (B2) • Storage & distribution (B8) • Residential (C3) • Taking account of BES & Riverside policies and the Green Ringway | |
| 14 | Abbey Park Street/Ross Walk | <ul style="list-style-type: none"> • Residential (C3) • Business (B1) • Waterside activities • Moorings | <ul style="list-style-type: none"> • Community facilities (D1) • Community Leisure (D2) • Public open space |

PS09b. PROPOSED PDA USES OUTSIDE THE STRATEGIC REGENERATION AREA

Table 2. Potential Development Areas - outside the SRA

| Map Ref. | Location | Priority Land Uses | Subordinate Land Uses |
|----------|----------------------|--|---|
| 15 | Beaumont Way | <ul style="list-style-type: none"> • Community facilities (D1) • Community leisure (D2) | <ul style="list-style-type: none"> • Residential (C3) • Major leisure (D1, D2) • Restaurant/pub (A3/A4) • Offices (B1a, A2) |
| 16 | Keyham Lane | <ul style="list-style-type: none"> • Community facilities (D1) • Community leisure (D2) | <ul style="list-style-type: none"> • Residential (C3) • Major leisure (D1, D2) • Restaurant/pub (A3/A4) • Offices (B1a, A2) |
| 17 | Towers Hospital | <ul style="list-style-type: none"> • Business (B1) • Local centre (including A1 up to a maximum of 500 sqm, A2, A3, A4, A5) • Place of Worship (D1) | <ul style="list-style-type: none"> • Community facilities (D1) • Community leisure (D2) • Residential (C3) |
| 18 | Evington Valley Road | <ul style="list-style-type: none"> • Business (B1) • Place of Worship (D1) • Community facilities (D1) • Public open space | <ul style="list-style-type: none"> • Residential (C3) |

2.62. This policy recognises that regeneration proposals which fall outside the Strategic Regeneration Areas may also require policy support. These areas are identified within the Local Plan as PDAs (Towers Hospital, Evington Valley Road, Beaumont Way and Keyham Lane). However during the Plan period it is likely that priorities for regeneration will change as will government funding initiatives. Local areas can experience poor levels of investment, symptoms of social stress and problems of congestion. These can be challenged through a range of statutory and non-statutory initiatives. Reusing land and converting buildings provide key opportunities for local people to respond to aspects of neglect within local communities.

Sustainable Development

2.63. Also underpinning this Plan are the principles of sustainable development. These are well rehearsed at the national level in PPGNs and PPSs. In the context of Leicester the following sets out its key elements.

PRINCIPLES OF SUSTAINABLE DEVELOPMENT

2.64. Planning permission for development will be considered against the following criteria to help secure sustainable development:

- a) its contribution to meeting the needs of disadvantaged people especially in relation to housing and employment;
- b) the development of quality places through the application of the principles of good urban design: incorporating where possible, energy and water conservation, minimisation of waste and pollution and the use of secondary aggregates and recycled material in construction projects;
- c) its ability to improve personal security, reduce fear of crime and deter incidences of crime and anti social behaviour;
- d) the protection of residential amenity and pollution control; and
- e) its use, where appropriate, of previously developed land and densities to support local services and make efficient use of land.

Equity

2.65. Many people take for granted their access to housing, employment and transport, as well as to a wide range of social, community and leisure facilities. It is crucial to their well being and quality of life. However, the needs of disadvantaged people are often greater and their access to these staples less. It is vital that this is acknowledged in the Plan if progress towards social equity is to be made and social exclusion reduced. Of course the needs of different groups vary considerably. They can be social or economic as well as physical. Specific policies, for example on disabled persons' access, will be found in the body of the Plan.

Care of the Environment

2.66. Achieving good urban design in new development is a key objective of Central Government and the City Council. The creation of quality places involves looking beyond the external appearance of development to consider the relationships of buildings to one another and to the spaces around them. It involves managing the design of the public realm and recognises that towns and cities are about human contact, vitality and accessibility. Good quality urban design involves consideration of townscape and urban form, the quality of the public realm, identity, image and sustainability.

2.67. Chapter 3 sets out the key urban design policies to be applied to all new development. These policies are amplified in supplementary planning guidance (SPG) and supplementary planning documents (SPD).

2.68. Achieving a higher quality urban environment will involve the City Council in providing guidance, setting standards and promoting innovation. However, like many other ambitions of this Plan, it will only be achieved in partnership with others, notably those included in the development industry and local communities. PPS1 requires Local Planning Authorities to place the quality of design at the centre of its decision making and the City Council will expect developers to produce "Design Statements" to accompany all major planning applications. These should incorporate the principles described above and those of the Urban Design Chapter.

Crime and Disorder

2.69. No development should be allowed to proceed until the implications for the safety and security of those affected by the proposal have been considered. This is dealt with in more detail in Chapter 3 particularly with reference to the design of new buildings and the relationship of land uses. New uses within the existing fabric of the City can also have safety implications. The spread of evening leisure facilities needs to be considered both from the perspective of those using such a facility and those affected by its use.

Residential Amenity

2.70. With a move towards greater mixing of homes with other land uses, the issue of amenity is of particular relevance. It is important in providing residents with a quality living environment.

PS10. RESIDENTIAL AMENITY AND NEW DEVELOPMENT

In determining planning applications, the following factors concerning the amenity of existing or proposed residents will be taken into account:

- a) noise, light, vibrations, smell and air pollution (individually or cumulatively) caused by the development and its use;
- b) the visual quality of the area including potential litter problems;
- c) additional parking and vehicle manoeuvring;

- d) privacy and overshadowing;
- e) safety and security;
- f) the ability of the area to assimilate development; and
- g) access to key facilities by walking, cycling or public transport.

Protection from Pollution

2.71. Most types of pollution that affect residential amenity are subject to legislation outside planning control, such as the Environmental Protection Act 1990. The impact of pollution, including that caused by traffic, on the amenity of neighbouring residents will be a material consideration when determining planning applications. These impacts may often be mitigated through location, design and the use of conditions, for example, restricting hours of operation or implementing a travel plan. Consideration will also be given to longer term gains, where relevant, achieved through reducing the need to travel. The Government provides guidance on the relationship between the planning system and pollution control in PPS23 (Planning and Pollution Control) and PPG24 (Planning and Noise).

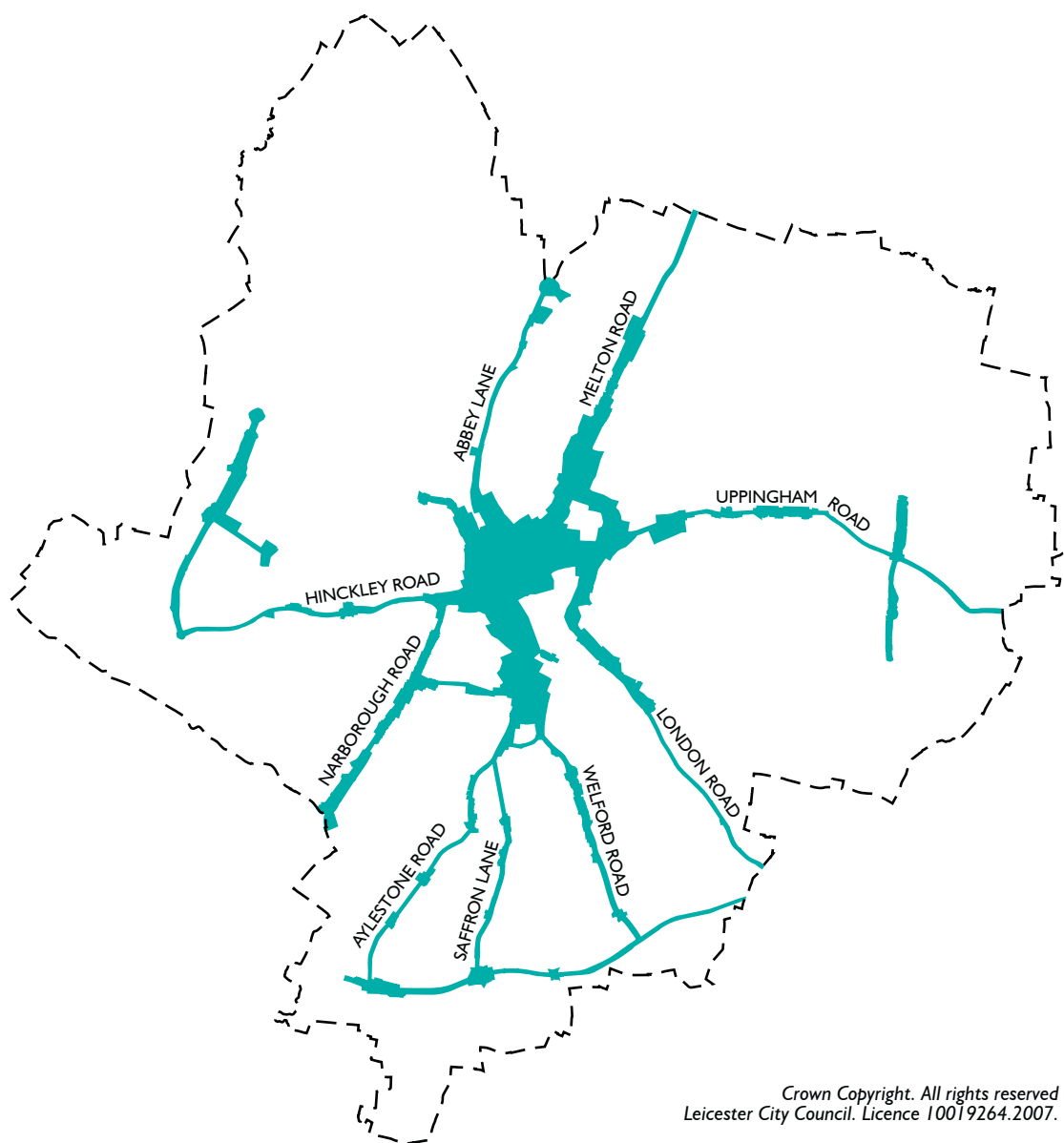
2.72. Good design solutions should be used where necessary to mitigate problems such as impact on visual amenity, safety and security, overshadowing and privacy. Some aspects of amenity such as visual impact and safety affect other users of the area as well. The physical nature of residential areas can also affect their ability to assimilate another use as can the level of infrastructure - either already available or capable of appropriate provision.

2.73. The potential problems caused by insufficient parking will be considered with other factors listed in policies AM11 (Parking Provision with Non-Residential Development) and AM12 (Residential Parking). Potential impacts may, for instance, be reduced through the implementation of a Travel Plan.



2.74. Exactly what constitutes an acceptable level of amenity will depend partly on the existing circumstances and the characteristics of an area. For instance the level of noise, light or other disturbance that is acceptable in a City Centre location may be higher than that which is acceptable in a more suburban area. All development must, however, comply with relevant environmental legislation.

2.75. Protection from all forms of pollution should reduce health risks, protect the natural environment and prevent harm to amenity. Planning conditions and/or legal agreements may be used to exert control. Environmental Assessments may be required to help establish the precise nature of any risk along with remedial measures.

2.76. The City Council has monitored air quality for several years and is continually improving its understanding of the distribution of pollution over time and space. Areas where Statutory Air Quality Objectives will not be met have been identified and Air Quality Management Areas (AQMA) declared. Action Plans to improve air quality in them will be developed. Alongside 'Low Emission Zones', proposed under the government's Clear Zones initiative, they will be



MAP 03. AIR QUALITY MANAGEMENT AREAS

-  City of Leicester Local Plan boundary
-  Air Quality Management Areas

important factors in the consideration of future development proposals. Potentially serious damage to air quality outside AQMA, for example due to emissions from fixed installations, will also be a material consideration when assessing development proposals.

2.77. Ideally houses, schools, hospitals and other developments sensitive to pollution should not be located where they would suffer detrimental effects from pollution. Efforts will be made to improve air quality through traffic reduction/management measures, since this is the most important component in pollution of the air. Potential for pollution reduction resulting from better integration of transport and land use, through urban concentration and well-conceived mixed use developments will also be pursued. Regeneration of the City creating major social and economic benefits will sometimes produce potentially incompatible neighbours. But often these can co-exist when issues are addressed at the formative design stage and adequate safeguards built in. These could include the positioning, layout, orientation and internal arrangements of the different elements of the development. Additionally engineering protection for example by the installation of mechanical ventilation may also be necessary. The removal or reduction of existing polluters will often be a key consideration in the application of this policy including the capacity of development to generate, redistribute or suppress traffic levels.

PS11. PROTECTION FROM POLLUTION

Proposals which have the potential to pollute air, ground or water by reason of noise, dust, vibration, smell, light, heat, radiation or toxic discharge will not be permitted unless the health and amenity of users, neighbours and the wider environment can be assured.

Proposals that occur within or which would significantly affect Air Quality Management Areas (shown on Map 03) will be scrutinised closely. In such areas, the aims and requirements of any Air Quality Action Plans will be taken into consideration and proposals only allowed where they do not affect the fulfilment of the Plan.

Proposals that are sensitive to pollution will not be permitted close to existing polluting uses, unless by so doing developers can demonstrate that adequate measures have been taken to prevent or minimise the impact of pollution.

Proposals associated with alternative fuels and technology (such as refuelling and recharging infrastructure) will be supported.

(Developers' attention is drawn to Part IV of the Environment Act 1995, associated DETR Guidance and The Leicester City Council Air Quality Management Area Order 2000. Standard conditions may be imposed on planning consents for potentially polluting development.)

Energy Conservation and Waste Minimisation

2.78. Reducing the consumption of energy can make an important contribution to local, national and international air quality. It is consistent with principles of sustainable development, helping to reduce the use of non-renewable resources. Much can be achieved by thoughtful design, which need not add to development costs, or compromise designs in keeping with their surroundings.

A supplementary planning document (SPD) concerning energy conservation and renewable energy was adopted by the City Council in November 2005. This SPD provides further practical advice. The functional aspects of waste treatment in line with the provisions of the waste hierarchy are also important when considering how to create a more sustainable City.

2.79. The consumption of energy and water, the production of waste and pollution should be minimised by:

- the use of methods and materials with maximum possible positive environmental impact;
- landscaping;
- access and transport linkages; and
- the siting, design, layout and orientation of buildings.

The Strategic Green Network

2.80. Throughout Leicester there is a network of open spaces, parks, wildlife areas, nature reserves and greenways that connect the heart of the urban area to the wider countryside. This green network is multi-functional. It provides walkways, leisure routes and cycleways; places for formal and informal play and recreation; a place for people to see and experience wildlife and natural places on their doorsteps. It includes attractive natural landscapes and some rural character in the midst of the urban area. The network includes areas for flood defence and storm water retention; allotments; sports grounds; land for growing food and grazing livestock, and plays a key part in helping to absorb and reduce the effects of air and water-borne pollution. It consists of Green Wedges and Greenspace as shown on the Proposals Map.

2.81. Protection and enhancement of this green network is an important element of the environmental sustainability of Leicester.

Key Development Areas

2.82. As far as possible the Plan will make provision to meet the housing requirement and allocate sufficient land for industrial and commercial purposes.

2.83. The principles outlined in Policy PS02 will be incorporated in the approach to the development of the city's remaining major development sites at Ashton Green and Hamilton. Whilst this Plan acknowledges the commitments given in previous plans to the long-term development of these sites, it suggests a more sustainable model for development in these urban extension locations. This will help to ensure that these sites make a full contribution to future housing and employment needs, and should help with the timely implementation of proposals: a key failing of previous plans.

Minerals Planning

2.84. In May 1995 Leicestershire County Council as Mineral Planning Authority adopted the Leicestershire Minerals Local Plan Review. This Plan contained policies and proposals which sought to balance the responsibility for ensuring a supply of minerals, against the need to limit the effects of mineral extraction through environmental safeguards. This Plan ran in parallel with the Structure Plan to 2006.

2.85. In 1997 Leicester City Council became a Unitary Council and assumed the responsibilities of a Minerals Planning Authority. The policy guidance set out in 2.82 above remains in place, but the City Council believes it is sensible and prudent to roll forward this policy advice to 2016 and incorporate it into the Replacement City of Leicester Local Plan.

2.86. The Leicestershire, Leicester and Rutland Structure Plan provides new strategic guidance in relation to minerals, for the whole of the Plan Area. In Leicester itself there are currently no mineral workings. Furthermore no workable deposits of igneous rock, coal, limestone, brickclay, fireclay, ironstone, gypsum, oil, gas or other minerals are known to exist.

2.87. A small area within the city boundary, adjacent to the River Soar South in Aylestone was allocated for sand and gravel extraction in the previous Leicestershire Minerals Local Plan (1986). At the time the County Council acknowledged that it had identified more land for sand and gravel extraction than was strictly necessary in order to allow operators some flexibility. The site was part of a much larger allocation mainly situated within Blaby District. Planning permission was granted in 1990 to Pioneer Aggregates (UK) Ltd. for extraction of sand and gravel as identified in the Plan, but this consent was confined to an area totally outside the city boundary. Extraction took place in 1991-92. Planning permission for the site expired on 3rd December 2002. Potential operators have given no indication of recommencing extraction and it seems very unlikely that any remaining reserves will be worked, especially as the site now adjoins the Fosse Park Shopping Centre which has grown up over the last 10 years. Moreover new sites for sand and gravel extraction were identified in a 1995 review.

2.88. In the circumstance therefore, the City Council believes that it is unnecessary to include any further policies in relation to the winning or working of minerals within its boundary.

2.89. The City Council further believes that there are no sites within its boundary suitable for the disposal of material extracted elsewhere. Any proposal for such development will be judged against the policies of this Plan, the Leicestershire, Leicester and Rutland Waste Local Plan, the Leicestershire, Leicester and Rutland Structure Plan and appropriate national guidance, especially that contained in MPG6.

2.90. As far as the City's need for minerals and aggregates is concerned, it is clear from the above that all must be imported. No estimates of need are available at the City level but this is unlikely to be a critical factor. The move to a plan, monitor, manage model - signalled in the consultation draft of MPG6 - means that the previously complex, unclear and inaccurate "bottom up" approach to forecasting demand is no longer appropriate. Instead national and regional figures tied to appropriate economic forecasts seem to offer a simpler, more transparent and more flexible method. The development requirements set out in this Plan strongly suggest that Leicester is most unlikely to experience excessive development pressure and its consumption of minerals and aggregates will be consistent with average national and regional rates.

2.91. However, Leicester is keen to advance the case of resource conservation and the City Council believes that the use of secondary aggregates and recycled material is an important element of sustainable development. In 1992, along with the County Council and Leicester Environment City Trust it published “Building for the Environment”, an environmental good practice checklist for the construction and development industries. This advocated action to reduce or substitute material use whilst maximising the use of recycled and secondary materials. At the time 0.5 million tonnes of construction/demolition waste went to landfill.



Chapter 3

Urban Design

Introduction

3.1. Government advice stresses the need for urban design considerations to be at the forefront of the development plan process. These considerations are contained in PPS1, PPS6 and PPGs 3, & 13, and supported in the DETR guides: "Places, Streets and Movement" 1998, "By Design - Urban Design in the Planning System: Towards Better Practice" 2000 and "Better Places to Live" 2001.

3.2. It is vitally important to ensure that such matters permeate all aspects of the plan and are taken into account on a comprehensive and consistent basis. This chapter sets out the key urban design policies to be applied to all new development. These policies are amplified elsewhere in supplementary planning guidance/documents.

Urban Design Aims

3.3. Urban design looks beyond the external appearance of development to consider the relationship of buildings to one another and to the spaces around them. Good urban design is based on an understanding of how successful places work and not on the use of rigid design standards.

3.4. The Local Plan has seven key urban design goals:

- to promote places that have regard to their local setting and context;
- to promote places that are safe and secure;
- to promote accessibility, allow ease of movement and ensure good connectivity;
- to promote places that are easy to find one's way around and that have a strong positive identity;
- to promote the vitality of the public realm, create places with variety and choice and encourage social and economic interaction;
- to promote the visual qualities of buildings in the city, the spaces they create, and the overall quality of people's surroundings;
- to promote sustainable development.

3.5. Applicants for planning permission should be able to demonstrate how they have taken account of the need for good design in their development proposals and particularly that they have had regard to both policy and guidance. This should be done in a manner appropriate to the nature and scale of the proposal. As a minimum for major development, applicants should provide a short written statement setting out the design principles adopted as well as illustrative material in plan and elevation. For complex large-scale development proposals, the statement will need to explain how proposals relate to all relevant design policy and guidance. In certain circumstances this will involve the production of an urban design framework or master plan.

3.6. Landowners and applicants are recommended to seek the advice of the City Council at an early stage, to ensure a comprehensive understanding of design policy and guidance for individual sites and areas.

Supplementary Planning Documents

3.7. Supplementary planning documents will be produced which include CityWide, Area and Site Specific Planning guidance. These will include design guidance that amplify policy and will assist developers in understanding, appreciating and responding to the Planning Authority's design expectations. Such guidance, formulated only after due public consultation, will be taken into account in the determination of planning applications as supplementary to the Plan Policies.

High Quality Building Design and Local Context

3.8. In considering any development in Leicester, note must be taken of the general characteristics of the City, its form and history. Any development within the City must consider its surroundings. The City Centre is characterised by its medieval street pattern. Around the centre are streets of terraced housing reflecting the significant growth of the city in the second half of the 19th century. Leicester still has the feeling of a large market town, with a compact retail core. In most cases new development should follow the discipline imposed by the established pattern of development in the area. In Leicester the dominant pattern is "the street" with buildings facing onto either side. This should continue to be the case in the future and opportunities to recreate past street patterns should be taken. Large scale monolithic developments are not appropriate within the historic areas in and around the City Centre where they would destroy the fine grain character of these areas. Local setting and context should not be used as precedents for future development where they undermine the overall character of an area and detract from the achievement of key urban design goals.

3.9. High quality environments and design enhance people's lives. There should be no conflict between high quality design and the construction of robust buildings that function well, are sustainable and meet the needs of their occupants and the occupants of the future. Individual expression and variety of architectural style is encouraged. It is recognised that in certain circumstances designs that contrast dramatically with adjoining buildings are highly desirable. The circumstances of individual locations will determine where this approach is appropriate. Buildings that are robust, flexible and are of high visual quality can help prolong the use of and life of buildings by being flexible and adaptable to change.

~~UD01. HIGH QUALITY BUILDING DESIGN AND LOCAL CONTEXT~~

~~Planning Permission will be given for sustainable high quality building designs, whether they are interpretations of traditional styles or not, providing proposals have regard to local context including:~~

- ~~a) existing landscape characteristics and features such as trees, hedgerows ponds and waterways;~~

- b) the scale and proportion of existing buildings, building lines and heights within the street scene;
- c) the detailed design of the existing building where ancillary buildings and extensions are proposed; and
- d) the retention and enhancement of existing urban spaces, traditional local materials, and townscape or historic features which contribute to the character of the area.

Planning permission will not be granted for design which is inappropriate in its context, or which fails to take the opportunity available for improving the character and quality of an area and the way it functions.

3.10. Within Conservation Areas the conservation policies in Chapter 9 will also be applicable.

Building Layout, Form and Positioning

3.11. New development should ensure that the building layout creates a network of connected spaces overlooked by the front of buildings. These should provide both enclosure and visual surveillance of the street. Overlooked streets and open spaces with 'active' frontages can make places feel safer and help introduce vitality into the public realm. The rear of buildings should be private and should not face the public highway or public open space. Street frontages that have the minimum of gaps between buildings provide both good visual surveillance and enclosure of the street scene.

3.12. Planning applications will be assessed in order to determine a scheme's ability to reduce the risk of criminal activity, trespass and vandalism. New development should be designed to minimise such risks through appropriate layout, boundary features and means of enclosure.

3.13. The City Council is concerned with the image of the City as a whole but also with local identity and people's attachment to places. It is desirable that new development creates a sense of place, aids orientation and reinforces the identity and legibility of a particular district. Legibility is the clarity of a place, and the degree to which an area is easily navigated and understood. The best places are memorable, easy to understand and have a character with which people can identify. Development should give a strong identity to the area through the form and layout of buildings and the creation of new spaces between them.

3.14. The positioning of development on individual plots has an influence on the character of a place, the amount of visual surveillance, and the overall legibility of development. Strong building lines generally provide a pleasing development 'rhythm', can ensure a sense of enclosure and offer increased security and surveillance.

3.15. In certain circumstances it may be desirable for buildings not to conform to the building line in order to have a positive impact on the street scene, for example, allowing corner buildings to be set forward or for the incorporation of public open space.

3.16. Large areas of car parking in front of development reduce both the visual surveillance and enclosure of the street. Consideration should be given to parking either at the side, within the interior of the block, or underground where appropriate.

3.17. Corner buildings are an important feature of Leicester's streets and require special consideration. Their high visibility can make them important as local or major landmarks. If designed well they can aid legibility, increase the visual surveillance of the street, stimulate the mixing of uses and provide good enclosure of the public realm.

3.18. Tall buildings can make a positive contribution to the image of the City. They can improve density, legibility and townscape if designed and located appropriately. Conversely however, they can have a wide range of negative effects including obstructing views, detracting from nearby historic buildings and creating 'dead' environments at street level. Further guidance on tall buildings will be provided in a supplementary planning document.

UD02. BUILDING LAYOUT, FORM AND POSITIONING

Planning Permission will be given for new development where buildings:

- a) provide a positive built frontage onto public spaces, streets or waterways;
 - by having windows and entrances onto the street to ensure vitality and visual surveillance of the public realm;
 - by making a clear physical distinction between private and public space;
 - by being positioned in front of the plot, unless an alternative can be shown to have a positive benefit for the public realm;
 - by emphasising the importance of corners by either raising their height or profile or by other design treatment.
- b) create a sense of identity and improve legibility;
 - by the use of street widths and building heights to emphasise the importance of the public realm;
 - by the appropriate use of landmark buildings;
 - by incorporating key views of prominent features within, into and out of new development.

Tall buildings will only be permitted where they meet strict design and locational criteria. They must make a positive contribution to the character of the area and the City as a whole and have minimal adverse impacts on adjacent buildings and on public amenity.

3.19. The supplementary planning document on Tall Buildings will provide further guidance including the design and locational criteria.

Design and Layout of Streets, Pedestrian Routes, Cycleways and Public Spaces

3.20. Good design of streets and public areas can help everyone move around more easily and safely, particularly people from disadvantaged groups. Creating pleasant outdoor spaces where people can meet contributes to the vitality of the City.

3.21. Streets should generally link with other streets at both ends and routes should be as short and direct as possible. Short linked streets make development more accessible, can encourage walking and cycling and make it easier to find one's way around. Connected places are more readily integrated into the wider structure of the City, helping to reduce any sense of isolation. Culs-de-sac should generally be avoided unless they are part of a well-connected network of streets. Streets should be more than just traffic channels and should offer a safe and attractive environment for all. The DETR publication 'Places, Streets and Movement' provides guidance on this objective. In certain circumstances, for reasons of highway safety, it may be necessary to restrict vehicular movements in connected streets giving priority to pedestrians, cyclists or public transport. However, this should not result in long footpath links that reduce vitality and segregate different users or prevent convenient access to buildings by service vehicles.

3.22. Roads should not dominate the layout of development. The relationship of buildings to each other is of paramount importance in creating a network of spaces which provide variety and interest. Where possible the City Council wishes to see traffic calming measures integral to overall design. Well designed spaces can effectively calm and filter traffic without the need for road humps or similar measures. Detailed policies on traffic calming and car parking can be found in Chapter 5.

3.23. The City Council is committed to improving access for disabled people to the built environment. Developers will be expected to follow guidelines set out in SPG "Paving the Way" in new development or refurbishment in the City. Developers also need to consider Policy AM01 in Chapter 5 that deals with pedestrians, people with limited mobility and new development.

UD03. DESIGN AND LAYOUT OF STREETS AND PUBLIC SPACES

High quality and imaginative designs for streets and public spaces are encouraged. Planning permission will be given for proposals in which:

- a) proposals integrate with existing routes and are well connected to the wider area;
- b) the layout of streets encourages walking and cycling, and caters for all people including people with disabilities, elderly people, young people and people with young children, and caters for the requirements of public transport;
- c) conflict between pedestrians, cyclists and motor vehicles is minimised by street designs that restrict traffic speed to an appropriate level and provide pedestrian and cyclist priority;

- ~~d) the safety of pedestrians and cyclists is promoted through streets that are overlooked, preclude potential hiding places and prevent inappropriate access. Unnecessary footpaths between and to the rear of properties should be avoided; and~~
- ~~e) streets and public open spaces are designed to be easily maintained and provide coordinated urban hardware.~~

3.24. Where developers wish the Council to maintain unadopted streets, a commuted sum for future maintenance will be sought.

3.25. Proposals will be expected, where appropriate to make provision for vehicle accessibility. Detailed policies on traffic calming and car parking can be found in Chapter 5.

Mixed Use

3.26. Mixed use development can contribute towards good urban design and sustainable development by:

- making urban areas more attractive places to live by providing increased activity and use during the day, in the evenings and at weekends, and by introducing new residents and visitors;
- improving the vitality and viability of commercial centres;
- reducing the need to travel, by providing for a range of requirements in close proximity;
- providing a feeling of safety through natural surveillance resulting from greater and more prolonged activity;
- creating a variety of different building and spaces which can contribute to visual interest and preserve and enhance historic or cultural heritage;
- improving the quality of residential neighbourhoods by introducing a focus of activity; and
- introducing new uses into redundant buildings, giving them a new 'lease of life'.

3.27. There are a number of situations where these benefits are particularly appropriate; the City Centre, Town Centres, District Centres, Local Centres, the Strategic Regeneration Area, Potential Development Areas, and in major new housing developments. Each of these situations may require a different mixed use approach from a rich mix of different activities to a single predominant use supported by ancillary functions. There is no automatic correlation between the mixing of uses and environmental quality. The benefits deriving from mixed use are largely determined by four factors:

- the mix of different uses, which generate different levels of interaction and activity;

- the scale and grain of development. Different situations will require different levels of grain, from 'fine' (where the mix is between or even within individual buildings) to 'coarse' (where the mix relates to relatively small areas of a single use within a wider, though walkable area);
- the density of development. Higher densities tend to encourage greater activity; and
- the extent to which potential problems of disturbance and nuisance caused by different neighbouring uses can be resolved.

3.28. The City Council will provide planning and design guidance to identify the particular requirements of a mixed use approach for specific sites or areas.

Energy Efficiency

3.29. Government guidance states that local authorities should have particular regard to the need to conserve energy. The two main land use factors that impact on the energy efficiency of a building are site location and building design.

3.30. The gradient and orientation of a site, together with the spacing between buildings and the height of possible obstructions have an impact on the amount of exposure a building has to direct sunlight and therefore to potential solar energy gain. Heat loss is influenced by the number of external walls and, on exposed sites, by the presence of planting or other types of wind breaks.

3.31. Developers should consider robust and adaptable building forms to facilitate changes of use over time, for example the conversion of office buildings to residential accommodation. Building conversion is usually more energy/resource efficient than knocking a building down and starting again.

3.32. The City Council considers it important to incorporate energy conservation measures. Savings in fuel use and CO₂ emissions by careful design for passive solar gain can be up to 50% with no increase in building costs (Source: London Research Centre 1999). The Building Research Establishment (BRE) has developed an energy audit that can be carried out on various types of buildings from office blocks to supermarkets. Applicants for non-residential development will be strongly encouraged to carry out a BRE energy audit and this should be submitted with the planning application. Residential development will be strongly encouraged to achieve a National Home Energy Rating (NHER) of 10 or above. Further information and advice on BRE energy audits, NHER and other energy conservation issues can be obtained from the Leicester Energy Advice Centre.

3.33. Supplementary Planning Document on 'Energy Efficiency and Renewable Energy' gives further practical advice. See also Policy BE16 (Renewable Energy). It is recognised that on some sites there may be a trade-off between maximising passive solar gain and other objectives. Maximising energy efficiency should not compromise the Plan's aim to make efficient use of land or other key urban design principles as set out in Policy UD02. Where these objectives are considered to conflict, the Planning Authority will require as part of a design statement, a detailed reasoned justification of the approach taken to energy efficiency objectives.

~~UD04. ENERGY EFFICIENCY~~

~~Planning permission will not be given for development proposals which would fail sufficiently to achieve efficiency in the use of energy and incorporate measures suitable to the proposal by:-~~

- ~~a) maximising the benefits of solar energy, passive solar gain, natural ventilation and the efficient use of natural light through siting, form, orientation and layout whilst addressing the density requirements of buildings; and~~
- ~~b) using landscaping to optimise energy conservation.~~

Adaptability

3.34. The most successful places are able to adapt to changing circumstances. Places need to adapt at every scale. A household makes different demands on a house as children are born and grow up. Towns and cities as a whole have to adapt as industries rise and decline, and as the demand for housing and the nature of workplaces change.

3.35. New development should firstly consider the re-use of existing buildings where they make a positive contribution to the street. When new buildings are proposed, good urban design that provides for adaptability can help ensure that changing needs are met and can help to avoid obsolescence, dereliction and the need for comprehensive redevelopment.

~~UD05. ADAPTABILITY~~

~~Development proposals should be designed for flexibility with the future in mind and should:~~

- ~~a) provide opportunities to adapt to the changing needs of their users; and~~
- ~~b) have flexible layouts which allow for the greatest variety of possible future uses to be accommodated.~~

3.36. — Proposals for student housing should also have regard to Policy H08.

Landscape Design

3.37. As part of the design process, the City Council wishes to see an integrated approach to the use of soft and hard landscaping in relation to new development. This should involve:

- the use of existing landscape features, topography and areas of planting which have amenity or ecological value;
- A co-ordinated approach to the overall layout, access, planting proposals, fencing, hard landscaping, lighting, services, street furniture and surface materials;

- planting and hard landscaping that contributes to the street scene, provides structure and delineation, creates landmarks, takes into consideration microclimate and wildlife potential;
- where appropriate, the use of natural regeneration techniques; and
- provision for adequate maintenance to be carried out.

3.38. In considering proposals to develop land, the City Council will require a site survey, plotting all existing trees and hedges, including the height, spread and condition, with existing and proposed levels to be submitted at or before the planning application stage. Details of drainage and other services will be required at the same time.

3.39. The effect on existing planting of felling, lopping, topping and pruning, changes to drainage patterns or ground levels and severance or compaction of roots will all be taken into account in considering the impact of proposed development.

UD06. LANDSCAPE DESIGN

Planning permission will not be granted for any development that impinges directly or indirectly, upon landscape features that have amenity value including areas of woodland, trees, planting or site topography whether they are within or outside the site unless:

- a) the removal of the landscape feature would be in the interests of good landscape maintenance; or
- b) the desirability of the proposed development outweighs the amenity value of the landscape feature.

Where development is permitted that results in the loss of a landscape feature with amenity value, compensatory landscape works will be required to an agreed standard.

New development must include planting proposals unless it can be demonstrated that the scale, nature and impact of the development or character of the area do not require them.

Planting proposals should form part of an integrated design approach which includes overall layout, access routes, fencing, hard landscaping, lighting, services and street furniture and should be submitted as part of the planning application.

Development proposals will require maintenance of existing and new landscape for the first ten years after implementation during which time all dead or vandalised stock will need to be replaced (where appropriate with additional protection).

3.40. The City Council will seek to protect trees which enhance the amenity of Leicester by ensuring that development schemes take account of existing trees and by making Tree Preservation Orders where necessary.

3.41. Features and soft landscape areas that are intended for retention must be protected during the site works with secure fencing. Protection of landscape features should be to a standard as set out in B.S. 5837 "Trees in Relation to Construction". Further advice on the subject is provided in the adopted supplementary planning guidance 'Tree Protection'.

Waste Disposal

3.42. The siting of recycling points and the storage of refuse bins can create an adverse impact on the visual quality of the street scene, reduce visual surveillance and provide a means of access to the rear of properties.

3.43. The Council's strategy for dealing with waste is based around kerbside collection of recyclable material. Householders and businesses will increasingly be required to segregate different types of waste (glass, paper, organic material etc.) prior to collection. It is therefore essential that new homes have adequate utility space inside and bin areas outside for the storage of segregated waste. In particular, apartments and student accommodation (whether conversions or new-build) must incorporate appropriate storage for recyclable material in communal areas. The storage of refuse bins should generally be provided at the rear. Recycling points should be provided and located where they are easily accessible. Innovative solutions will be sought to avoid any adverse impact on the visual quality of the public realm.

3.44. The policy will apply to both commercial and residential development, including flats and factory/office conversions.

UD07. WASTE DISPOSAL

New development and redevelopment should have sufficient refuse storage space to allow segregated waste collection. Storage space for refuse bins and the appropriate provision of space for recycling facilities should be integral to the design of new development and, where possible, redevelopment. Facilities should be secure, their impact on the street scene should be minimised, and access for servicing should be provided.



Chapter 4

Special Policy Areas

Introduction

4.1. This chapter of the Plan includes policies for:

- the City Centre;
- the Town Centres of Beaumont Leys and Hamilton;
- the Riverside.

4.2. Policies which relate specifically to the Riverside aim to protect and enhance the environmental quality of this Special Policy Area (paragraphs 4.49 to 4.62). Work on Leicester's Riverside and City Challenge Area has already brought about improvements and raised the profile of the River Soar and the Grand Union Canal. However, there are still long stretches of waterway, typically bounded by old industrial areas, which represent a greatly under used resource for the City. These are targeted by projects within the LRC Masterplan, in particular in the vicinity of the Space Centre and Frog Island.

4.3. This chapter of the Plan draws together policies specific to the City Centre (paragraphs 4.4 to 4.38). It is hoped that it will make the plan easier to use and demonstrate the importance placed on strengthening the City Centre as a vibrant commercial area that is also an attractive place to live and visit. There are also new policies relating to the Town Centres of Beaumont Leys and Hamilton (paragraphs 4.39 to 4.48).

THE CITY CENTRE

4.4. Within this Local Plan the City Centre is defined as the area within the Central Commercial Zone boundary as shown on the Proposals Map. This includes the Central Shopping Core, the Central Office Core and the Central Commercial Zone.

4.5. The City Centre plays a vital role as a focus for business, shopping, leisure, cultural and social activities. It serves an extensive urban area and rural sub-region, altogether comprising an immediate population of half a million people. The future prosperity of the City Centre is important, not only for the economy of the urban area but for the entire sub-region. While retailing should underpin the City Centre at its core, it should also contain and retain a wide range of uses that need to be accessible to large numbers of people, including employment, offices, leisure and entertainment, hospitals and higher education. The quality of the City Centre should support and enhance all its functions and should continue to provide a context for future growth and development.

4.6. The quality of the City Centre is not only important for those who live and work there, but also for the image of Leicester as a whole and its ability to attract investment and visitors.

The Central Shopping Core, Central Office Core and Central Commercial Zone

4.7. The Local Plan identifies the Central Shopping Core and for the first time a Central Office Core and a wider Central Commercial Zone, which together make up the City Centre. It is an objective of the Local Plan that retail development is concentrated within the Central Shopping Core in order to ensure its organic growth. Proposals for any City Centre type retailing, where need has been demonstrated, but which cannot be accommodated in the Central Shopping Core, should be located adjoining the Central Shopping Core. This is in line with the sequential approach set out in PPS6. Appropriate general locations for additional retail development on the edge of the Central Shopping Core are also identified within some Potential Development Areas and set out in Policy PS09a.

4.8. The Central Office Core is an area around London Road Station which is already a hub of high density office developments and which the LRC Masterplan has identified as the location for comprehensive office development as part of the regeneration of this area. The Central Commercial Zone is a wider band around the Shopping and Office Cores, which is still accessible by public transport (no part of the Central Commercial Zone is more than 500 metres from a major public transport route) and in which many important City Centre functions are currently located. These include major employment and teaching facilities such as De Montfort University, the Royal Infirmary and the Friar Lane and New Walk office areas. There are also many cultural and leisure developments including museums, theatres, cinemas and hotels.

4.9. The City Centre will form the first area of search in any sequential approach to locating city and sub-regional major office and leisure developments required by PPS6. More details of this approach are set out in Policy SPA05 (Development of non-retail Key City Centre uses and facilities).

4.10. For the avoidance of doubt the term City Centre, comprising the Central Shopping Core and the Central Commercial Zone, in this context is not to be taken as meaning the 'town centre' as used in PPS6, Annex A, Table 2.

The Central Shopping Core

4.11. The Central Shopping Core is the principal shopping area in the City Centre providing major regional shopping facilities. The distinct shopping areas comprising arcades, the prime shopping streets which radiate from the Clock Tower, the smaller specialist shops of St. Martins, and the covered shopping centres of the Shires and the Haymarket characterise the Centre. In addition the market is a unique resource worthy of retention and enhancement.

4.12. During the early to mid 1990s the Shires was extended, the Haymarket Centre has undergone refurbishment and the Haymarket Towers has been developed on the site of the former Lewis's building, forming an impressive backdrop to the Humberstone Gate West pedestrianisation scheme. Although investment continued to be made in the Centre at a time when retailing was rapidly growing at Fosse Park, Leicester slipped out of the top ten shopping centres on the Retail Ranking Index, produced by Experian, and stands at 15th place in 2004. A 60,000m² retail and leisure development known as Shires West was granted planning permission in 2005, reflecting confidence in Leicester and the potential to restore the position of its city centre as a shopping and leisure destination.

4.13. Much City centre improvement had already been achieved by the Council's programme of improvements based on the earlier 1996 'City Centre Action Programme', which set a framework for action by public and private sectors. Of note is the pedestrianisation and environmental improvement of Humberstone Gate and the Clock Tower; the establishment of a CCTV system and better lighting which has improved security and safety on the street; and a system of licenses has allowed the development of an increasing number of street cafes. A major improvement programme is planned for the City centre public realm during 2006 to 2008, with completion to coincide with the opening of the Shires West extension.

~~SPA01. RETAILING WITHIN THE CENTRAL SHOPPING CORE~~

~~In determining planning applications for new retail developments (Use Class A1) in the Central Shopping Core, the following shall be taken into account:~~

- ~~a) the enhancement of the physical environment through the design, layout and appearance of any proposal;~~
- ~~b) arrangements for access by disabled people, pedestrians and cyclists; and~~
- ~~c) links to both public transport and other parts of the City Centre and access to public transport within 50 metres of additional larger retail developments; and~~
- ~~d) the contribution by the development to a strengthened retail circuit.~~

SPA02. CITY CENTRE RETAILING OUTSIDE THE CENTRAL SHOPPING CORE

~~Elsewhere in the City Centre, planning permission for retail development will only be granted where:~~

- ~~a) no other suitable sites or buildings are available within a reasonable period of time within the Central Shopping Core, and~~
- ~~b) the site is closely linked to the Central Shopping Core in terms of proximity, continuity of function, and ease of access by all modes of transport but particularly by foot; and~~
- ~~c) the proposal meets the criteria set out in policy SPA01.~~

~~Applicants for planning permission will be expected to demonstrate that there is a need for the development. Retail development of a type and scale to provide for a local need will be determined in accordance with Policy R06.~~

4.14. Policy SPA01 seeks to sustain and increase the role of the City Centre for shopping by concentrating retail floorspace within the Central Shopping Core. The Central Leicestershire Retail Study and that commissioned by the Leicester Regeneration Company (see Chapter 8 paragraphs 8.10-8.11) indicate a need for a substantial amount of new floorspace for comparison goods sales by 2006 and 2011. Much of this will be in the City centre. The LRC considers that the creation of 135,000m² of new retail and leisure floorspace is feasible up to 2016.

4.15. The 'Retail Site Assessment for Leicester City Council', published in March 1998, identified and assessed sites on the edge of and within easy walking distance of the Central Shopping Core, and the Shopping Cores of Beaumont Leys and Hamilton, as being suitable for retail development in accordance with the principles set out in the then PPG6, now PPS6, specifically the sequential test. If necessary, the assembly of sites to enable retail development to proceed in the City Centre will be assisted by means of compulsory purchase powers exercised by the City Council subject to an appropriate funding agreement being in place with the developer.

4.16. It is recognised that some small scale retail may be required to complement development in regeneration schemes in the LRC area where it has been identified in Area Strategy Guidance. Smaller shopping centres in the Central Commercial Zone, such as London Road, will be subject to the policies contained in Chapter 8 on Retailing and emerging development frameworks.

Other Shopping Related Uses within the Central Shopping Core

4.17. Diversity contributes to the vitality of the City Centre, particularly where it is also a contribution to the evening economy. However, the creation of concentrations of single uses may have a cumulative effect on the loss of retail outlets and will be monitored to ensure the retention of the vitality and viability of parts of the Central Shopping Core.

SPA03. OFFICES FOR FINANCIAL AND PROFESSIONAL SERVICES

The use of the ground floor of premises within the Central Shopping Core for offices for financial and professional services (Use Class A2) will be permitted except where:

- a) it is located in the following shopping streets:

Cank Street;

Cheapside;

Eastgates;

Gallowtree Gate;

Silver Street;

High Street;

Market Place;

Churchgate south of St. Peter's Lane;

Humberstone Gate west of Charles Street;

Haymarket; or

Loseby Lane,

and, where the addition of another A2 use would result in either more than 10 % of the total length of the street frontage being in A2 use; or a continuous frontage of three or more A2 uses in any part of the street frontage; or

- b) a shop front would not be retained; or
- c) the addition of another A2 use within any particular part of a shopping area would have a cumulative detrimental effect in terms of amenity, character or retail function of that area.

4.18. The specified streets are principal shopping streets. The introduction of too many A2 uses along the street or a concentration of such uses in any one part of the street would detract from the continuity, function and appearance of the street. 'Street frontage' includes both sides of the street and uses on both sides of a particular street will be considered as amounting to a concentration.

4.19. Within the Central Shopping Core offices within Use Class B1, such as solicitors and accountancy practices which generally do not attract large numbers of visiting members of the public, will not be acceptable along the ground floor retail frontage but may be acceptable on the upper floors. The imposition of conditions on a planning permission restricting the use to offices (within Class B1(a)) only may be necessary where the introduction of industrial or research and development uses may be inappropriate.

4.20. In recent years the amount of residential accommodation in the City Centre has grown particularly on the periphery of the Central Shopping Core where redundant office and factory space has become available. The amenities of the occupiers of new City Centre residences will become increasingly important in considering the location of new leisure and food and drink uses, for example, public houses. In some circumstances, therefore, it may be necessary to impose conditions on planning permissions restricting the hours of opening and the playing of music or amplified voice.

4.21. In common with many cities Leicester has witnessed a large increase in food and drink uses in the city centre. Work carried out on behalf of the LRC has nevertheless identified a weakness in the facilities for food and drink in or near the retail core and the need for them to be expanded, particularly family oriented facilities, to encourage shoppers to remain in the centre longer.

4.22. Whilst pubs, bars, coffee shops and restaurants have undoubtedly contributed to a livelier City centre particularly in the evenings and helped to revamp secondary streets, there are signs of over concentration in some streets and crime and disorder is becoming an issue. The growth in nightclubs has also contributed to these concerns, the number of which doubled from 2000 to 2002 and significantly affected the number of assaults committed. Many of the larger bars with late night extensions display features common to nightclubs.

4.23. Perceptions of personal safety especially at night are crucial to success in attracting more people to the centre. Where new leisure and food and drink development has implications for safety and it is considered desirable that the new development is covered by the CCTV system, contributions towards the CCTV system or extensions to it will be sought from applicants in order to enhance safety on the street.

SPA04. FOOD AND DRINK USES (CLASS A3, A4 AND A5) IN THE CENTRAL SHOPPING CORE

Factors relevant to determining applications for food and drink uses (Use Classes A3, A4 and A5) in the Central Shopping Core will include the potential consequences of the development, if any, either by itself or cumulatively, taking into account of nearby uses:

- a) for maintaining diversity and vitality of the area's character and appearance, including loss of retail outlets,
- b) in adversely affecting residential and visual amenities (including the impact of any extraction equipment needed), and
- c) in making any contribution to public disorderliness.

4.24. Class A3, A4 and A5 uses will continue to be encouraged in the Central Shopping Core and proposals will be subject to the considerations in Policy SPA04. Policy guidance on the issues relating to A3, A4 and A5 uses in the Central Shopping Core and on its periphery raised in the foregoing paragraphs is covered by Supplementary Planning Guidance 'City Centre Class A3 Uses', adopted in December 2003.

The Central Office Core

4.25. The Central Office Core (see Chapter 2 Plan Strategy) around London Road Station is currently made up of high density, multi-storey office developments south of the railway station. The relevant Policies are PS05 'Central Office Core', setting out principles and objectives, and E05 'Major Office Development', setting out the sequential approach to the location of new office development over 1000m². The Area Strategy Guidance (December 2004) foresees high density office development that maximises the potential of this location supported by a mix of complementary uses which ensures activity and surveillance within and beyond office hours.

The Central Commercial Zone

4.26. What makes the City Centre such a vibrant place is the mix of uses that attract people throughout the day to work, shop and enjoy their free time. The City Centre is much more than just a shopping magnet. This wider cultural and economic role is acknowledged by the introduction of a new policy area, the Central Commercial Zone. Development that attracts many visitors from the region as well as the locality will be focused on this area as well as the Central Shopping Core, including cinemas, theatres, offices, other leisure, social and community uses.

4.27. The Central Commercial Zone is a wide area that is made up of a number of more detailed allocations such as local shopping centres, Primarily Employment Areas, Primarily Office Areas, Primarily Residential Areas, Potential Development Areas, Community, Education and Leisure uses and Green Space. As such it represents an "area of search" for facilities serving a city-wide catchment but appropriate sites for any such facility will be guided by the policies covering the individual areas within the Zone.

SPA05. DEVELOPMENT OF NON-RETAIL KEY CITY CENTRE USES AND FACILITIES

Key City Centre uses and facilities including major office, cultural, arts, tourist, sports and leisure development will be required to locate on appropriate sites within the City Centre which is made up of the Central Shopping Core, the Central Office Core and the Central Commercial Zone as shown on the Proposals Map.

4.28. This policy seeks to provide for a range of facilities appropriate to a city of Leicester's size and regional standing. In accordance with the principles of sustainable development set out in PPS6 such major facilities should be located within the Central Shopping Core or on the edge of it. Edge-of-centre for such facilities including leisure uses is defined in PPS6 as being more extensive than the usual definition of easy walking distance, that is, up to 300 metres from the primary shopping area. For central area uses other than retailing, a reasonable walking distance from the Central Shopping Core and public transport interchanges, would be expected to be in the region of 500 metres. The Central Commercial Zone thus provides the outer boundary for the location of non-retail central area facilities, such as major leisure and office development, with a city-wide function. Policy CL08 covers proposals for major spectator sports and entertainment facilities and out-of-centre proposals which will be subject to a sequential test.

4.29. Non-retail key City Centre uses cover a wide range of different facilities. Some of these are more appropriately located as close as possible to public transport interchanges and in areas that are well populated throughout the day, for example, a central lending library. Other facilities, while benefiting from good public transport access, may find advantages offered by a less central location, for example, hotels. The Central Commercial Zone includes a stretch of the Riverside in the west which offers potential for development both enhancing and benefiting from this asset.

4.30. At any particular time there will be only a certain number of sites within the City Centre with potential for conversion, development or redevelopment. This Local Plan highlights those areas with regeneration potential at the time of its adoption. Supplementary planning documents or site development guidance will be produced both to set out in more detail the City Council's approach to regeneration in the identified Strategic Regeneration Areas and Potential Development Areas and to address future regeneration potential. Developers of any major facility subject to a sequential approach to location, as set out in Central Government guidelines and Development Plans pertaining to the City, are strongly advised to contact the City Council at an early stage to discuss available and appropriate sites within the City Centre. (e.g. major offices, see policy E05).

City Centre Housing

4.31. The City Council wishes to increase the amount of residential accommodation in the City Centre. There is also a general presumption against the loss of existing residential units as set out in Policy H05 (Loss of Housing). In particular the Council wishes to retain existing residential accommodation within the New Walk Conservation Area to maximise surveillance and pedestrian activity in the evenings and at weekends.

~~SPA06. RESIDENTIAL DEVELOPMENT IN THE CITY CENTRE~~

~~Within the Central Shopping Core, the Central Office Core and the Central Commercial Zone as shown on the Proposals Map, planning permission will be granted for residential development where an appropriate living environment can be provided and where the primary functions of the Central Shopping Core and the Central Office Core are not prejudiced.~~

4.32. The City Centre housing market is an essential element in improving the appeal of the City Centre. There has been considerable success in recent years in the conversion of outdated offices and factory buildings. As explained in the Plan Strategy (Chapter 2) the St. George's area is an area where residential accommodation should be particularly encouraged.

4.33. Coupled with the increase in bars and restaurants (A4 and A3 uses) this has brought life back into the centre, particularly outside "office hours". This trend should be encouraged although the juxtaposition of potentially conflicting uses is a material consideration in granting planning consent for both residential and Class A3, A4 and A5 uses and is addressed in Policy SPA04 and supporting Area Strategy Guidance: 'City Centre Class A3 Uses'.

4.34. Residential use of vacant upper floors is also supported. The Council will seek to ensure that the ability of buildings to accommodate residential schemes in the future will not be prejudiced. In circumstances where planning permission is required, the internal design of ground and upper floors of buildings undergoing conversion to shops, bars and restaurants (Class A1, A2, A3, A4 and A5 uses) or refurbishment will be given consideration. No conversion should take away the ability of upper floors to provide residential accommodation. (See Policy H04).

City Centre Transport

4.35. The first Central Leicestershire Local Transport Plan identified certain issues in the City Centre relating to transport:

- public transport interchange;
- air quality;
- pedestrianisation; and
- improvements to access to the City Centre through a radial corridor enhancement strategy.

4.36. Specific measures being considered in the City Centre:

- A new bus link between the London Road Railway Station, central shopping core and St. Margaret's Bus Station.
- Improvements to bus stop provision and bus operating procedures to enable better facilities to be offered.
- Removal of bus operations from High Street/Belgrave Gate corridor to enable improvements to road safety and the environment in these streets.
- Provision of new public transport facilities as part of major City Centre retail developments.
- A low emission zone.
- Cycling/access

Public Transport

4.37. There will be opportunities during the Plan period to remove bus traffic from High Street and the Haymarket particularly in the vicinity of the Clock Tower, if satisfactory alternatives can be provided. Buses currently use the full length of High Street and Haymarket/Belgrave Gate, causing a hazard to pedestrians crossing these streets (in particular adjacent to the Clock Tower) and splitting the prime shopping area in half. One of the most promising alternatives would be to route buses along an improved east-west link in the vicinity of Mansfield Street, St. Peter's Lane and Causeway Lane, serving the extension to the Shires shopping centre. The

areas around Mansfield Street and St. Peters Lane are identified as Potential Development Areas in Policy PS09a and any redevelopment proposals will be required to provide such an alternative arrangement. If an alternative can be provided that includes operational routes and quality stopping facilities then further traffic free areas around the Clock Tower could be implemented.

SPA07. FURTHER PEDESTRIANISATION AROUND THE CLOCK TOWER

~~Proposals to create further traffic free areas in the vicinity of the Clock Tower will be permitted if suitable alternative arrangements for public transport access, taxis, cyclists and disabled parking can be made.~~

~~To enable this, any redevelopment proposals for the St. Peter's Lane and Mansfield Street Potential Development Areas as set out in Policies PS09 and PS09a will be expected to provide a new east-west public transport route in the vicinity of Mansfield Street and St. Peters Lane. This must include operational routes as well as adequate bus stopping facilities which must provide direct access to prime shopping areas and be within easy walking distance of the Clock Tower.~~

4.38. The design of measures to remove vehicular traffic should take account of the safety and security of pedestrians particularly after dark.

THE TOWN CENTRES OF BEAUMONT LEYS AND HAMILTON

4.39. Beaumont Leys and Hamilton have been identified as centres which provide, or could provide, the next level of facilities and services below the City Centre. Beaumont Leys already has a range of shopping and leisure facilities and benefited from new shops and an extension to the Tesco superstore in 1999. Hamilton has a large superstore and a range of smaller shop units.

4.40. The two Town Centres each comprise a Shopping Core and a wider Commercial Zone. There is potential for further development in both Centres, but particularly in Hamilton Town Centre where the proposed Commercial Zone extends to the west of Hamilton Way. The success of this centre will be dependent on the construction of a wide surface level footbridge/cycleway between the eastern and western halves across the sunken Hamilton Way carriageway.

4.41. Policies relating to the Town Centre Shopping Cores can also be found in Chapter 8. In particular Policy R01 (Major Retail Development) sets out the sequential approach for major new retail development outside the Central Shopping Core.

4.42. For the avoidance of doubt the term Town Centre, comprising the Shopping Core and the Commercial Zone, in this context is not to be taken as meaning 'town centre' as used in PPS6, Annex A, Table 2.

The Town Centres

4.43. The Town Centres include both the Shopping Cores and the Commercial Zones. Within the Commercial Zones there are Potential Development Areas (PDAs) and community and leisure allocations as shown on the Proposals Map. The Town Centres, like the City Centre, are therefore "areas of search" for all non-retail key Town Centre uses while the Shopping Cores are the first "area of search" for further retailing. The suitability of any particular use on any site within the Town Centres will, however, depend on other policies within this Local Plan including those pertaining to particular allocations. Policies on Keyham Lane and Beaumont Leys PDAs are included within PS09b in the Plan Strategy Chapter.

4.44 Town Centre retailing should be concentrated within the Town Centre Shopping Cores as shown on the Proposals Map. Proposals for further retailing development within the rest of the Town Centre will be subject to a number of factors including proximity to the Shopping Core and the availability of sites and premises within the Shopping Core. This is consistent with the sequential approach to retailing development set out in Chapter 8, policy R01 (Major Retail Development).

4.45. It is intended to encourage the location of both office type employment, leisure and community uses which generate large numbers of trips within the defined Town Centres. This will provide the potential for improved public transport use and combined trips. The Town Centres should not, however, compete with the City Centre for uses, which attract trips from the whole of the City and beyond. Such uses must look within the City Centre first and only extend the area of search to the Town Centres if they cannot find a suitable location within the City Centre. Such uses will be considered on their merits, which will include their impact on

the Town Centres and surrounding areas, in terms of their scale, traffic generation and how well they serve the local population. See also policy R01, which sets out a similar sequential approach for major retail proposals.

4.46. As in the City Centre, residential uses within the Town Centres can both add to the vitality of the area and out-of-hours surveillance. Any residential schemes will have to work within the scale of these centres, consider appropriate mixed uses and should incorporate commercial or leisure uses on the ground floors.

4.47. Ease of pedestrian and cycle movement will be paramount within the Town Centre Commercial Zones. Any new development must consider pedestrian and cycle movement both within the Centres and to and from the surrounding residential areas. In particular the development of the area to the west of Hamilton Way will depend on the construction of a footbridge of a sufficient scale to unite the two disparate halves of the centre.

4.48. As with the City Centre, key Town Centre uses can cover a wide variety of forms and facilities. Developers are strongly advised to approach the City Council about any proposed major Town Centre development as early as possible so that appropriate and available sites can be discussed.

SPA08. DEVELOPMENT IN THE TOWN CENTRES

~~Proposed development shall be appropriate to the scale and function of the centre and the location appropriate to the catchment the development seeks to serve. Development which provide facilities for City-wide or Sub-regional catchment areas will be required to look first within the City Centre.~~

~~Planning permission for retail development adjoining the Town Centre Shopping Cores will only be granted if other suitable sites or buildings within the Shopping Cores are not available.~~

~~Non-retail key Town Centre uses including major office and leisure development and community facilities, will be required to locate on appropriate sites within the Town Centres of Beaumont Leys and Hamilton.~~

~~Residential use within the Town Centres is to be permitted provided that it does not detract from the primarily commercial nature of the Centres.~~

~~Planning permission for the development of the Hamilton Town Centre Commercial Zone to the west of Hamilton Way will be dependent on the construction of an adequate foot and cycle bridge linking the western and eastern halves.~~

RIVERSIDE

4.49. Riverside is a policy area which encompasses the River Soar and Grand Union Canal corridor through Leicester together with adjacent open space, commercial, residential and public buildings, public parks, allotments, footpaths and cycleways. These include the Great Central Way, Aylestone Meadows and Watermead Country Park, which will continue to be developed and managed as a resource for public access and activity and nature conservation. Riverside footpaths and cycle networks are an important part of Leicester's sustainable transport plans and will be key features to address in new development proposals. Many initiatives have dramatically raised the importance and profile of Riverside and the City Council will expect development and regeneration to maximise the opportunities offered by the waterside location, enhance Riverside as a safe, accessible and attractive place and contribute to its environmental potential. The Leicester Regeneration Company's Masterplan proposals for the Waterside recognise the potential for bringing activity and vitality to the Riverside. Any further opportunities for appropriate urban regeneration will be encouraged.

4.50. The City Council supports a long term strategy and action plan for Riverside which takes forward the jointly commissioned Riverside Strategy and Corridor Strategy (British Waterways 1999), and responds to the Government's "Waterways for Tomorrow" report (DETR 2000). To support this strategy and programme the City Council will produce further guidance as appropriate, some of which may form supplementary planning documents.

4.51. The character of Riverside is extremely diverse, ranging from rural and naturalistic in the south and north to areas of predominantly urban character in the central section. The natural environment makes an important contribution to public enjoyment and the river and canal corridor is a particularly important ecological resource for the city. Policy BE19 recognises the strategic importance of Riverside for flood relief as well as biodiversity. The character of the built environment depends on its historic features, archaeology, townscape, detailed visual qualities, key buildings and structures. Riverside provides opportunities for residential, employment, leisure, cultural and tourism development which can improve the vitality of the area and contribute to wider urban regeneration initiatives. The Public Art Plan for Riverside aims to enhance its visual quality.

4.52. New buildings, boundary treatments or other features including chimneys have an impact on the visual quality of the Riverside environment. Although existing development is often poorly related to the waterside, sensitive conversion, redevelopment or redesign of buildings, including older industrial and commercial buildings, can make a positive contribution.

SPA09. RIVERSIDE DEVELOPMENT

Development within the Riverside policy area, as shown on the Proposals Map, will be permitted if it helps to sustain, enhance and regenerate the Riverside.

Adjoining footpaths, towing paths, cycle routes, waterways and roads will be considered as an integral part of any new development.

Where appropriate, development will be required to:

- a) reflect the variations in character of the Riverside in terms of use, location and design;

- b) protect and enhance the nature conservation value of the Riverside;
- c) enhance the architectural quality of the Riverside and preserve the character of the urban canal in Leicester;
- d) improve the visual and physical relationship between the development site, the riverside and any adjoining public areas;
- e) improve access along and across the river or canal corridor;
- f) be orientated and designed to promote surveillance of the river and canal frontage;
- g) enhance the public amenity value of the Riverside;
- h) provide safe, secure and accessible moorings and associated boating facilities where appropriate;
- i) include appropriate lighting as an integral part of the scheme;
- j) protect or enhance important views outward from the river or canal corridor; and
- k) protect and enhance the landscape between the edge of the development and the river or canal channel.

4.53. Better physical access, high design quality, visual links and landmarks can improve surveillance, improve actual and perceived safety and increase public use. The design of new access routes should consider sight lines, path or street widths, escape routes and landscape standards. Access to the wider footpath and cycle networks should be accommodated where possible. Where buildings are accessible by the public or used as main thoroughfares, spaces should be created between the development and the riverside which enable activity to be generated.

4.54. Particular attention should be paid to ensuring that new features do not diminish the attractiveness of the views seen from towing paths, water courses, bridges, cycle routes or other riverside sites. Signage, storage areas, car parks and other unsightly uses should be kept away from the riverside or enclosed and screened. In heavily built up areas, development should avoid large gaps in building frontage unless occupied by important views, attractive features or riverside open space.

4.55. Sensitive illumination of landmark structures and focal points, and their reflections on water, will enhance the structure and visual quality of Riverside. However, lighting style, colour, and intensity should be appropriate to the location and accord with the provisions of policy BE22. Where adjacent use supports evening activity, the Council will require a safe and well lit environment. Lighting of access routes should be confined to heavily used areas or along main routeways leading into the site. Consideration must be given to ensuring lighting does not threaten or deter wildlife using the waterway corridors and it will generally not be appropriate in areas of 'rural' quality such as green wedges.

4.56. Any requirements for formal amenity and boating should be balanced with nature conservation. Where appropriate, the City Council will require the river margins to be improved for wildlife using a variety of bank and channel management techniques. The position of buildings in relation to the waterside can also influence the quality of the riverside wildlife and provision of a buffer strip between the development and the river or canal edge may be required. In certain circumstances, planting will not be appropriate and conditions for natural regeneration should be created and managed. Other opportunities for enhancement could include canal wall maintenance or hard landscaping.

4.57. Alterations to existing industrial uses to satisfy new regulations should take all possible opportunities to diminish any negative impact on the Riverside environment. These would include new or increased height chimneys and ventilation flues. The City Council will seek to promote the use of colour treatments, public art, use or reuse of materials and boundary treatments to improve the appearance of large scale industrial structures such as chimneys and to enliven the visual quality of the site.

4.58. River and canalside footpaths or towing paths adjoining new development should be increased to a minimum width of 3 metres except where the character of the waterway may be adversely affected or where engineering constraints exist. The Council may seek to widen this where appropriate. It is envisaged that use of the towing path and footpath network will increase as a direct result of new development and many sections are inadequate to cope, particularly with mixed uses of the towing path and the needs of wheelchair users. The Council has a regard to the safety of towing path users and will seek agreements for towing path widening schemes where possible.

4.59. Footpaths, cycle ways, roads, water corridors and towing paths will be subject to planning conditions where appropriate as part of any adjoining development. Examples include:

- the enhancement of riverside accessibility through towing path widening, signage and landscape schemes where the Council feels that existing provision is poor, unsafe or inadequate;
- creation of improved frontages where new developments adjoin or are visible from a footpath, towing path, cycleway, waterway or area of nature conservation value;
- opportunities for environmental and nature conservation improvements; and
- commuted sums towards costs such as litter clearance and grounds maintenance where development is likely to increase the City Council's maintenance obligations.

Moorings and Marinas

4.60. The City Council will continue to work with other key agencies, particularly British Waterways, to encourage people to visit the City by boat and to use it as a base for boating. Boat use generates activity and interest, develops tourism and recreational opportunities and can bring about economic and social benefits. Much progress has been made in developing and managing the Riverside as an attractive environment for boaters, but there is still a shortage of moorings and associated facilities. Policy AM19 safeguards waterside freight connections:

4.61. The Development Framework for the Waterside Area includes proposals for a marina. There are also opportunities to develop small marina or mooring facilities as integral components of other waterside developments. As the potential impact of marina and moorings on the riverside environment can be significant, the advice of the Environment Agency and British Waterways must be sought at an early stage in the planning process. Memory Lane Wharf has particular potential for providing such small scale moorings and associated facilities.

Bridges

4.62. Riverside has many notable bridges which contribute to the character, setting and historical value. New bridge designs should seek to match the high standards achieved within a modern context. In particular, bridge design should consider the needs of users of the water space and towpath as well as wildlife. In this respect it is important to consider the design quality of the underside as well as the surface and to reduce opportunities for graffiti.

SPA10: RIVERSIDE BRIDGES

New bridges should embody the highest quality design:

~~The scale, function and character should be appropriate to the riverside setting and they should make a positive contribution to the wider riverside landscape.~~

~~The impact of any noise generated by use of a bridge should be mitigated through the design and construction.~~



Chapter 5

Access and Movement

Introduction

5.1. The Government's White Paper 'A New Deal for Transport: Better for Everyone' (1998) advocates an integrated approach to transport and land use planning. PPG13: Transport provides guidance on delivering the White Paper's objectives to extend choice in transport, reduce the need to travel and secure mobility in a way that supports sustainable development.

5.2. The Regional Spatial Strategy for the East Midlands (RSS8) (2005) incorporates a Regional Transport Strategy which aims to reduce the need to travel and travel growth, promote a step change in the quantity and quality of public transport and only develop additional highway capacity when all other means have been eliminated. The Central Leicestershire Local Transport Plan (LTP), sets out the local transport strategies and investment proposals for this area.

5.3. This Plan has been prepared in parallel with the first and second LTPs and the Structure Plan (2005) in order to provide a long term planning framework to allow the implementation of a better, more efficient, integrated transport and land use planning system in the City.

Access and Movement Aims

5.4. The policies of the Local Plan will seek to influence access and movement by:

- promoting the integration of transport and land use planning by complementing the strategies and proposals set out in the Local Transport Plan and Structure Plan;
- encouraging and developing walking, cycling and public transport and improved transport interchanges to reduce reliance on the car;
- directing major and travel intensive uses to locations where they can be reached by means of transport other than the car in order to encourage sustainable patterns of development;
- safeguarding sites and routes which could be essential in developing infrastructure to widen transport choices and providing a well connected transport network; and
- implementing travel demand management measures, such as parking restraint, to encourage people to modify their travel behaviour and reduce the need to travel.

PROMOTING ALTERNATIVES TO THE CAR

Walking

5.5. Walking is a particularly sustainable form of transport, it requires little infrastructure and has a negligible impact on the urban environment. Research in Leicester has established that road safety, traffic, pollution and excessive journey distances are all key barriers to walking; but planning policies can assist in the breaking down of these barriers. The City of Leicester Walking and Cycling Strategy (2002), superseded by the Local Transport Plan, set targets on encouraging walking by, for example, seeking to increase the percentage of children walking to schools, through linking with the Safer Routes to School Strategy.

5.6. The specific needs of disabled people such as dropped kerbs and enhanced safety measures, can benefit pedestrians as a whole and be incorporated at the design stage at little cost. The City Council, in its pursuit of equal opportunities, requires the needs of disabled people, as well as others with limited mobility (e.g. people with children), to be given due consideration, as does the Disability Discrimination Act 1995. More specific information regarding requirements can be obtained from the City Council's Disabled Persons' Access Officer and the City Council's design guide 'Paving the Way'.

AM01. THE IMPACT OF DEVELOPMENT ON PEDESTRIANS AND PEOPLE WITH LIMITED MOBILITY

Planning permission for development will only be granted where the needs of pedestrians and people with disabilities have been successfully incorporated into the design. New or improved pedestrian routes and streets should link as directly as possible with existing or proposed routes and streets leading to key destinations, such as leisure/community and public transport facilities, both within or adjacent to a site.

On new or improved pedestrian routes and streets, the amount of carriageway given over to pedestrians and people with disabilities, both within the site and on footways alongside, must be such as to protect them from other highway users. Where segregation is required, pedestrians and disabled people should not be isolated from other road users and activity.

Physical measures such as dropped kerbs, safe crossing facilities, refuges, safety lighting, landmark features and the use of tactile surface materials will be required in appropriate circumstances.

Cycling

5.7. As with walking, cycling is a particularly sustainable form of transport. In Leicester the majority of journeys are less than 5 miles (8 km), a distance suitable for travel by cycle.

5.8. In addition to the overwhelming environmental benefits, cycling also has some practical advantages over the car. In peak periods journey times can be comparable; cycling is also a door to door form of transport with parking provision often being closer to the end destination than a car parking space.

5.9. The City of Leicester Walking and Cycling Strategy, superseded by the Local Transport Plan, has set targets which seek to increase the proportion of total journeys made by cycle.

AM02. CYCLING AND DEVELOPMENT

Planning permission for development will only be granted where the needs of cyclists have been successfully incorporated into the design. New or improved cycling routes should link as directly as possible with existing or proposed routes leading to key destinations, such as leisure, community and public transport facilities, both within or adjacent to the site.

On new or improved cycling routes and transport schemes, the amount of carriageway given over to cyclists must be such as to prevent conflict with other highway users. Where segregation is required, cyclists should not be isolated from other road users and activity.

Physical measures such as advanced cycle stop lines, safe crossings, priority at junctions and roundabouts and the use of appropriate materials will be required in certain circumstances.

Safe and secure cycle parking facilities will be required in accordance with the standards set out in Appendix 01. Such facilities must be provided in a form and location which would minimize the potential for conflict between cyclists and pedestrians and permit surveillance, thus providing security for both the cycle and people.

Citywide Pedestrian and Cycle Route Networks

5.10. The City of Leicester Walking and Cycling Strategy, and subsequently the LTP, promotes walking and cycling as genuine modes of transport. The pedestrian route network forms an integral part of the road network and is also catered for on the cycle route network. The cycle network includes routes along major transport corridors (e.g. bus lanes); off street routes such as Great Central Way; and quieter suburban routes and certain bridleways and towpaths.

5.11. Part of the cycle route network in Leicester is included within the National Cycle Network, arranged by the charity Sustrans. The Sustrans north - south Inverness to Dover route passes through the City and connections will also be made with the eastern route to Peterborough.

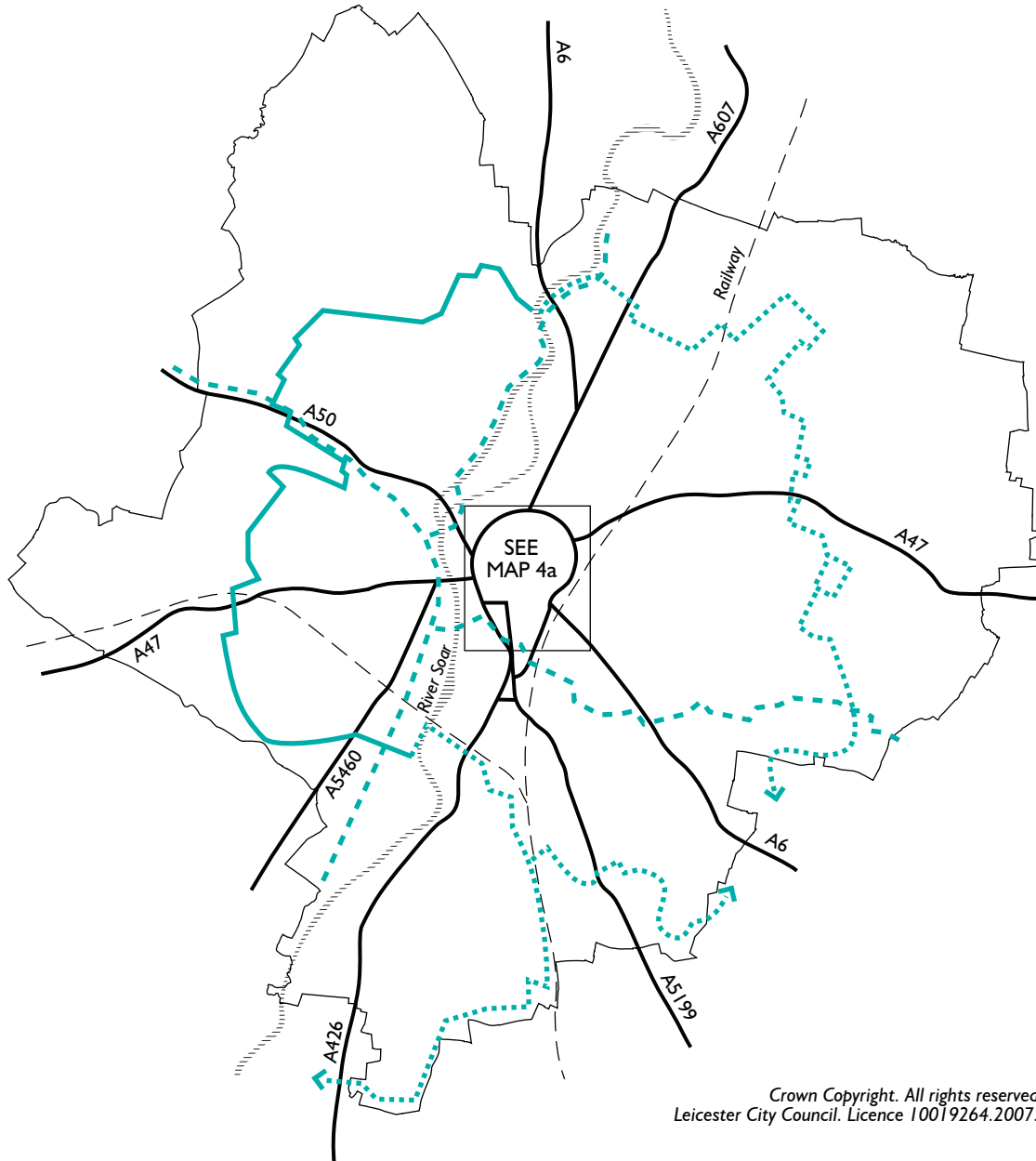
5.12. Safer routes for pedestrians and cyclist will become an integral part of the road network as reduced speeds are designed into new development, as outlined in Policies UD03 and AM10.

~~AM03. PEDESTRIAN AND CYCLE ROUTE NETWORKS~~





~~Planning Permission for development will not be granted where it would sever or adversely affect the continuity of pedestrian routes, unless suitable alternative provision and alignment can be provided to the satisfaction of the City Council.~~

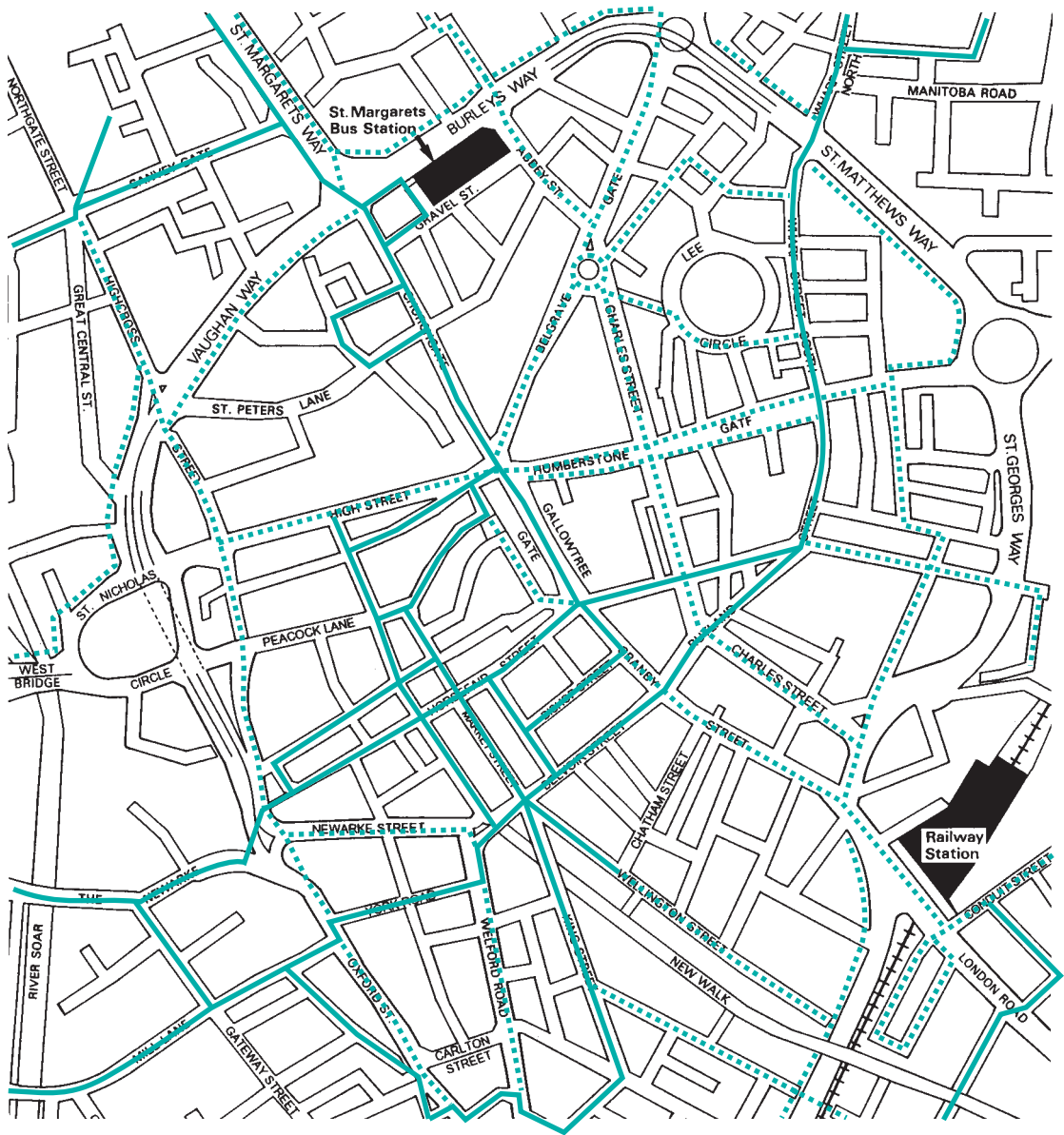
~~Planning Permission for development will not be granted where it would sever or adversely affect the continuity of the Leicester City Cycle Route Network, in particular the National Cycle Network Routes as shown on Map 04 and City centre routes as shown on Map 04a, unless suitable alternative provision and alignment can be provided to the satisfaction of the City Council.~~

~~Development will not be permitted where it's activities, particularly in terms of traffic generation, would substantially add to the dangers of pedestrians, people with limited mobility and cyclists using the Citywide pedestrian and cycle route network. Development should wherever possible provide natural surveillance of these routes.~~





MAP 04. CYCLEWAYS

-  City of Leicester Local Plan boundary
-  National Cycle Network
-  Green Ringway (Existing)
-  Green Ringway (Proposed)



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MAP 04a. CYCLEWAYS - CITY CENTRE INSET

-  Existing Cycleway
-  Proposed Cycleway

5.13. There is a need to ensure that new development does not significantly add to the dangers of these more vulnerable highway users. Concern about personal safety is also a deterrent to use of walking, cycling and public transport facilities and this should be considered.

AM04. GREEN RINGWAY

~~Permission will not be granted for new development which might prejudice the implementation of the Green Ringway as shown on Map 04. Particular attention will be given to ensure the continuation of the route through major new development areas.~~

5.14. The Green Ringway is an orbital cycle/pedestrian route around Leicester using routes through parks and open spaces to link schools and hospitals with the City and National Cycle Network. Where possible, opportunity will be taken to enhance the character and green ambience of the route. Much of the Green Ringway has already been implemented by the City Council. When complete the full route will form Sustrans Regional Route 77 linking together schools, hospitals, workplaces and community facilities to National Cycle Network Routes 6 and 63 that already cross Leicester. The extent of the route is shown diagrammatically on Map 04 but the route will be kept under review.

Travel by Bus

5.15. In Leicester, research has determined that a high quality bus based public transport system is essential if maximum effectiveness is to be made of the road network and people are to be offered alternatives to the car. Buses can convey large numbers of people and take up relatively little road space yet their effective operation is often hampered by congestion. Buses, therefore, must be given priority so that journey times can be reduced thus making them a more attractive option.

5.16. Many bus journeys, particularly at peak periods, when congestion is at its worst, start or finish in the City Centre. Moreover, it is anticipated that this trend will continue over the plan period as the City Centre becomes the focal point for developments that attract a large number of visitors.

5.17. Bus services are provided by private bus companies. The City Council can provide financial support for non-profitable services which are deemed essential but which would otherwise not be provided. The main role of the City Council, in conjunction with the County Council in the Central Leicestershire area, is to provide infrastructure to improve bus service efficiency, facilitate interchange, provide waiting facilities for passengers and provide information. The City Council has entered into a Quality Bus Partnership with the operators.

5.18. Many of the development proposals likely to come on stream during the plan period will be well related to the existing urban fabric and can be readily absorbed into the existing and proposed network of bus services. There are, however, a number of larger developments where the needs of public transport users and operators should be accorded a high priority at the design stage. An agreed minimum standard of bus service will be required (see paragraph 5.49)

linking key destinations, connecting to the wider bus network and passing in close proximity to where people live. Policy AM05 seeks to ensure that development is laid out so that walking distances to bus stops are close enough to encourage bus travel as an alternative to the car.

AM05. BUSES AND DEVELOPMENT

Planning permission for large scale development will not be granted unless:

- a) at least 75% of the development is within 250 metres walking distance of a bus stop;
- b) no part of the development is more than 400 metres from a bus stop; and
- c) routes for buses through the development are such as to provide direct links with the highway network, by priority access arrangements if necessary, and maximise the opportunity for extending the existing network of bus services in the City.

5.19. Large scale development in the context of this policy is development larger than 100 dwellings; 1,000m² gross floorspace of retail, B1 or D2 development; 5,000m² B2 Industry and 2,500m² Higher and Further Education.

Strategic Park and Ride

5.20. The public transport needs of most Leicester City residents can be met by conventional bus services. Leicester, however, is a sub-regional centre and many people travel into the City for the purpose of work, shopping and recreation. Due to the widespread origins of many of these longer trips into Leicester, it is not always possible for conventional bus services to be a viable alternative. Bus or rail based park and ride sites can reduce the overall length of car journeys to the City Centre.

5.21. Leicester's first purpose built park and ride at Meynells Gorse became operational in 1997 and a second site is planned at Birstall in the County. Further appropriate sites will be investigated during the plan period. The criteria outlined below will be used to determine the most appropriate locations, in conjunction with other relevant policies, to ensure the local setting and environment are fully considered.

AM06. STRATEGIC PARK AND RIDE

Proposals for the development of strategic park and ride sites should:-

- a) take account of the availability of other potential sites, to ascertain the most sustainable option available;
- b) be capable of accommodating at least 500 cars;
- c) be readily accessible to major radial routes;
- d) be readily accessible to roads where traffic levels are high and the benefits of using park and ride become apparent to motorists;

- e) ~~be located at such a distance from the City Centre, normally at least five kilometres (3 miles), so that the incentive to switch from the car is encouraged; and~~
- f) ~~promote the potential for walking, cycling and powered two-wheeler journeys to and from the site.~~

Travel by Taxi

5.22. Hackney carriages and Private Hire vehicles are considered to be a part of the public transport system and can be particularly important for people with mobility problems. The operation of this service can be facilitated by the provision of hackney carriage ranks in key locations such as the City Centre, defined shopping centres, public transport interchanges, hospitals and other major developments (e.g. National Space Centre).

5.23. The LTP recognises the importance of this service and the Council aims to improve the provision of taxi ranks in the City.

AM07. HACKNEY CARRIAGE RANKS

~~The provision of Hackney carriage ranks will be required in key locations. Proposals for ranks that come forward as part of the Central Leicestershire Local Transport Plan will be favourably considered.~~

Rail Services and Infrastructure

5.24. Despite the fact that most of the immediate public transport needs of Leicester's citizens can be addressed by bus services, passenger rail services are still an integral part of the Leicester and Central Leicestershire Transport Policy. Rail can provide a viable alternative to the car for inter-urban and longer distance journeys.

5.25. The City Council, in conjunction with the County Council, other Leicestershire District Councils, rail authorities and train operating companies will keep the case for Phase 2 of the Ivanhoe Line between Leicester and Burton-on-Trent under review. Land, infrastructure and trackbeds will need to be safeguarded accordingly.

5.26. Leicester is also served by the Midland Mainline between London and Sheffield and Central Trains crosscountry services, including connections between East Anglia and Wales. Connections to the Channel Tunnel via St. Pancras are scheduled during the plan period.

AM08. IDENTIFYING AND SAFEGUARDING RAIL SERVICES AND INFRASTRUCTURE

~~Land will be identified and safeguarded for stations along the Ivanhoe Line Phase 2 in the vicinity of Meynells Gorse and Bede Island. Development will not be permitted which would:~~

- a) ~~prevent access to and operation of these proposed stations; or~~
- b) ~~prejudice the planned implementation of infrastructure such as the reinstatement of Knighton Junction.~~

~~Planning permission will not be granted for any non-rail development which may encroach on the line of spare trackbed alongside the Midland Mainline.~~

-

TRAVEL DEMAND MANAGEMENT

Development and Measures to Reduce the Need to Travel

5.27. Transport Assessments (TA) should be prepared and submitted, alongside planning applications, for development that will have significant transport implications, in accordance with PPG13. The assessment of traffic flows and conditions must take into account the cumulative impact of all existing and known proposed development and any particular local traffic problems. The City Council as Highway Authority will identify the sensitive areas, including areas susceptible to congestion, when specifying the parameters of the Transport Assessment.

5.28. At Hamilton developers should take account of the impact on roads such as the A563, A607, Victoria Road East and Keyham Lane. At Ashton Green the impact on roads such as Bennion Road, Beaumont Leys Lane, the A563 and Greengate Lane should be taken into account. For these and other major development sites developers should consider necessary improvements that may include public transport improvements, highway improvements, and other sustainable transport infrastructure.

5.29. Where a Travel Plan is required, it should incorporate measures to reduce travel to and from the site that should be worked up in consultation with the City Council and local transport providers. The measures might be designed for the applicant only or be part of a wider initiative, involving other existing or proposed developments in the City.

5.30. Developers will be expected to provide contributions in accordance with Circular 5/2005 to support the modal split targets and measures to reduce car use to and from their development. The contributions and measures will be secured by planning conditions and, where appropriate, by means of a planning obligation negotiated with developers. The likely nature and scope of the contributions to be sought towards transport improvements are outlined in Appendix 04. Also the Travel Plan should identify any further remedial measures or commuted sums that the developer could be expected to provide to mitigate the impact of the development if regular monitoring shows that the development does not achieve the travel plan objectives, including modal split targets.

AM09. TRANSPORT ASSESSMENTS AND TRAVEL PLANS

~~If a Transport Assessment (TA) predicts an increase in traffic on the adjacent highway of greater than 10%, or 5% in sensitive areas, or if existing and proposed on-site car parking would not accommodate the predicted requirements, the TA must identify measures to reduce the impact of the development on the highway. A Travel Plan will be required which identifies appropriate measures and contributions to:~~

- a) ~~reduce car usage and increase access by walking, cycling and public transport identifying measurable modal split targets;~~
- b) ~~reduce traffic speeds and improve road safety and personal security, particularly for pedestrians and cyclists; and~~
- c) ~~provide arrangements for monitoring and enforcement of the Travel Plan objectives.~~

~~A Travel Plan should be submitted for smaller developments which generate significant amounts of travel in or near air quality management areas, or where it would address a particular local traffic problem associated with a development. In such cases and where necessary, an assessment of traffic movements will be required for the development to identify the impact of traffic on the highway.~~

5.31. On smaller scale developments, where a TA is not required, if it is judged that the traffic generated would impact on the highway network adjacent to the site, the developer would be expected to contribute towards off-site highway improvements to mitigate the impact of the development. Measures to reduce the need to travel in smaller scale development up to the standards required in large scale or travel intensive development would also be required.

Road Safety and Vehicle Speed Restraints

5.32. Government Guidance on highway layout is contained in "Places, Streets and Movement" (1998); "By Design: Urban Design in the Planning System" (2000) and the Road Safety Strategy "Tomorrow's Road – Safer for Everyone" (2000).

5.33. The main change in emphasis in the new guidance is using design to reduce the impact of the car in the street, as set out in policy UD03. All new housing/mixed use developments should be designed as connected street networks to provide maximum accessibility for pedestrians and cyclists. People should be able to travel safely (both in terms of road safety and personal security) whatever their chosen mode of transport.

5.34. Vehicle speeds, particularly in new residential development, must be managed by the arrangement of buildings and space, with physical traffic calming (e.g. speed humps) being used only as back-up measures. The City Council generally expect to see all new roads in residential areas designated as 20 mph zones, to reduce speeds and thus accident rates. Speed tables at key junctions and changes in the surface material and the width of the carriageway can also be used to reduce vehicle speeds. The home zones concept will be encouraged, where considered appropriate.

AM10. ROAD SAFETY AND VEHICLE SPEED RESTRAINTS

~~Vehicle speed restraints should be integral to the design of new or existing development.~~

~~Planning permission will only be granted where the overall layout and design and traffic calming measures, where appropriate, achieve reduced traffic speeds and a safe environment for pedestrians and cyclists.~~

5.35. The Council's priority for vehicle speed management is to focus its own resources in areas with high accident rates and where they can complement Area Safer Routes Schemes. A more detailed list of priorities is contained in the LTP. Within new developments, developers will be required to incorporate or fund the appropriate measures to reduce road danger within the overall street layout.

Parking Standards

5.36. Government guidance in PPG13 advises that the availability of parking has a major influence on people's travel choice. It therefore recommended that maximum amounts of car parking should be specified with new development and in areas accessible by other modes, to encourage more sustainable travel behaviour and release land for more productive purposes.

5.37. Parking standards are set out in Appendix 01 and further guidance is given in the supplementary planning guidance (SPG): Vehicle Parking Standards (2002, updated May 2006). These standards are based on the findings of the University of Westminster 'East Midlands Joint Car Parking Study' as well as RSS8 and advice contained in PPG13.

5.38. The capacity of the road system and the availability of alternative modes of transport to the private car vary considerably throughout the City so that uniform car parking levels are not appropriate. Therefore a number of parking zones were derived from the PPG6 (now PPS6) sequential test definition of contours within easy walking distance of the City Centre (e.g. Central Commercial Zone) and the initial findings of the joint ACCMAP study, undertaken by the City and County Councils on public transport accessibility in Leicester.

5.39. The Central Pedestrian Zone (CPZ) is identified in the City as Zone 1 where the highest level of parking restraint is adopted in accordance with the advice outlined in RSS8. It forms the central core of the city centre where pedestrian measures preclude access to vehicles and parking spaces. The boundary to Zone 1 is shown on Map 1 in Appendix 01.

5.40. The Central Commercial Zone (CCZ) outlined in the Proposals Map is identified in the City as Zone 2 where high levels of parking restraint are adopted. Parking standards within Zone 2 will remain more restrictive due to the abundance of alternative means of transport and public car parking provision. The boundary to the CCZ is shown on the Proposals Map.

5.41. In areas outside the CCZ less restrictive parking restraint is adopted. Two zones are identified in this area where different targets for reduction of car parking standards will apply according to the "transport accessibility" of each zone. The boundary to Zone 3, which is immediately adjacent to the CCZ, is based on the ACCMAP modelling work. The ACCMAP profile boundary has been further refined to remove any anomalies by reviewing the bus service frequency and land uses in the area. The boundary to Zone 3 is shown on Map 2 in Appendix 01.

5.42. Zone 4 contains the remaining parts of the City, where public transport accessibility is lowest. The boundary to Zone 4 is shown on Map 2 in Appendix 01.

AM11. PARKING PROVISION WITH NON-RESIDENTIAL DEVELOPMENT

Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01.

Reductions below these maximum parking standards will be required by the City Council, in accordance with the reduction targets for non-residential parking provision, after consideration of the following criteria:

- a) access by other means of transport (currently and in the medium to long term);
- b) availability, accessibility and safety of existing or alternative car parking provision;
- c) consequences of under provision in a particular location;
- d) proximity to the Central Commercial Zone;
- e) benefits of imposing traffic restraint;
- f) planning benefits of greater site coverage or provision of soft landscaping;
- g) impact on Conservation Areas;
- h) relationship to other uses nearby;
- i) anticipated levels of car use (including the potential reduction of car usage through Travel Plans); and
- j) pattern of working hours.

Parking provision to accommodate the needs of disabled people (i.e. blue badge holders) will be specified in accordance with need and will not be subject to restraint measures.

Parking provision to accommodate the needs of people with children will also be specified in accordance with need.

5.43. The City Council will take account of factors such as regeneration needs and viability when it considers the application of these standards. If a development is expected to generate a higher level of car usage than can be accommodated by the maximum parking standards, the applicant should submit a Travel Plan, that incorporates complementary measures designed to reduce the need for parking and encourage users to travel by modes of transport other than the car to access the site (see Policy AM09).

5.44. Parking provision that exceeds the maximum standards will only be granted in exceptional circumstances, where it is demonstrated through a TA and Travel Plan that a lower level of parking is not achievable through the implementation of measures to minimise the need for parking and car travel, and that a serious road safety or amenity problem would otherwise arise.

5.45. A restrictive approach to parking provision with development will be counter productive if it displaces parking pressures elsewhere. Complementary controls need to be implemented, particularly through the LTP. Within Leicester, progress has been made towards 'decriminalising' on-street parking. Residents parking schemes will complement these on-street controls.

5.46. It is recognised that people with disabilities often have no alternative but to travel by the private car, therefore spaces will be reserved for them in accordance with need, rather than subject to restraint.

Car Parking Provision in Residential Development

5.47. The requirements for off-street parking provision is a major determinant in the amount of land required for residential development and can thus reduce residential density and be incompatible with the principle of making the best use of urban land. PPG3 requires local authorities to review their car parking standards, to allow for significantly lower levels of off-street parking in highly accessible locations.

AM12. RESIDENTIAL CAR PARKING PROVISION

Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.

Reductions below the maximum standards may be appropriate in the following circumstances:

- a) in the Central Commercial Zone;
- b) in the area immediately adjacent to the Central Commercial Zone, which is accessible by means of transport other than the private car;
- c) in other locations within 250 metres walking distance of good public transport;
- d) where other design objectives are sought (including the creation of a sense of place);
- e) in locations where there is existing or surplus parking provision; and
- f) in conservation areas where provision cannot be physically accommodated without detriment to the character or appearance of the area.

On-street parking may be acceptable providing access, amenity and safety are not compromised.

Where on plot parking is provided it should be provided between dwellings or within the interior of the block or underground where possible.

5.48. The City Council will take account of factors such as regeneration needs and viability when it considers the application of these standards. In some instances maximum vehicle parking provision will be acceptable to making the housing offer attractive. Alternatively, the

nature and location of dwellings may lead to a significantly reduced level of parking provision being acceptable. The City Council will encourage Car Free Residential Areas in locations which are well served by other means of transport or where they are in close proximity to everyday facilities.

5.49. Locations with good public transport are defined in the Leicestershire, Leicester and Rutland Structure Plan (2005) as locations served by bus services at 15 minute intervals during the working day (Monday to Saturday, 7.00 am to 7.00 pm) and half hourly during evenings and Sundays.

Communal and Shared Parking Provision

5.50. Parking layouts for developments should encourage shared use of parking, particularly in the CCZ or as part of major developments. In some instances, where a site is developed to accommodate a variety of users, rather than providing dedicated car parking for individual developers, communal parking may lead to a considerable saving in land. Development briefs will be used to specify where this is appropriate, such as within the PDAs identified in Chapter 2.

AM13. COMMUNAL AND SHARED PARKING PROVISION

~~When a number of users occupy a single site, development proposals should take account of the opportunities for communal and shared parking provision.~~

New Public Car Parks

5.51. In the CCZ public car parking provision, both on and off-street, is adequate to meet anticipated demand. This is particularly apparent when coupled with the ongoing public transport improvements and planned park and ride facilities. It is appropriate, therefore, that no additional public car parking is permitted. This applies equally to permanent and temporary provision. It does not apply, however, to parking provision associated with new development, where the levels of car parking will be considered in accordance with the requirements of Policies AM11 and AM12. Nor does it apply to the redevelopment of existing car parking.

5.52. In the past, permission has been granted for the use of semi-derelict/derelict sites within the CCZ for temporary car parks. This often hampered regeneration efforts as the site was not available or there was little incentive for a developer to regenerate it when there was a ready income stream from parking fees.

5.53. Outside of the CCZ, there may be more justification for additional public car parking capacity where accessibility by more sustainable means is not as good. Provision, however, will only be considered in exceptional circumstances, when alternative solutions have been exhausted. Provision outside the CCZ will not be permitted to meet the needs within the CCZ.

AM14. NEW PUBLIC AND CONTRACT CAR PARKING PROVISION

~~In the Central Commercial Zone, additional contract and public car parking (long stay or short stay; temporary or permanent) which is not associated with new development, will not be permitted.~~

~~Outside of the Central Commercial Zone, additional contract and public car parking, not associated with new development, will only be considered if travel needs cannot be met in any other way and it is demonstrated that:~~

- ~~a) a shortage of provision is having a detrimental impact on business and commercial interests; or~~
- ~~b) excessive on street parking is having an adverse impact on highway safety or local amenity.~~

The Design of Car Parking Provision

5.54. Car parks have created problems in the past by their appearance, their misuse and the lack of safety and security of both vehicles and people. In line with Central Government direction, car parks should be designed to comply with the Association of Chief Police Officers Secured Car Park Accreditation Scheme. It is also apparent that car park layouts can lead to misuse in terms of accommodating vehicles in undesignated areas such as verges and access routes; such practice runs counter to using car parking as a travel demand management tool.

AM15. DESIGN OF CAR PARKING PROVISION

~~The location and design of new parking provision (public and private) must ensure that:~~

- ~~a) the location of car parking does not reduce visual surveillance or the vitality of the street;~~
- ~~b) there are safe and direct pedestrian routes through the car park to the pedestrian access points;~~
- ~~c) there is security for vehicles and pedestrians;~~
- ~~d) there is visual amenity through appropriate planting and hard landscaping details including boundary treatments and surface materials; and~~
- ~~e) parking is in designated areas only.~~

~~Where possible consideration should be given to incorporating new parking provision underground or within the interior of a block.~~

Re-Use of Existing Car Parking Provision

5.55. During the plan period it is envisaged that Leicester's residents and visitors will become less car reliant over short distances, this applies particularly to journeys to and from the Central Area:

5.56. Given that land is a scarce resource, proposals for development on existing public or private car parks will be considered, provided that a shortage of provision will not lead to problems with safety, on-street parking and local amenity. If such problems are likely to arise, replacement provision should be made elsewhere or other measures implemented to accommodate travel demands such as Travel Plans:

5.57. In the longer term, as other more sustainable transport options come forward, it is intended that car parking provision will not be increased in the City Centre. This will lead to no net increase in the stock of parking provision and will release land for more productive purposes:

AM16. RE-USE OF EXISTING CAR PARKING PROVISION

~~Proposals for development on land used for public or private car parking will be permitted provided that adverse impacts on highway safety, on-street parking and local amenity do not arise or cannot be overcome by other measures.~~

Servicing Requirements

5.58. Adequate servicing provision is imperative, both in terms of businesses functioning effectively and local highway safety and amenity being maintained. As needs vary, servicing requirements will be considered for each development on merit. The City Council, however, will only permit what it considers to be justifiable servicing requirements. Excessive provision must be avoided as it may be used for non-operational purposes thus undermining other travel demand management policies:

5.59. In some instances, it is possible for loading bays and manoeuvring space to be shared by a number of users. Although widely utilised in the Central Area, there is scope for such practice to be considered elsewhere:

AM17. SERVICING REQUIREMENTS

~~Non-residential development will, where practical, be expected to include loading and unloading facilities and manoeuvring space within the site.~~

FREIGHT MOVEMENTS

Rail Freight

5.60. The Regional State of Freight Study (2002) highlighted the need for modal switch away from road based transport in the manufacturing, retail, waste disposal and freight industries. This is supported by policies in the Regional Freight Strategy (July 2005). Network Rail has identified the Felixstowe-Peterborough-Leicester-Nuneaton lines for upgrading for freight traffic growth and the potential for upgrading the Midland Mainline. There is a need to safeguard land and trackbed along these routes, wherever practical, to promote rail as an alternative to the car and HGV's.

5.61. The City Council will seek to protect land with existing operational or non-operational rail freight facilities such as Leicester Sidings, as well as potential rail freight connections from non-rail development. The Humberstone Goods Yard (see Table 7.2 in Chapter 7) is still rail connected and is identified by Network Rail as a strategic priority for future use.

5.62. Rail freight connections will also be considered at other appropriate employment sites and the City Council will support applications for grant aid under the 1993 Railways Act.

AM18. SAFEGUARDING RAIL FREIGHT CONNECTIONS

~~Land with existing (operational or non-operational) rail freight facilities or potential rail freight connections will be safeguarded from non-rail development.~~

~~The retention and use of rail freight facilities will be required in the development of the Humberstone Goods Yard employment development site as shown on the Proposals Map.~~

~~Rail freight connection will also be encouraged and supported at other employment sites capable of connection to freight lines.~~

Water Freight

5.63. Leicester's inland waterways, the River Soar and Grand Union Canal, offer some potential for freight movement, although the structure and size of many bridges and canal locks poses a major constraint to the carriage of large freight by boat. The City Council will work with British Waterways and other agencies in considering potential low key freight uses and waterside freight connections, including initiatives by local canal-side firms to transport bulk raw materials.

AM19. WATERSIDE FREIGHT CONNECTIONS

~~Waterside freight connections will be encouraged and supported at locations capable of connection to the inland waterways.~~

Road Freight

5.64. The majority of freight movements in Leicester will still be undertaken by road. To minimise the adverse environmental impacts, the City Council will work with the Leicester and Leicestershire Freight Quality Partnership to facilitate consultation with the freight industry on the sustainable distribution of goods by road, as well as rail or water transport whenever feasible.

5.65. The City Council will prevent development which may impede the movement of high or abnormal loads on the route outlined in Policy AM20. The northern section provides a through route for heavy traffic and requires protection, although it is not suitable for all abnormal loads. Routes in the southern section provide access for abnormal loads within the City (see Map 05).

AM20. FACILITATING EFFECTIVE ROAD FREIGHT MOVEMENT

~~Planning permission will not be granted for development that impedes high or abnormal loads along the high load/abnormal load routes in and around the City as shown on Map 05.~~

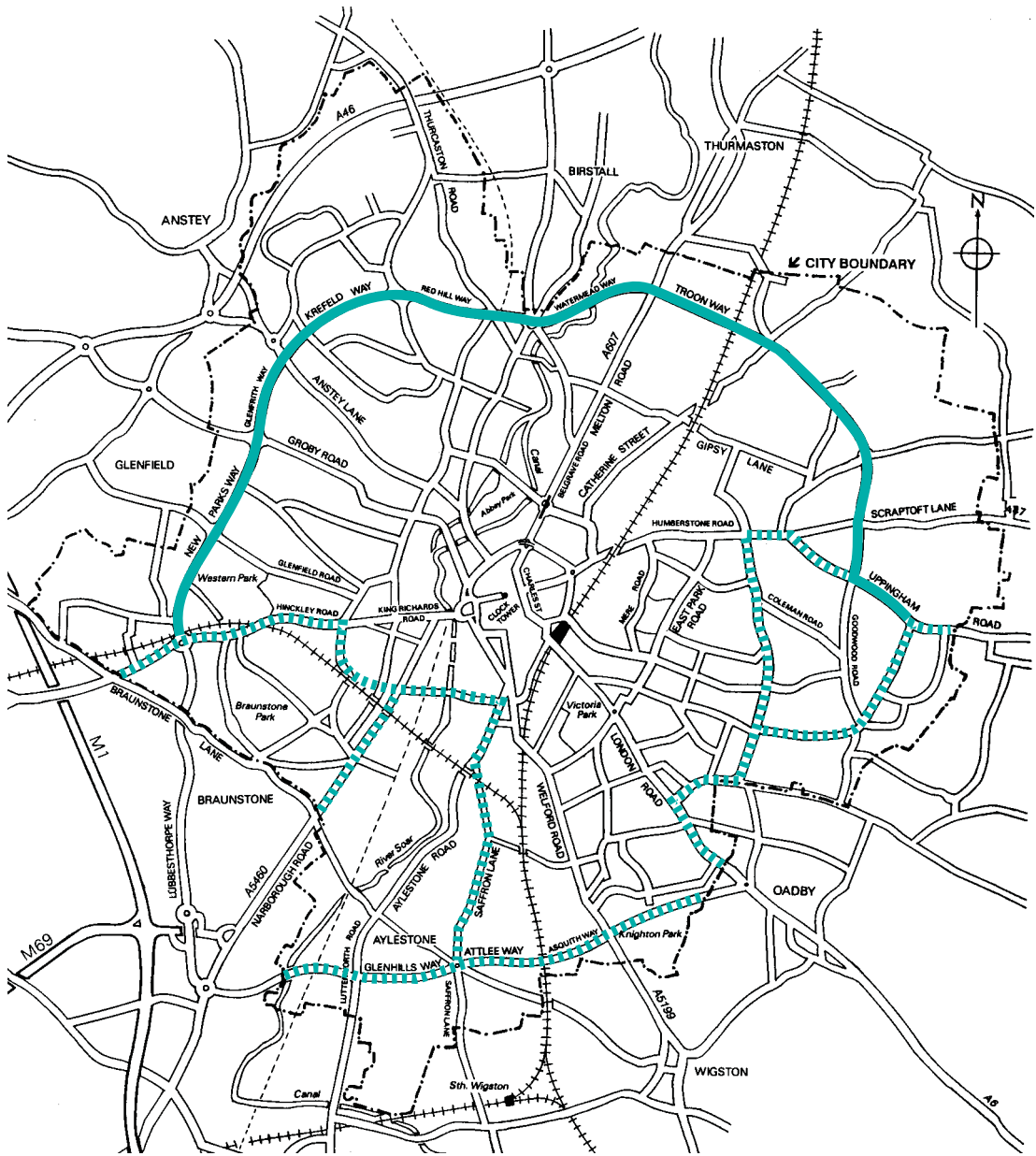
5.66. In order to protect residential amenity and Central Area access, there will be restriction on development which creates an unacceptable number of freight movements in residential or other sensitive areas. These include the Central Pedestrian Area, routes to schools and around community/leisure facilities (see also Policy PS10). The City Council will invoke powers under the Road Traffic Regulation Act 1984 to make Traffic Regulation Orders (TRO's) and other management measures to prevent the use of certain highways by unsuitable traffic.

5.67. It is also vital that new or expanded commercial vehicle operating centres do not cause environmental problems. Goods vehicle depots, associated traffic and overnight parking in environmentally sensitive locations will be controlled through the development control process and through representation to the Traffic Commissioner, who is responsible for granting licences to goods vehicle operators. The introduction of higher maximum lorry weights (i.e. 44 tonnes on six axles for all trips), will have implications if such uses are not sited appropriately.

AM21. DEVELOPMENT AND HEAVY GOODS VEHICLES

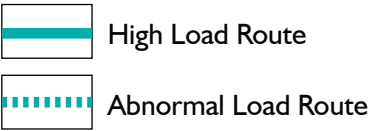
~~The development of new or the expansion of existing goods vehicle depots, industrial or warehouse uses will not be permitted in or close to residential or other sensitive areas where traffic movements and overnight parking of Heavy Goods Vehicles would have an adverse impact on highway safety or local amenity.~~

5.68. The Proposals Map defines a B8 Restriction Zone (see Employment Policy E07). In transport terms, this restricts large warehousing and distribution development in locations where Central Area access may be impeded and directs it to more suitable locations. However it is not only B8 warehousing and distribution type developments which can generate a large number of freight and goods movements. The overall impact of such proposals and its resultant acceptability will be determined in accordance with Policy AM09.



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MAP 05. HIGH OR ABNORMAL LOAD ROUTES



TRANSPORT SCHEMES AND IMPROVEMENTS

5.69. Although the basis of the new policy agenda is to improve public and non-motorised modes of transport, it appreciates that the car remains an important means of transport for a large number of people. The road network, however, in Leicester is largely complete and priority will be given to the maintenance of existing roads and management of the network rather than building new roads.

5.70. Whilst it is no longer practicable to accommodate ever increasing traffic growth by new road construction, there are some instances where no other option is available and land will need to be safeguarded. Similarly, there are instances where former alignments intended for road schemes will need to be safeguarded for alternative transport schemes.

5.71. The City Council advocates road building only when all other options have been considered and when the following circumstances apply:

- long term safeguarding of land to complete the major transport network;
- development roads to open up major sites; and
- access roads within new developments and/or redevelopment/regeneration areas.

5.72. The long term transport strategy covering Leicester is currently being developed in parallel with the second Central Leicestershire Local Transport Plan. New development will be required to make allowance for the transport schemes that have been identified as part of these processes.

AM22. TRANSPORT SCHEMES AND IMPROVEMENTS

~~Planning permission will not be granted for development that would prejudice implementation of the proposed transport schemes set out below:~~

~~a) Transport schemes:~~

- ~~• Abbey Lane/Loughborough Road Link; and~~
- ~~• Eastern District Distributor Road (EDDR) (completion of the Outer Ring Road).~~

~~b) Quality Bus Corridors;~~

- ~~c) New bus corridor in the City Centre using Causeway Lane, Mansfield Street, Church Gate, Gravel Street; and~~

~~d) Outer Ring/Melton Road Junction Improvements.~~

~~Details of the transport schemes and highway improvements outlined above are set out in Appendix 02.~~

5.73. The proposed new bus route in the city centre will replace the High Street/ Belgrave Road route and will enable a high quality pedestrian environment to be provided in the vicinity of the Clock Tower. Further support for this proposal is provided by Policy SPA07.

5.74. Junction improvements on the outer ring at Groby Road will be carried out in accordance with the conditions of the outline planning consent for the expansion of Glenfield Hospital. Improvements to the Uppingham Road and Melton Road junctions are required in connection with development at Hamilton.

5.75. In accordance with the Structure Plan, land for the EDDR will be safeguarded until a review can be undertaken to ascertain whether the scheme as originally planned should be built.



Chapter 6

Housing

Introduction

6.1. This Chapter deals with the quantity, quality and location of housing to meet future needs in the City. Sites are identified to accommodate new housing development and assumptions are also made about the likely contribution from windfall sites towards future housing supply. The Local Plan gives considerable weight to social considerations which must be taken into account in major new residential or mixed developments. Land use planning policies are therefore included to address a range of housing needs; these include affordable and accessible housing, hostels, and provision for gypsies and travellers. Other policies in the Local Plan provide guidance on urban design, environmental and transportation issues, the provision of community and leisure facilities and developer contributions. In line with both Government policy and the Local Plan Strategy a strong emphasis has been placed on sustainable development objectives; the Plan seeks to meet target of at least 60% of new housing on previously developed land (brownfield sites). The Local Plan aims are closely linked to the key objectives of the City Council's Housing Strategy.

Housing Aims

6.2. The Local Plan housing policies have the following aims:

- to provide sufficient housing to meet the requirements of the whole community, including those in need of affordable housing and those with other special needs;
- to provide a range of dwelling sizes and types to create mixed and socially inclusive communities;
- to maximise the use of the existing housing stock by reducing vacancy levels, promoting conversions and improving unfit dwellings;
- to manage the release of greenfield housing sites, and to give priority to the re-use of previously developed land and buildings for housing;
- to contribute towards a more sustainable pattern of development by ensuring that new housing is accessible by walking, cycling and public transport; and
- to promote good design and layout in new housing developments in order to create high quality living environments.

National and Regional Policy Context

6.3. Development plans are required to take account of the Government's household projections when making provision for future housing development but the projections are only one input to the process. The Government has indicated that the traditional 'predict and provide' approach to future housing provision is no longer appropriate and that a new concept to 'plan, monitor and manage' should be adopted by local authorities. The Regional Spatial Strategy for the East

Midlands (RSS8) provides targets for future housing provision at sub-regional level. The East Midlands Regional Housing Strategy has also been prepared to identify future priorities for public and private investment in housing.

6.4. Government guidance emphasises the need to provide for as much new housing as possible within existing urban areas. A national and regional planning target has been set to provide for 60% of new housing on previously developed land by 2008. Although housing completions on previously developed land have exceeded 70% in Leicester in recent years, this may be difficult to sustain if greenfield development rates increase at Hamilton and Beaumont Leys during the plan period. A phased release of these urban extensions will ensure that the regeneration of more central previously developed sites is not prejudiced.

6.5. National planning guidance (PPG3) requires local planning authorities to apply a sequential approach to the release of housing land. This means that previously developed land or under-used buildings, including surplus employment land, should be developed for housing before the release of new greenfield sites. Promoting mixed use development, reducing car parking requirements, encouraging higher densities and quality design and providing for a choice of housing, including affordable housing are also Government objectives which are incorporated in this Plan.

Local Policy Context

6.6. Leicester's population was estimated to be 279,923 in the 2001 Census and is projected to increase to 296,700 by 2016 according to the Structure Plan's policy based projections. However, various factors such as the availability and choice of development sites, house building rates and continuing out-migration from the City will influence the level of growth during the plan period. The amount of new housing that can be allocated to Leicester is determined by the capacity of the urban area to accommodate new housing development.

6.7. Housing represents the predominant land use within the City. At April 2004 there were approximately 118,700 dwellings in the City. The City's housing tenure pattern is 71% private sector, 20% local authority, 9% housing association and other public sector. There were 9,491 applicants on the City Council's Housing Register (1st April 2004). A new Housing Needs Survey was undertaken by consultants on behalf of the City Council during 2001/02. The final report (October 2002) provides information on future affordable housing requirements across the City area. This has been updated in 2003.

6.8. In all housing sectors there is a growing problem with stock condition and disrepair although this is more pronounced in the private sector. A third of the housing stock in the City is pre-1919 in age and includes many unfit or substandard properties lacking modern amenities. Although more than half of the pre-1919 stock has been improved through the City Council's Renewal Strategy, a considerable number still need to be refurbished.

6.9. While improvements schemes have also been implemented through the former City Challenge and Single Regeneration Budget programmes and the Housing Investment Programme, a great deal more remains to be done. To foster continued improvements in the living conditions and

quality of the environment, it is important that land use planning policies complement these strategies and programmes and other urban regeneration initiatives, such as New Deal for Braunstone and the Leicester Regeneration Company's Masterplan.

6.10. Future needs will be met by the reuse of existing housing stock and the development of land and buildings for new housing. The City Council's Housing Strategy aims to maintain and improve the existing housing stock through its renewal programme in partnership with other agencies. In April 2004 there were about 5,000 empty homes in the City, half of which have been vacant for more than six months. Approximately 4,400 of these properties are in the private sector and efforts are being made to bring them back into use through the City Council's Empty Homes Strategy. Between April 1997 and March 2004, the City Council's Empty Homes Strategy has resulted in a total of 752 homes being brought back into residential use. The subdivision of large houses to create self-contained flats might also help to meet housing needs, but there is still a priority need for large family accommodation throughout the City.

HOUSING REQUIREMENTS AND SUPPLY

The Leicestershire, Leicester and Rutland Structure Plan

6.11. Leicester continues to generate a significant level of natural population increase, and consequent need for additional housing. The Leicestershire, Leicester and Rutland Structure Plan (2005) includes a requirement for 19,000 new houses in the City between 1996 and 2016. The ability of the City to accommodate more housing is based on an urban capacity assessment which was undertaken as part of the Structure Plan review process. This assessment has been updated to an April 2004 base-date and is summarised in Table 6.1.

Table 6.1: Housing Requirements & Supply: 1996 – 2016

| Structure Plan housing requirement: | 19,000 | Brownfield | (%) |
|--------------------------------------|---------------|---------------|-------------|
| a) All dwellings built 1996-2004 | 5,170 | 3,648 | (71) |
| b) Permissions on large sites (3/04) | 5,053 | 3,348 | (66) |
| c) Housing allocations (policy H01) | 3,570 | 740 | (21) |
| d) Additional urban capacity* | 4,000 | 4,000 | (100) |
| e) Small sites allowance** | 1,800 | 1,800 | (100) |
| Housing Supply | 19,593 | 13,536 | (69) |

* Additional urban capacity takes account of the LRC Masterplan's detailed Area Development Frameworks which include proposals for at least 8,000 new homes within the Abbey Meadows, St George's North and Waterside regeneration areas. It is envisaged that about 4,000 new homes will be delivered within the Local Plan period (see policies PS06 – PS09).

** An allowance has been made for 1,800 dwellings on small windfall sites (150 dwellings per year).

6.12. Table 6.1 shows that the City's total potential housing supply comprises 69% new housing on-previously developed land (brownfield sites). Rates of housing completions on previously developed land will vary from year to year according to site availability, phasing of greenfield sites and market considerations. Monitoring past housing completions indicates an upward trend in brownfield development in the City. Since 1996 about 71% of all new dwellings have been provided on previously developed land or through conversions.

Table 6.2: Housing Permissions (large sites) - March 2004

| Location | Site Area (hectares) | Dwellings | Status |
|--|----------------------|--------------|--------|
| 1. West | | | |
| Lanesborough Road* | 2.3 | 80 G | p.p |
| Glenfrith Hospital | 9.3 | 279 G | u/c |
| Groby Road (Former Hospital) | 0.3 | 7 B | u/c |
| R/o Halifax Drive | 0.5 | 12 B | p.p |
| 76 Western Road | 0.2 | 18 B | p.p |
| R/o 113-127 Lutterworth Road | 0.7 | 14 B | u/c |
| Former Marconi Site, Blackbird Road | 2.7 | 136 B | u/c |
| Bede Street/Western Road | 0.5 | 94 B | u/c |
| 4-12 Dartford Road | 0.2 | 14 B | u/c |
| 87-93 Cavendish Road | 0.2 | 15 B | u/c |
| St. Christopher's Church, Marriott Road | 0.4 | 17 B | p.p |
| Empire Garage, Fosse Road North | 0.2 | 13 B | p.p |
| Methodist Church, Fosse Road North | 0.1 | 22 B | p.p |
| Knighton Hayes, Ratcliffe Road | 0.7 | 20 B | u/c |
| R/O 559-571 Welford Road | 0.5 | 25 B | u/c |
| Barratt Close | 0.2 | 12 B | p.p |
| Former Petrol Station, Groby Road | 0.2 | 21 B | p.p |
| 247 Western Road | 0.1 | 15 B | p.p |
| Bede Island South (Ph.1-3), Upperton Rd* | 11.6 | 692 B | u/c |
| Sub Total West | 30.9 | 1,506 | |
| 2. Central | | | |
| Courtauld Factory, Queen Street | 0.35 | 144 B | p.p |
| Crown House, Lower Hill Street | 0.12 | 57 B | p.p |
| Yeoman House, Yeoman Street | 0.03 | 18 B | p.p |
| St. George's Mills, Humberstone Road | 0.29 | 88 B | p.p |
| Morledge Street/Wimbleton Street | 0.24 | 69 B | p.p |
| 33 Rutland Street | 0.06 | 11 B | p.p |
| Chatham Street/York Street | 0.09 | 50 B | p.p |
| Fleetwood Road/Leopold Street | 0.14 | 27 B | u/c |
| 8-12 University Road | 0.16 | 23 B | u/c |
| 39-41 York Street | 0.02 | 11 B | p.p |
| The Newarke/Gray Street | 0.28 | 31 B | p.p |
| Yeoman Street | 0.02 | 15 B | p.p |
| 36 St. George Street | 0.08 | 14 B | p.p |
| Leicester House, Lee Circle | 0.43 | 174 B | u/c |
| 14-38 Colton Street | 0.14 | 58 B | p.p |
| 57 Colton Street | 0.05 | 21 B | p.p |
| 1 St. George's Way | 0.59 | 24 B | p.p |
| Wimbleton Street Mills | 0.11 | 24 B | p.p |
| Ingold Avenue | 0.23 | 12 B | u/c |
| Merlin Works, Bath Lane | 0.67 | 226 B | p.p |
| 2-58 Bath Lane | 0.28 | 132 B | p.p |

| Location | Site Area (hectares) | Dwellings | Status |
|--|----------------------|-----------|--------|
| Langley House, Langley Avenue | 0.39 | 22 B | p.p |
| 13-19 St Nicholas Place | 0.04 | 10 B | p.p |
| 44-46 Friar Lane | 0.07 | 24 B | p.p |
| Rupert Street | 0.08 | 26 B | p.p |
| 7 Duke Street | 0.08 | 22 B | u/c |
| 3-5 Duke Street/6-8 Marlborough Street | 0.03 | 19 B | p.p |
| Oxford Street Service Station | 0.07 | 15 B | u/c |
| Former Pub, 72 Oxford Street | 0.04 | 19 B | p.p |
| Tyman House, 42 Regent Road | 0.05 | 17 B | p.p |
| 78-80 Rutland Street | 0.03 | 13 B | p.p |
| Alexandra House, Rutland Street | 0.35 | 175 B | u/c |
| 132-140 Charles Street | 0.13 | 30 B | p.p |
| 38-44 York Street | 0.06 | 21 B | p.p |
| Adj. YMCA East Street | 0.06 | 23 B | u/c |
| Court View, New Walk | 0.05 | 11 B | p.p |
| 62-64 New Walk/83-87 Wellington Street | 0.12 | 17 B | p.p |
| 240 Welford Road | 0.16 | 23 B | u/c |
| 163-165 London Road | 0.03 | 10 B | p.p |
| 2A Salisbury Road | 0.11 | 24 B | u/c |
| Granville House, Granville Road | 0.13 | 19 B | p.p |
| 24 Knighton Park Road | 0.35 | 24 B | p.p |
| Sub Total Central | 6.81 | 1,793 | |

3. East

| | | | |
|------------------------------------|-------|-------|-----|
| Hamilton (North)* | 25.7 | 900 G | p.p |
| Hamilton (North) | 2.8 | 99 G | u/c |
| Hamilton (Quakesick Valley) | 6.8 | 300 G | p.p |
| Hamilton (Quakesick Valley) | 0.8 | 28 G | u/c |
| Towers Hospital* | 7.5 | 260 B | p.p |
| Humberstone Drive | 0.9 | 20 B | p.p |
| High Street, Evington | 0.1 | 2 B | u/c |
| 230 London Road | 0.3 | 13 B | p.p |
| Former pub, Victoria Road East | 0.1 | 17 B | u/c |
| Southernhay Avenue Allotments | 0.7 | 19 G | u/c |
| 71-73 Moores Road | 0.1 | 12 B | u/c |
| Service Station, 40 Gipsy Lane | 0.2 | 10 B | p.p |
| R/o 333-347 Uppingham Road | 1.0 | 20 B | u/c |
| 55-59 Evington Road | 0.1 | 13 B | p.p |
| Stoneygate School, 254 London Road | 0.9 | 24 B | u/c |
| 33 Evington Valley Road | 0.6 | 17 B | p.p |
| Sub Total East | 48.6 | 1,754 | |
| City Total | 86.31 | 5,053 | |

* sites shown on the Proposals Map

G - greenfield site

B - brownfield site (previously developed land)

Status :-

p.p. = sites with planning permission

u/c = sites under construction

New Housing Sites Provision

6.13. Table 6.1 indicates that existing commitments (completions and permissions) already account for 10,223 dwellings or 54% of the Structure Plan housing requirement. The Local Plan allocations on greenfield land (2,830 dwellings), which account for 15% of the total requirement, include two strategic housing sites at Ashton Green and Hamilton (see Policy H01). These allocations have been reconsidered in the light of Government guidance in PPG3. Although every effort is being made to maximise the use of previously developed land for housing, the City Council's urban capacity assessment confirms that the continued development of these planned urban extensions will still be required to meet the Structure Plan's housing requirement for Leicester.

6.14. The new sustainable development frameworks for Ashton Green and Hamilton will ensure that existing and planned physical and social infrastructure will be fully utilised. New housing and highway design standards will seek to achieve higher density developments in these suburban locations. As both these development areas require the provision of major infrastructure, a phased release of land is planned. Phasing will also ensure that, where possible, priority can be given to previously developed land within the urban area. The City Council acknowledges that the full development of Ashton Green will extend beyond the Local Plan period; this is reflected in Policy H02 which indicates that the final phases (2,000 dwellings) at Ashton Green will be developed post 2016. Annual monitoring reports will review future land availability.

6.15. The City Council has adopted a sequential approach to the assessment of potential new housing sites including a reassessment of existing employment sites. Surveys have been undertaken to identify under used land and buildings as part of Leicester's Regeneration Strategy. The Plan proposes a number of new sites for residential development on previously developed land, vacant land or under used allotments and playing fields (greenfield land). The City Council intends to place an increased emphasis on windfall sites within the urban area. The Strategic Regeneration Area and Potential Development Areas identified on the Proposals Map offer significant redevelopment opportunities and, in many cases, housing will be a priority land use (See Policies PS01, PS06 - PS09). It is estimated that at least 4,000 dwellings could be provided on such sites within the Plan period. A further 1,800 dwellings could be provided on small windfall sites (see Table 6.1).

H01. NEW HOUSING DEVELOPMENT PROPOSALS

The following sites shown as Housing Development Proposals on the Proposals Map will be safeguarded for housing and will not be given planning permission for alternative uses:

| | Site Area (hectares) | Dwellings (estimate) |
|--|-------------------------|-------------------------|
| Brownfield Sites | | |
| a) Bede Island South (Phases 4 & 5), Upperton Road | 3.4 | 300 |
| b) Former Bestway site, Loughborough Road | 2.7 | 140 |
| c) Former Football Stadium, Filbert Street | 1.4 | 300 |
| Greenfield Sites | | |
| d) Ashton Green | 43.0 | 1,500 |
| e) Hamilton (East) | 15.2 | 550 |
| f) Hamilton (Manor Farm) | 4.0 | 140 |
| g) Former St. Mary's Allotments (part), Saffron Lane | 2.5 | 100 |
| h) Whittier Road Allotments (part)/Neston Gardens (part) | 3.0 | 120 |
| i) Wycombe Road Allotments (part) | 2.0 | 80 |
| j) Aikman Avenue Allotments | 0.5 | 20 |
| k) Blackbird Road Playing Fields (part) | 8.0 | 320 |
| TOTAL | 85.7 | 3,570 |

Any proposals to develop the Blackbird Road Playing Fields must make provision for public sports pitches and appropriate community facilities.

6.16. The new housing development proposals above seek to maximise the use of previously developed land and other vacant or under used land in the City. Site a) is a former timber yard which has been cleared for redevelopment. The first phases have planning permission and development has commenced. Site b) comprises a former cash and carry warehouse where a mixed use redevelopment is proposed. Site c) is the site of the former Filbert Street football stadium which is proposed for residential development. Sites d) to f) comprise the remaining phases of strategic urban extensions at Beaumont Leys and Hamilton which have been under development for many years. Further detailed guidance is provided in adopted supplementary planning guidance. The final phases of development at Ashton Green (2,000 dwellings) are phased beyond the plan period (see Policy H02).

6.17. Site g) is a former allotment site which was decommissioned some years ago and is now vacant. The housing allocation here is dependent on the remaining area being laid out as public open space (see Policy GE20). Although allotments are not included within the current Government definition of previously developed land, the City Council considers that surplus allotment land at sites h) to j) are sustainable locations for residential development. The City Council has carried out a comprehensive review of allotments in consultation with allotment societies and has concluded that development would be appropriate in some circumstances. The allotments review also considered ecological value and open space needs before proposing development. Any such requirements will be included as part of the development proposals. Site k) is a large area of unused playing fields which are surplus to requirements. The future of this site has been considered in the context of the Assessment of Playing Pitches which has been undertaken in partnership with Sport England. Housing development will be subject to the provision of public open space, playing fields and appropriate community facilities on the remaining area (see policy GE16). These proposals provide opportunities to create new well designed and safe public open space in addition to meeting local housing needs.

Phasing of Greenfield Housing Allocations

6.18. The managed release of housing sites is an essential part of the 'plan, monitor and manage' approach to the delivery of new housing. A phased release of sites will also ensure that the provision of new infrastructure and ancillary community facilities are co-ordinated with the development of new housing. Major greenfield allocations are expected to contribute about 2,830 new homes during the Plan period, about 15% of the total requirement for 19,000 houses. The phasing of these sites will help to support inner City regeneration initiatives and help to deliver the Local Plan's 60% target for housing on previously developed land. When a greenfield site is released for development the City Council may wish to limit the annual rate of housing completions to ensure that these objectives are not prejudiced. However, an adequate supply of land to meet identified local needs for affordable housing will also be an important consideration.

H02. PHASING OF GREENFIELD HOUSING ALLOCATIONS

The development of greenfield housing allocations will only be permitted as a series of defined phases. The release of each phase for housing development through the granting of planning permission will be subject to the following:

- a) annual monitoring of residential land availability and housing development progress throughout the City;
- b) the proportion of new housing provided on previously developed land in the City;
- c) the need to meet the Structure Plan's housing requirement for the City as a whole; and

- d) the provision of an adequate supply of affordable and accessible housing to meet the City's identified local needs;
- e) the provision of necessary highway improvements, bus priority measures, public transport enhancement, mobility management measures and contributions to additional sustainable modes of transport to serve the development.

The phased release of major greenfield allocations will be as follows:-

| Greenfield Allocation | Total Houses | 2003-2006 | 2006-2011 | 2011-2016 |
|-------------------------------|--------------|------------|------------|--------------|
| Ashton Green* | 1,500 | - | 500 | 1,000 |
| Hamilton (East) | 550 | 150 | 200 | 200 |
| Hamilton (Manor Farm) | 140 | 140 | - | - |
| Blackbird Road Playing Fields | 320 | 320 | - | - |
| Former St. Mary's Allotments | 100 | 100 | - | - |
| Whittier Road Allotments | 120 | - | 120 | - |
| Wycombe Road Allotments | 80 | - | 80 | - |
| Total | 2,810 | 710 | 900 | 1,200 |

* Ashton Green - estimated capacity for 3,500 dwellings. The initial phases (1,500) will be released during 2006 - 2016 with remaining phases (2,000 dwellings) post 2016.

EFFICIENT USE OF LAND AND BUILDINGS

Windfall Sites

6.19. In addition to the sites identified in Policy H01, proposals will continue to come forward on windfall sites. These are small and large sites that have not been allocated for residential development in the Local Plan. Monitoring of housing completions since 1991 indicates that an average of 200 dwellings per year have been provided on all windfall sites. The City Council believes an increased rate of windfall site development is justified during the remainder of the plan period given the Government's increased emphasis on brownfield site development for housing as supported by PPG3 and the financial incentives in the Urban White Paper. The establishment of the Leicester Regeneration Company (LRC) has provided a new impetus to urban regeneration initiatives. The LRC Masterplan includes major redevelopment proposals for new housing in Abbey Meadows, St. George's North and the Waterside close to the City centre. Therefore, the Plan includes an assumption that additional urban capacity on large windfall sites will provide about 4,000 dwellings (see Table 6.1).

Density

6.20. As land for future development in the City is limited it is essential that this scarce resource is used as efficiently as possible. Higher density developments within the urban area can help to reduce the amount of greenfield land needed to meet future housing requirements. In line with guidance in PPG3, new developments with a net density of less than 30 dwellings per hectare should be avoided.

6.21. In considering the most appropriate and efficient density for a site it will be necessary to consider the site in the context of its surroundings. The highest densities should be within or adjacent to the city centre, town and district centres or adjoining major transport interchanges and main movement corridors as this ensures that the greatest number of people live as close as possible to public transport routes, shops and facilities.

6.22. The use of innovative design can enable higher density housing to be achieved without compromising the overall quality of the scheme. In seeking to achieve these higher densities developers must have regard to creating good quality environments including the need for open space and landscaping. This will be fundamental to create attractive, high quality living environments in which people will choose to live. Access to open amenity space that is of high quality is a key attribute that makes people in higher densities more satisfied with their local area.

6.23. PPG3 states that new housing development should incorporate sufficient open space where such spaces are not already adequately provided within easy access of new housing. The City Council will therefore expect open space provision to be designed into the layout of new housing development. Open space provision in new residential development can be subdivided into 2 categories:- areas that contribute to the visual and environmental quality of the development, which all residential development will be expected to provide on site, and recreational amenity areas which are designated for informal recreation such as walking and relaxing.

6.24. The standards for children's, youth and adult play provision are set out in policies GE12 and GE13. In considering the need to provide recreational open space on site it will be necessary to look at the proposed development in the context of its surroundings. This will include the existing amount of open space in the locality, the quality of that open space and the scale and nature of the proposed housing development. There may be situations when existing recreation space within the catchment area of the housing site could be enhanced to allow for increased use as an alternative to direct new provision on site. For example for higher density developments existing provision could meet needs if quality and accessibility to these areas were improved. However, where there is little or no existing off-site provision then direct on site recreational open space should be incorporated into the design of the development.

6.25. The draft supplementary planning guidance on 'Open Space Provision in New Residential Developments' (April 2003) gives further advice on the requirements for amenity open space.

H03. DENSITY

The following minimum net densities will be sought:

- a) on sites of 0.3 hectares or more within the defined Central Commercial Zone: at least 50 dwellings per hectare;
- b) on sites of 0.3 hectares or more within 250 metres walking distance of main public transport corridors or defined Town and District Centres: at least 40 dwellings per hectare;
- c) on all other sites: at least 30 dwellings per hectare.

On larger sites, a variety of densities may be necessary to meet the urban design objectives of this plan.

In order to achieve higher density development, a high quality of design will be sought, which incorporates environmental considerations, the need for open space and landscaping.

~~The Use of Upper Floors and Conversion of Property~~

~~6.26. The City Council wishes to encourage the provision of additional homes in the city, particularly in under-used upper floors which are a valuable resource, especially in older buildings. Potential residential accommodation is often left unused or converted to storage and sometimes the appearance and maintenance of upper storeys is neglected. Development on the ground floor of properties should not hinder the effective use of the floors above. The self-containment of residential accommodation above shops, including a separate means of access will be sought wherever practicable.~~

~~H04. THE USE OF UPPER FLOORS AND CONVERSION OF PROPERTY~~

~~Planning permission will be granted for the use of under-used upper floorspace, unlettable offices and other redundant buildings for residential purposes subject to satisfactory design, access and amenity considerations.~~

~~Planning permission will be refused where changes of use involve:~~

- ~~a) the loss of existing residential accommodation on upper floors (unless the tests of Policy H05 are met);~~
- ~~b) the sealing off of upper floors or developments which do not retain a separate convenient access; and~~
- ~~c) the reuse of empty buildings which make no provision for the use of upper floors.~~

Loss of Housing

6.27. The City Council considers that more effort should be made to retain as much of the existing housing stock as possible. There is an inherent conflict that on the one hand there is a strong commitment to encourage more residential development, including conversions, in urban areas while on the other hand housing units are being lost through changes to non-residential uses. Planning applications for a change of use from housing to a non-residential use will need to be fully justified. The policy allows for exceptions to be made. For example, a redevelopment scheme can often result in a net loss in the number of residential units but the replacement dwellings will be of a higher standard. In some circumstances, the loss of housing may be justified to provide new employment opportunities or community facilities. In other cases the demolition of an individual house may be necessary to open up a backland development site for residential development.

H05. LOSS OF HOUSING

Planning applications involving the loss of housing will be refused unless:

- a) the existing residential accommodation is unfit, or does not offer an appropriate mix of house types to meet local need; or
- b) the proposal forms part of a planned comprehensive redevelopment scheme which will provide a better quality of residential accommodation and environment; or
- c) the loss of the dwelling(s) can be justified by the provision of other community benefits.

MEETING A RANGE OF HOUSING NEEDS

Housing Mix and Type

6.28. In order to meet the variety of needs in the City, a range of housing must be provided on large sites. In this context a threshold of 1.0 hectare or 25 dwellings is considered appropriate and is also consistent with that used for policy H09. The City Council will therefore expect developers to provide an appropriate mix of dwelling sizes, types and affordability to meet local housing needs. It is important that future housing is adaptable to meet the needs of an ageing population and those who are less mobile. The City Council will therefore negotiate with developers to provide a minimum of 15% of new dwellings to Lifetime Homes Standards, with some of these being built to the Housing Corporation's fully wheelchair accessible standard.

6.29. While the projected demand in some areas may be from a growth in single person households, there will continue to be a need for large family dwellings throughout the City. To ensure that mixed and balanced communities are created, new housing developments should avoid the creation of large areas of housing of similar characteristics. Through careful design and layout it should be possible to avoid a distinction between different types of housing and tenures. In order to encourage a better social mix affordable housing should be distributed

throughout an entire development, although ideally still located within easy walking distance of bus routes, shops and other facilities. The details of proposed housing mix and type will be negotiated and agreed with developers at the detailed planning application stage to take account of site suitability and individual scheme viability. The nature of this distribution in the Strategic Regeneration Area, whether of individual units throughout a scheme, or of floors or blocks within a scheme, will be determined in the light of the physical and housing management circumstances in each case. Further guidance on affordable housing and provision for other particular housing needs is provided by policies H08 to H11.

H06. HOUSING MIX AND TYPE

~~Where appropriate, large new housing developments should provide a suitable range of dwelling sizes and types in order to create mixed and socially inclusive communities.~~

~~The City Council will also seek a proportion of new dwellings on appropriate sites to the 'Lifetime Homes' standards.~~

Flat Conversions and New Build Flats

6.30. Monitoring shows a marked increase in factory and office conversions in the City Centre since 1997 and this trend looks likely to continue. There is considerable potential for more conversion schemes within the City and District Centres, as well as redevelopment opportunities in appropriate locations along the riverside. Special attention needs to be given to the compatibility of introducing new housing into areas where existing employment or leisure uses may give rise to noise nuisance for future residents. It is equally important not to place undue restrictions on the operations of adjoining businesses. Some areas of the City centre are being transformed into new residential quarters (e.g. Albion Hill, St. George's and the Waterside areas). The LRC Masterplan also includes proposals for new housing in the City centre. Further guidance on housing within Potential Development Areas is provided in the Plan Strategy Chapter (see policies PS09, PS09a and PS09b).

H07. FLAT CONVERSIONS AND NEW BUILD FLATS

Planning permission will be granted for new flats and the conversion of existing buildings to self-contained flats, provided the proposal is satisfactory in respect of:

- a) the location of the site or property and the nature of nearby uses;
- b) the unacceptable loss of an alternative use;
- c) the loss of family accommodation;
- d) the creation of a satisfactory living environment;
- e) the arrangements for waste bin storage and car or cycle parking;
- f) the provision, where practicable, of a garden or communal open space;

- g) the effect of the development on the general character of the surrounding area (where a property is already in multiple occupation, this will be taken into account in assessing the impact of the proposal); and
- h) the proposed or potential changes to the appearance of the buildings, and their settings.

6.31. While there is a general need to maximise the use of the housing stock and provide more units of accommodation for one and two person households, there is also a priority need for larger family homes. When considering the location referred to in H07(a) regard must be given to Policy H10 which seeks to retain larger residential properties to meet such needs within the Belgrave and Spinney Hill areas. Elsewhere in the City, larger housing may be more appropriate for single family use. In applying H07(c) the size and nature of the accommodation and the character of the surrounding area will be taken into account. In applying H07(g) the combined effect of the loss of single family accommodation, a potential increase in on-street car parking and other aspects of multiple occupation should be taken into account and careful consideration given to the potential effect of further sub-division of property on the amenity and character of the area. The particular character, land uses and facilities of an area will determine the effect that further sub-division of property would have on the amenities of that area.

6.32. The residential accommodation provided through conversion schemes should reach a satisfactory standard both inside and outside the property. The type of property most suited to conversion is generally a large two or three storey house, often already in multiple occupation as shared, non self-contained accommodation. These properties usually have a floorspace in excess of 100 sq. m. Standards for accommodation are set out in the City Council publication "Standards for Self-Contained Flats". Separate guidance is also provided in respect of "Standards for Houses in Multiple Occupation" and "Standards for Hostels".

Student Housing

6.33. The University of Leicester and De Montfort University make a significant contribution to the economic prosperity of the City. The Local Plan acknowledges this through the 'Universities Areas of Influence' Policies CL06 and CL07. There are currently about 21,300 full-time students enrolled at the Universities, of which a substantial proportion resides in the City during term-time. The Universities own several purpose-built halls of residence and self-catering accommodation in the City and at Oadby. Both Universities give priority to their first year students when allocating residential accommodation. The Universities' managed housing stock provides approximately 5,500 bed spaces. The private rented housing sector also provides a considerable supply of student accommodation in the City. There is a concentration of student housing in those areas close to the two University campuses, notably the West End and Clarendon Park. This can lead to environmental problems for neighbouring residents during term-time due to late night noise disturbance by students and problems associated with high vacancy rates during the summer months.

6.34. In recent years there has been a significant increase in purpose-built student housing which is being provided by housing associations and private developers. These developments are usually in the form of self-contained cluster flats with each flat comprising up to six study bedrooms. At March 2004 about 1,300 flats (5,300 bed spaces) had been completed or were under construction within the City. A further 100 flats (400 bed spaces) had received planning permission or were awaiting a planning decision, making a total of 1,400 flats (5,700 bed spaces). Most of this accommodation will meet the immediate needs of the Universities, especially De Montfort University who plan to concentrate new provision close to their main City centre campus. This is a much more accessible location for student housing and the consequent reduction in travel will result in a more sustainable form of development. The University of Leicester proposes to improve and expand its student accommodation at Oadby where 50% of its bed spaces are located.

6.35. Planning conditions will be applied to limit occupancy to students enrolled at the Universities. Standards for accommodation are set out in the City Council publications "Standards for Self-Contained Flats" and "Standards for Houses in Multiple Occupation". The provision of purpose-built accommodation with proper management arrangements should help to alleviate some of the problems associated with student behaviour. It should also free up many of the existing terraced properties for family housing again. The supply and demand for student housing accommodation will be closely monitored during the Plan period. Current managed provision (i.e. student halls) provides approximately 11,000 bed spaces which meets about half of the accommodation needs of full-time students. The remaining students either live in shared houses or at home. If there is no longer a demand for student accommodation in the future, it is essential that the design and layout of any new student housing development can be easily adapted to either general residential use or another appropriate use. The provision of adequate amenity open space and car parking facilities will be important considerations. Policy UD05 addresses the adaptability in design and re-use of existing buildings.

H08: STUDENT HOUSING

Planning permission will be granted for student housing accommodation where:

- ~~a) university facilities are readily accessible to the development by a choice of transport, especially by public transport, walking or cycling;~~
- ~~b) scale of the development, including height and massing of the buildings, will not be detrimental to the general character of the surrounding area;~~
- ~~c) the development or maintenance of mixed and inclusive communities is not prejudiced by an over-concentration of student housing;~~
- ~~d) appropriate management arrangements are in place to ensure a satisfactory residential environment for the future occupants and the established community; and~~
- ~~e) satisfactory arrangements are proposed for the management of any car parking required to serve the development.~~

Affordable Housing

6.36. Government planning guidance states that a community's need for affordable housing is a material planning consideration which may properly be taken into account in formulating development plan policies and deciding planning applications. Leicester's 2002 Housing Needs Survey concluded that there is a requirement to provide an additional 635 affordable dwellings per annum if all housing needs are to be met. The survey suggests that current low-cost market housing cannot meet any affordable housing need whilst shared ownership might be able to help some of the households in need - for the remainder, only social rented housing will be of any use. In terms of house size, the survey demonstrates that the greatest need is for affordable dwellings for rent with four or more bedrooms and two-bedroom affordable rented homes. An update of the survey was undertaken during 2003 which indicates an annual need for 546 affordable homes.

6.37. Affordable housing will consist of:

- a) Social housing provided by a Registered Social Landlord or local authority – allocating accommodation on the basis of need. While such dwellings will normally be made available for rent, they may also include subsidised low-cost home ownership, where a RSL or local authority retains a continuing interest.
- b) Low-cost market housing (usually, though not exclusively, through a private housebuilder), providing that:
 - i) such housing requires weekly outgoings at levels appreciably below the minimum cost of local market housing, and, linked to earnings in the City area: (levels/details to be determined by updated Housing Needs survey data currently available), and
 - ii) such housing should be available, both initially and for subsequent occupancy, only to those with a demonstrable housing need or restriction in their ability to acquire property at open market values.

6.38. In terms of affordability, Leicester's Housing Needs Survey implies that for rent to be affordable it should not take up more than 30% of a household's net income and for a mortgage to be affordable, a household's gross income should be more than one third of its mortgage requirement.

H09: AFFORDABLE HOUSING

~~Affordable Housing in this Plan is as defined in paragraphs 6.37 and 6.38:~~

~~The City Council will seek at least 30% affordable housing on developments of 25 or more dwellings, or at least 1 hectare or more outside the Strategic Regeneration Area:~~

~~The Council will seek to achieve an overall target of 30% of new dwellings to be affordable within the Strategic Regeneration Area, which is recognised as a priority investment area:~~

~~The onus will be on the housing developer to demonstrate, to the satisfaction of the local planning authority, why any targets may not be met – the presumption will be that the affordable housing created in the development of a site will be provided on-site.~~

~~In exceptional circumstances the City Council may approve an element of affordable housing to be provided elsewhere than on the application site. The basis of calculating the commuted sum to represent this 'off-site' provision is the amount of public subsidy which a Registered Social Landlord would require to provide the affordable housing. This sum will be reviewed annually in line with RSL grant rates."~~

6.39. Based on identified local housing needs, the City Council considers that at least 30% of new housing provision in the Plan area should comprise affordable homes. Therefore, the Council expects at least 30% affordable housing on sites with a minimum size threshold of 1.0 hectare or 25 dwellings. Applicants cannot expect the City Council to depart from this policy unless they can demonstrate that the particular physical and environmental constraints of a site, or other plan requirements, would make the provision of affordable housing unviable. The mix of tenure and property type of the affordable housing requirement will be informed by the 2003 update of the Housing Needs Survey. It is envisaged that a future supplementary planning document on Affordable Housing will keep the requirement timely and appropriate, based on updates to the Needs Survey. The current required tenure mix of the affordable housing element is 91% rent and 9% shared-ownership, and there is a long-standing need for large family homes (i.e. those with at least 4 bedrooms). The 2003 Housing Needs Survey update indicates that 61% of the affordable housing requirement is for large family homes.

6.40. In October 2003 the City Council approved Guidelines for housing developers on the provision of affordable housing in the Leicester Regeneration Company Area. Within the Strategic Regeneration Area these Guidelines set an overall target of 30% of new homes to be affordable as defined in the Local Plan. The Guidelines outline the proposed partnership arrangements with RSLs regarding the delivery of affordable housing. They also refer to the Council's support towards future bids to the Housing Corporation for funding half of any affordable housing requirement. Developers should therefore provide for the first 15% of the affordable housing requirement. Further detailed planning guidance on the location and distribution of proposed housing will be prepared.

6.41. The total Structure Plan housing requirement for Leicester for the period 1996 to 2016 is 19,000 dwellings. Applying the 30% target figure would therefore require about 5,700 affordable homes during the Plan period. About 54% (10,223) of the 19,000 target has already been committed (completions and permissions). Analysis of these existing commitments indicates that only about 14% of the dwellings built or approved at March 2004 are affordable housing units. Analysis of the housing allocations and additional urban capacity during the remaining Local Plan period suggests that at best only about 20% of the dwellings to be provided might be affordable homes. Further details are provided in Table 6.3 below.

Table 6.3: Affordable Housing Requirements & Supply: 1996 – 2016

| | Total housing supply | Total affordable housing |
|------------------------------------|----------------------|--------------------------|
| i. all completions 1996-2004 | 5,170 | 838 (16%) |
| ii. permissions (large sites) 3/04 | 5,053 | 619 (12%) |
| Sub-total: i & ii | 10,223 | 1,457 (14%) |
| iii. housing allocations | 3,570 | 1,020 (29%) |
| iv. additional urban capacity | 4,000 | 600 (15%) |
| Sub-total iii, & iv | 7,570 | 1,620 (21%) |
| TOTAL | 17,793 | 3,077 (17%) |

6.42. Overall provision of affordable homes during the remaining Plan period could provide approximately 2,240 affordable homes or 200 per annum for the next 12 years. This falls drastically short of the annual requirement for an additional 546 affordable homes demonstrated by the 2003 update of the Housing Needs Survey. It is therefore imperative that each residential development proposal, which meets the site size threshold in policy H09, optimises its contribution towards the increasing shortfall in the City's affordable housing supply. The presumption will be that each development is able to meet the 30% target. Indicative affordable housing targets for allocated housing sites are set out in Table 6.4. Any future proposals for residential or mixed development on windfall sites that meet the site size threshold will be assessed against this policy.

6.43. The Council's policy is to make applicants aware of the affordable housing policy requirements at the earliest possible stage. At an outline planning application stage at least 30% affordable housing will be sought. The number and type of affordable housing units sought within any particular development will be negotiated at or immediately prior to the full or reserved matters planning application stage in order to agree a suitable housing mix in line with the needs of the City. Such detail will include the number, house type, mix, required Lifetime Homes/wheelchair standards, other minimum build standards (e.g. Housing Corporation's Scheme Development Standards), location, delivery/phasing of supply, etc. The affordable housing sought will reflect the Council's assessment of how each site can best contribute to meeting Leicester's affordable housing need through its analysis of the Housing Needs Survey, the Council's Adapted Housing Database, the Council's Accommodation Guides and the nature/characteristics of the site and its locality.

6.44. All affordable housing provision should remain as affordable housing in perpetuity. The City Council will seek to secure the provision through planning conditions and/or Section 106 Agreements. The City Council will be pleased to advise on suitable RSL partner(s) and expect to jointly select RSL partner(s) with the developer/land-owner. There will continue to be a presumption against supporting any bids by RSLs for Affordable Housing Grant on sites where affordable housing is a planning requirement, unless the Local Authority has approved the targeting of public subsidy to certain sites to achieve strategic housing priorities. In terms of appearance, design and quality the affordable housing dwellings should be indistinguishable from the market sale dwellings/non-'affordable housing'. In order to encourage a better social

mix, the affordable element should be distributed throughout the entire development, ideally still located within easy walking-distance of proposed bus-routes, shops and other facilities. The details of proposed housing mix and type will be negotiated and agreed with developers at the detailed planning application stage to take account of site suitability and individual scheme viability. The nature of this distribution in the Strategic Regeneration Area, whether of individual units throughout a scheme, or of floors or blocks within a scheme, will be determined in the light of the physical and housing management circumstances in each case.

Table 6.4: Affordable Housing Targets for Residential Developments (allocations and outline permissions at March 2004)

| Site Location | Total Units (estimate) | Affordable Housing Target |
|----------------------------------|------------------------|---------------------------|
| Ashton Green* | 1,500 | 450 |
| North Hamilton** | 900 | 226 |
| Quakesick Valley Hamilton | 300 | 90 |
| East Hamilton | 550 | 165 |
| Manor Farm Hamilton | 140 | 42 |
| Towers Hospital | 260 | 78 |
| Lanesborough Road | 80 | 24 |
| Former St. Mary's allotments | 100 | 30 |
| Whittier Road allotments | 120 | 36 |
| Wycombe Road allotments | 80 | 24 |
| Blackbird Road Playing Fields | 320 | 96 |
| Bede Island South Phases 4 & 5 | 300 | 90 |
| Bestway Site, Loughborough Road | 140 | 42 |
| Former Stadium, Filbert Street** | 300 | 43 |
| Total | 5,090 | 1,436 |

* Ashton Green development is phased beyond Plan period (see policy H02)

** Affordable housing already agreed via planning conditions/S106 agreements.

Note: These affordable housing targets exclude provision already agreed on sites with detailed planning permission and any potential contribution from future windfall sites. Table 6.1 indicates that at least 4,000 dwellings are to be provided through additional urban capacity and an element of affordable housing will be negotiated on appropriate sites in accordance with policy H09.

6.45. Where the local planning authority considers that certain sites are suitable for inclusion of an element of affordable housing and an applicant does not make such provision as part of the proposed development, such a failure could justify the refusal of planning permission.

Large Family Housing

6.46. The relatively small number of large houses within Belgrave and Spinney Hill should be retained for single or extended family use. Larger houses are generally regarded as those having four or more bedrooms. The Housing Needs Survey (2002) carried out by the City Council indicates that there is a substantial demand for houses of four or more bedrooms in the Plan area. The survey states that the total shortfall of housing across all tenures for the period 2002-2007 (a total of 9,334 dwellings), 45% should have four or more bedrooms. Planning applications to convert larger houses into flats outside the Belgrave and Spinney Hill areas will be assessed against policy H07, in particular criterion c) which deals with the loss of family accommodation.

H10. RETENTION OF LARGER RESIDENTIAL PROPERTIES

Planning permission will not be granted for the conversion of larger residential properties into bedsits or flats within the Belgrave and Spinney Hill areas shown on the Proposals Map.

Gypsies and Travellers

6.47. There is inadequate provision for Gypsies and Travellers in Leicester and the City Council has been involved in a long search for suitable sites in addition to the existing site at Meynells Gorse. There are 20 families on the Meynells Gorse site with 57 families on the waiting list. The Government introduced financial help in the form of 100% Gypsy Site Refurbishment Grant. These funds were limited to schemes built in 2003 and for local authorities to provide Temporary Stopping Places and Transit Sites for Gypsies and Travellers but not for the creation of permanent residential caravan sites. Whilst discretionary powers still exist for the development of public sites, Circular 1/94 requires the planning process to encourage and enable Gypsies and Travellers to provide their own sites. However, Circular 18/94 advocates the toleration of unlawful encampments in certain circumstances, following assessments of welfare needs. During 2005 the Government reviewed Circular 1/94 and issued a draft Circular for consultation; final guidance is anticipated in early 2006. Under the Housing Act 2004, local authorities will be required to undertake a Housing Needs Assessment to assess the need for Gypsy and Traveller accommodation. All the local authorities have agreed to commission consultants to carry out a Needs Assessment on a joint basis for Leicester, Leicestershire and Rutland during 2006.

H11. GYPSIES AND TRAVELLERS

~~Planning proposals for Gypsy and Traveller sites will be judged on the extent to which they meet the following criteria:~~

- ~~a) sites should be of an appropriate size to ensure adequate management;~~
- ~~b) there should be adequate separation from existing and proposed dwellings;~~
- ~~c) the site should be capable of being satisfactorily screened and physically contained;~~
~~and~~
- ~~d) there should be safe and easy access onto the highway network.~~

6.48. In September 1998 the City Council agreed a Code of Tolerance for the use of temporary stopping places. It also agreed, in principle, to provide a small number of temporary stopping places on Council owned land to accommodate no more than ten caravans. This follows Government advice that the mixing of transit and permanent accommodation and the provision of larger sites can lead to management difficulties. Within the City boundary all potential sites are deemed to have adequate access to schools, shops and other local community uses.

PROTECTION AND ENHANCEMENT OF EXISTING RESIDENTIAL AREAS

H12. NEW HOUSING IN PRIMARILY RESIDENTIAL AREAS

~~Within the Primarily Residential Areas shown on the Proposals Map, planning permission will be granted for development for residential purposes (Class C3 uses) except where:~~

- ~~a) a plot is too small to accommodate a dwelling satisfactorily; or~~
- ~~b) the proposed access or parking arrangements would compromise highway safety; or~~
- ~~c) it would result in the loss of social, community or recreational facilities for which there is an identified need in the area; or~~
- ~~d) it would be unacceptably close to an existing or proposed employment area (B2 or B8 Use Class), or any other use which would be detrimental to residential amenities.~~

6.49. There are a number of potential building plots, usually private garden land, within established housing areas which could be suitable for residential development. This source of housing supply can make a useful contribution to housing needs in the City. Monitoring past trends indicates that an average of 50 dwellings per year are provided through infill development. The criteria above are necessary to ensure that development does not take place in unsuitable locations or is not detrimental to existing residential amenity. Any development proposals within conservation areas will need careful consideration (policy BE06). Further guidance on design issues is provided in the Urban Design Chapter. For residential amenity issues see policy PS10.

H13. NON-RESIDENTIAL USES IN RESIDENTIAL AREAS

~~Planning permission will not be granted for non-residential uses within existing and proposed Primarily Residential Areas, as shown on the Proposals Map, unless it can be shown that there will be no unacceptably detrimental effects in terms of:~~

- ~~a) the impact of the proposed development on the general residential character of an area;~~
- ~~b) the impact of the proposed development on the local traffic situation, in particular with regard to highway safety and the intrusive effect of heavy goods traffic; and~~

- ~~c) the provision of satisfactory off-street manoeuvring, servicing and operational parking arrangements.~~

6.50. The existing housing areas throughout the City include many non-residential uses, often ancillary services to meet local needs. Such facilities will include local shops, pubs, schools and community centres which are usually within easy walking distance of local residents. There may also be established 'non-conforming' employment uses which nevertheless provide local job opportunities. This policy will ensure that careful consideration is given to non-residential proposals within Primarily Residential Areas. Guidance on residential amenity is provided by policy PS10:

~~H14. BACKLAND DEVELOPMENT~~

~~Proposals for backland development will be expected to comply with the following criteria:~~

- ~~a) development should ensure that any development potential of adjoining land is not prejudiced;~~
- ~~b) access shall be designed and provided so as to be capable of further extension, where appropriate, to serve possible future development of adjoining areas of backland;~~
- ~~c) acceptable densities will have regard to the quality of design and layout, space around dwellings, existing and proposed landscaping, car parking arrangements, and the relationship to, and character of, neighbouring property;~~
- ~~d) privacy shall be maintained for existing and new dwellings by careful regard to window positions, orientation of dwellings, levels, screening and landscaping (single storey development might be more appropriate in some cases);~~
- ~~(e) conditions limiting permitted development rights will be imposed where necessary to protect amenity and privacy; and~~
- ~~(f) tandem development will only be acceptable where satisfactory access can be achieved and the amenity of the existing dwellings safeguarded.~~

6.51. Backland development is typically residential development in rear gardens of existing houses, although in some instances it may involve under used or other vacant land within an established residential area. Pressure for this type of development is usually found in areas of the City where original housing layouts were spacious and long back gardens predominated. Such sites can make a valuable contribution to housing land supply and also meet special needs e.g. sheltered housing for the elderly close to existing shops and services. These detailed guidelines are necessary to ensure that new development proposals are of a high quality design and do not detract from the character of the existing residential area. Further relevant guidance on design is included in the Urban Design Chapter.

H15. HOUSE EXTENSIONS

Extensions to existing houses will be approved unless they result in:

- a) —an unacceptable loss of outlook, light or amenity to neighbouring homes; or
- b) —have an adverse impact on the character of the area or the street scene.

6.52. The City Council understands the aspiration of householders to enlarge and improve their homes, particularly to meet the need for additional accommodation. However, unsuitable extensions can have an adverse impact on the amenity of neighbours and reduce the attractiveness of neighbourhoods as places to live. It will seek, therefore, to balance the needs of the individual households against the protection of amenity and the character of residential areas. Detailed criteria are contained in supplementary planning guidance “A Design Guide for House Extensions”.

Hotels, Hostels and Residential Institutions

6.53. There continues to be a need for hostels, care homes and nursing homes throughout the City. Homelessness is still a problem and the elderly population likely to need residential care will continue to rise. Similarly more people are being discharged from large institutions requiring instead housing accommodation within the community. Within the powers available to it, the City Council aims to facilitate the provision of a range of accommodation to meet the special housing needs of all City residents.

6.54. Problems can arise when hostels or care homes become concentrated in any one area of the City. Local concentrations of hotels or guest houses can also detract from the amenity of neighbouring residential properties. Of particular concern here is the potential for traffic and noise disturbance of the larger scale establishments offering entertainment and restaurant or bar facilities to non-residents. The City Council has operated restrictive planning policies in three areas of the City (Highfields South, Holy Trinity and West End) of the City for many years. It is considered that in these areas, additional hostels, residential institutions or hotels would seriously affect the residential character and prejudice improvements undertaken by the City Council under the Housing Acts.

6.55. The following policies will be applied to applications for planning permission for hotels, guest or boarding houses, hostels and residential institutions. They attempt to restrict localised concentrations, maintain the residential character of an area and protect the amenity of neighbours, whilst providing a suitable living environment, in particular for longer term residents and most importantly promoting their integration into the local community where appropriate.

H16. HOTELS, HOSTELS AND RESIDENTIAL INSTITUTIONS IN RESTRICTED ZONES

Within the Restricted Zones shown on the Proposals Map, planning permission will not be granted for the construction of new hotels, hostels and residential institutions, extensions to existing hotels, hostels or residential institutions, or a change of use to hotels, hostels and residential institutions unless:

- a) in the case of extensions, no more residents are to be accommodated and it can be demonstrated that there will be no adverse effects on the amenities of neighbours or on the residential character of the area; or
- b) in the case of a change of use from an existing hotel, hostel or residential institution to a different use of either a hotel, hostel or residential institution, it can be demonstrated that there will be no adverse effects on the amenities of neighbours or on the residential character of the area.

~~H17. HOTELS, HOSTELS AND RESIDENTIAL INSTITUTIONS OUTSIDE RESTRICTED ZONES~~

~~Outside Restricted Zones planning permission will be granted for planning applications relating to hotels, hostels and residential institutions within the Primarily Residential Areas shown on the Proposals Map provided that:-~~

- ~~a) where a localised concentration of these uses occurs, or would be created by the proposed development, Policy H16 will apply;~~
- ~~b) special consideration is given to the construction and internal arrangement of the premises to minimise potential noise disturbance to and from adjacent properties; and~~
- ~~c) adequate garden or amenity space is provided to meet the needs of the residents.~~

6.56. The level of provision which would constitute a local concentration may depend on the particular characteristics of the area. The presence of other institutions such as schools and day nurseries or Houses in Multiple Occupation may also detract from the residential character of single family dwellings. As a rough guide more than one hotel, hostel or residential institution per street or 50 houses whichever is the smaller would in the opinion of the City Council be classed as a concentration and need very careful justification in terms of the special locational needs of residents or the character of the properties involved. This is to ensure that there will be no detrimental effect on the neighbourhood.

6.57. Buildings suitable for hostels, hotels and residential institutions should ideally be detached. Where this is not possible internal arrangements and construction should minimise potential noise disturbance. In appropriate cases, conditions will be imposed on planning permissions to ensure that noise attenuation measures are provided.

6.58. The provision of adequate garden/amenity space is of particular importance in the case of hostels and residential care homes which are the permanent home of its residents. The amount of garden space provided should be related to the needs of the residents, the proximity and accessibility of parks and other public open spaces. It may be that a high quality environment within the garden can compensate for the fact that it is small in size. Consideration should also be given to the question of maintenance.

6.59. A proposal should comply with the Council's car parking standards. Requirements should also be seen in the light of the existing use of the building and the availability of car parking facilities in the surrounding area. It is important to note that hotels, guesthouses and boarding houses will require more car parking spaces than hostels. Similarly care homes require different numbers of spaces than hospitals or residential schools. In addition, servicing and manoeuvring space requirements will vary between these differing uses. Adequate provision will minimise any detrimental impact upon the local environment in terms of traffic and highway safety.

6.60. Hostels and residential institutions should be located close to essential facilities appropriate to the needs of the residents. The types of facilities to be considered are health services, day centres, shops, bus routes, community services, and libraries. The needs of less mobile people in residential care require special consideration.

6.61. Smaller care homes and hostels (with up to 20 bed spaces) pose fewer management problems and may be integrated more readily into the local community, an aim of 'Care in the Community' initiatives. Hostels and care homes should therefore, wherever possible be small in size. It is accepted, however, that nursing homes, hospitals, residential schools and hotels may well need to offer more bed spaces to be viable. The scale of the proposal will be taken into account in determining its impact on neighbouring properties.

Hotels

6.62. As well as providing accommodation, hotels can play a part in the provision of recreational and leisure facilities especially if associated with conference facilities. There is a growing interest in hotel development in the City, either as individual projects or as part of a mixture of uses. A Hotel Demand study carried out in 1999 concluded that there is scope for more budget accommodation and for developments such as the National Space Centre to create additional demand. Policies PS09a and PS09b identify Potential Development Areas where hotels would be an appropriate land use. The supporting text to policy E04 recognises that hotels may be considered a complementary use to a Business Park.

6.63. A sequential approach in accordance with PPS6 would take account of the particular characteristics of the location and the appropriateness of a hotel within the proposed mix of uses. Policies H16 and H17 also relate to hotels.



Chapter 7

Employment

Introduction

7.1. This chapter deals predominantly with land uses that fall within the B Use Class, that is offices, research and development, light and general industry and storage and distribution. (For a further definition of the Use Classes and Permitted Development Rights within and between Use Classes - see Glossary). Employment is generated within many other Use Classes, particularly offices within Use Class A2, large institutions such as hospitals and universities and the tourism and leisure industry. Policies relating to these specific industries will be found in other relevant chapters. There are some specific policies in this chapter dealing with commercial uses outside the B Use Class which are often found on industrial estates and business parks.

Employment Aims

7.2. The overall aims of this local plan have been set out in the Introduction and in Chapter 2, Plan Strategy. Within that context there are certain aims specific to employment generating industries which are reflected in the policies within this chapter:

- to encourage industries and offices in locations where they are accessible to their workforce on foot, on bicycles and travelling by public transport, particularly in areas of high unemployment;
- to provide opportunities both for new job creation and for the expansion of successful Leicester-based industries;
- to encourage the diversification of the Leicester economy particularly through an increase in the number of service industries, the introduction of new manufacturing industries and of high technology based industries;
- to maximise the employment densities of new development within the City;
- to promote the refurbishment or redevelopment of underused employment land and premises;
- to improve the environment within employment areas; and
- to ensure that the character and amenities of adjoining areas are not adversely affected.

National and Regional Policy Context

7.3. The introductory chapter sets out the local, regional, national and international context within which this plan has been developed. The main issues surrounding employment generating land uses concern the need to balance economic growth with protection and enhancement of the environment, the desire for sustainable economic growth (which includes the need to reduce the number and length of work-related car journeys) and maximizing the use of previously developed land in urban areas.

7.4. The concept of mixed use developments that will enable people to live and work in close proximity is one way towards more sustainable environments. Where small scale mixed uses are proposed, the B1 Use Class and other types of employment that can exist in close proximity to housing will be an important component of urban mixed use schemes. New mixed use development is considered in more detail within the Plan Strategy and Urban Design Chapters.

THE LOCAL ECONOMY

The information in the following paragraphs is from the 2004 Annual Business Inquiry, unless otherwise stated.

Manufacturing

7.5. There has been a national decline in the manufacturing industry, although manufacturing is still important in Leicester. The 2004 Annual Business Inquiry showed 15.8% of employees in Leicester are in manufacturing, compared with 11.9% nationally. However this has dropped dramatically from 24% in Leicester in 2000.

Service Industry

7.6. There has been a corresponding increase in the service industry. By 2004 79.8% of employees in Leicester worked in the service sector. This is now very similar to the national figure of 80.7% and has increased from 71% in Leicester in 2000.

7.7. Many of these employment opportunities within the service sector do not fall within use classes B1, B2 and B8 to which the policies in this chapter mainly apply. Policies relating to leisure, tourism, education, health and retailing therefore have a major impact on employment opportunities (dealt with in other chapters in the Local Plan). The largest employers and greatest number of employees are now concentrated in the public administration, education and health sectors in Leicester totalling 31.7%, compared with 26.4% nationally.

Small Firms

7.8. Leicester has a tradition of small firms and has a high rate of business formulation. There were 10,450 business units in the City in 2004. 79.4% of businesses employed 10 or less people and 15.8% between 11-49 people, so 95% of Leicester's business employed fewer than 50 people in 2004. The demand for small starter units therefore remains high.

Labour Market And Wages

7.9. The nature of the employment and make up of the workforce therefore continues to change. In 2004, there were still slightly more women in the workforce than men (51% v 49%; census 2001). Fewer people (32.8%) were employed in professional occupations, as managers and senior officials in Leicester in 2001 than nationally (41.6% in SOC 2000 major group 1-3; 2001 census) and there were a higher number of plant and machine operators in Leicester in 2001 (27.4% in SOC 2000 major group 8-9; 2001 census) compared with 19% nationally. Wages are therefore also correspondingly lower. The average household income of £23,859 compares with £31,800 nationally and £32,760 in the County of Leicestershire (CACI Paycheck, 2004).

Unemployment and Qualifications

7.10. The ILO unemployment rate is high in Leicester, at 8.4% (NOMIS), compared with a national average of 4.8%. However this conceals much higher figures within certain areas and groups in the city's population, exceeding 10%, both in the inner city and on the outer estates (2001 Census).

7.11. The Skills levels in Leicester are also poor. The English Local Labour Force Survey 2004/5 confirmed that 44% of Leicester's population of working age are without a level 2 qualification (34% nationally) and only 18.3% are qualified to at least level 4, compared with 25.9% nationally.

Location of Industry

7.12. Development of Leicester in the nineteenth and early twentieth centuries resulted in a swathe of industrial areas encircling the City centre and a mix of terraced housing and factories particularly in the east and south of the City in Spinney Hills, North Evington, Knighton Fields and Aylestone. Much of this early industrial development also lined the River Soar and the Grand Union Canal. This has left a legacy of stretches of waterway flanked by factory walls. Although some of these factories still require access to water, the canal and river have much greater potential particularly for housing, leisure and recreation. This issue is examined in more detail within the Plan Strategy Chapter (see Policy PS07) and the Special Policy Areas Chapter (see Policies SPA09 – SPA10).

7.13. With the exception of Cobden Street and Freemans Common most post-war industrial development has been located beyond the housing areas added to the City in the mid twentieth century. These post-war estates have been large purpose-built industrial areas separated, as far as possible, from adjacent residential areas and include Braunstone Frith industrial estate begun in the 1950s, Gorse Hill begun in the 70s and Bursom and Hamilton Industrial Parks developed in the 1980s. All of these estates are in the west and north of the City. No similar development occurred in the south-east.

7.14. While the outer industrial estates will continue to provide the best location for medium to large sized factories requiring good access to main distributor roads, many of the small to medium sized enterprises (SMEs) which are so important to the local economy can be facilitated on previously developed land within the City.

Future Economic Growth

7.15. Forecasts carried out by Business Strategies Ltd. for the period 1999-2009 show that the greatest number of new jobs in the City will continue to be in the education and health sectors (over 7,000 new jobs predicted). The second largest growth sector will be business services. The main job losses are predicted within the traditional textiles and clothing industries which could lose a further 7,700 jobs over the period if the predictions are correct.

7.16. There is a continuing need to encourage the diversification of the City's economic base. The City Council particularly wish to encourage "growth" industries such as high-tech based businesses, tourism and professional and financial services. This is in line with LRC objectives for the creation of new employment opportunities. The introduction of new information and communications technology (ICT) should provide opportunities to reduce the need to travel. The City's two universities, in particular, with their specialisms in biomedical science, space research, textiles research and vision mapping, amongst others, act as a major catalyst for job creation. There is also current and potential growth in water based tourism and leisure linked to regeneration of the Riverside.

EMPLOYMENT LAND REQUIREMENTS AND SUPPLY

The Leicestershire, Leicester and Rutland Structure Plan

7.17. The Leicestershire, Leicester and Rutland Structure Plan 2005, identifies a total requirement of 89 hectares for employment land. Table 7.1 shows how the City will meet this requirement within the Local Plan period from 1996 to 2016 through actual development and current and new allocations and commitments. It should be noted that 50% of the development between 1996 and 2004 was on previously developed land. In many cases this is not new employment land but an intensification of the existing use. The City has a finite amount of land available for new industry and brownfield development will become increasingly important, alongside the allocation of Strategic Employment Sites within the Structure Plan's Central Leicestershire Policy Area.

Table 7.1: Employment Land Supply: 1996 - 2016

| | | | |
|--------------------------|-------------|---------------|---------------|
| Local Plan Requirement | 89 hectares | | |
| Employment Land Supply | Total | Greenfield | Brownfield |
| Development 1996-2004 | 51 hectares | 27 hectares | 24 hectares |
| Allocations (March 2004) | 12 hectares | 6.5 hectares | 5.5 hectares |
| New Allocations | 3 hectares | 3 hectares | - |
| Commitments (March 2004) | 33 hectares | 14 hectares | 19 hectares |
| Supply Total | 99 hectares | 50.5 hectares | 48.5 hectares |

Table 7.2: Employment Sites: Allocations and Commitments, March 2004

Land allocated for B Use Class development, March - 2004

| Location | Site Area (hectares) | |
|-----------------------------|----------------------|---|
| 1. West | | |
| Gorse Hill | 0.25 | G |
| Bursom Business Park | 2.07 | G |
| Sunningdale Road | 0.80 | G |
| Foxholes Road | 0.91 | G |
| Sub-total | 4.03 | |
| 2. Central | | |
| Sanvey Gate | 0.44 | B |
| Princess Road East** | 0.14 | B |
| Conduit Street | 0.36 | B |
| Conduit Street** | 0.19 | B |
| Humberstone Road** | 0.15 | B |
| Humberstone Goods Yard | 2.69 | B |
| Menzies Road | 0.92 | B |
| Sub-total | 4.89 | |
| 3. East | | |
| Harrington Street | 0.58 | B |
| Hamilton Industrial Park | 0.41 | G |
| Eastfield Industrial Estate | {0.42 | G |
| | {1.37 | G |
| Lunsford Road | 0.26 | G |
| Sub-total | 3.04 | |
| Allocations Total | 11.96 | |

Land and Premises committed to B Use Class Development: March 2004

| Location | Site Area (hectares) | |
|--|-------------------------|---|
| 1. West | | |
| Bursom Industrial Park | 2.09 | G |
| Beaumont Leys Lane/Bedale Drive | 7.82 | G |
| Sub-total | 9.91 | |
| 2. Central | | |
| Frog Island* | 0.22 | B |
| Humberstone Road* | 0.18 | B |
| Cobden Street/Humberstone Road/Dysart Way*** | 0.28 | B |
| Euston Street | 0.42 | G |
| Belgrave Road** | 0.05 | B |
| Sub-total | 1.15 | |
| 3. East | | |
| Humberstone Lane | 1.80 | B |
| Mountain Road | 2.02 | G |
| Barkby Road | 1.40 | G |
| Cannock Street | 0.46 | B |
| Gipsy Lane Brickworks | 13.12 | B |
| | 2.80 | B |
| Sub-total | 21.60 | |
| Commitments Total | 32.66 | |

* sites with current planning permissions for a B Class use within Potential Development Areas.

** sites that are too small to show on the Proposals map but which have the capacity for major office developments (>1,000sq.m.) and are within the defined City and Town Centres.

*** sites with a subsequent planning permission given for an alternative use.

G - greenfield site

B - brownfield site

Table 7.3: New Allocations for B Use Class Development

| Location | Site Area (hectares) | |
|-------------------------|-------------------------|---|
| Uxbridge Road extension | 1.16 | G |
| Hockley Farm Road | 1.47 | G |
| Total | 2.63 | |

Strategic Employment Sites Provision

7.18. Most of the sites listed within Tables 7.2 and 7.3 are shown on the Proposals Map as Employment or Business Park Development Proposals. There are exceptions in the case of current planning permissions for employment uses in Potential Development Areas (PDAs) and some office allocations that are too small to show on the Proposals Map. In the first instance, sites with planning permission for Class B uses in PDAs do not represent the only possible end use for any of these sites. Other alternative uses could be acceptable and these are set out in policies PS09, PS09a and PS09b (Potential Development Areas) in the Plan Strategy Chapter.

7.19. Some office allocations and commitments have a very small site area which cannot be distinguished on the Proposals Map. However they are capable of accommodating major office developments of over 1,000 square metres floorspace. Finally where a site has a subsequent planning permission for an alternative use which is in line with Local Plan policies, the later permission will be reflected on the Proposals Map. Further information on any of these sites can be found in the Employment Sites Availability Survey which is published annually on the City Council's web site.

E01. EMPLOYMENT AND BUSINESS PARK DEVELOPMENT PROPOSALS

Sites shown as Employment and Business Park Development Proposals on the Proposals Map will be safeguarded for a suitable B Class development and will not be given planning permission for alternative uses unless:

- a) the site is within or adjoining a Primarily Employment Area and the conditions set out in policy E03 are met; or
- b) the site is a Business Park Development Proposal and the conditions set out in policy E04 are met.

GENERAL POLICIES

Sustainable Development

7.20. In order to maintain a “sustainable” City it is necessary both to support and provide for Leicester’s indigenous industries and to provide opportunities for new job creation. These employment generating developments need to be located as close as possible to where people live or to be easily accessible by public transport in order to minimise the need for car travel.

7.21. The City Council will continue to protect areas designated specifically for B Class uses where it feels this to be justified. It is also aware that many employment generating uses fall outside this land use designation and the following policies consider where non-B Class uses may be appropriate in areas traditionally reserved for manufacturing and distribution.

7.22. Any new development for employment use will need to meet the policies, set out principally in the Urban Design, Access and Movement and Built Environment chapters, pertaining to the impact on the local environment, the quality of the design, accessibility and safety issues, traffic generation and parking and other operational requirements.

7.23. The City Council wishes to encourage the expansion of successful local industries close to their present location where this is possible. However it intends to prevent any new development, extensions to existing development or changes of use of existing buildings from adversely affecting the local environment and the amenities of local residents and other businesses. While the Council will, where possible, accommodate the expansion needs of local businesses it may require restrictions on hours of use, noise insulation, steps taken to deal with potential air pollution and other matters related to circumstances.

7.24. Where such disturbance cannot be effectively ameliorated or where the amount of on-street parking or traffic generated is unacceptable, planning permission will not be granted. This will also be the case if the development would have an adverse effect on the character of the local environment.

7.25. The industrial environment and ‘image’ of the City play a part both in attracting inward investment and effecting the success of existing industries. The Council will therefore pursue funding through National and European sources to provide a better industrial environment and more efficient business premises. This will be done in line with regeneration proposals for the City as a whole which will be led by the activities of the LRC. Land uses that contain processes or by-products of a hazardous nature are not generally suitable to large built-up areas such as the City. The control of such land uses is contained within the adopted Leicestershire, Leicester and Rutland Structure Plan (2005), Employment Policy 8.

Key Employment Areas, Primarily Employment Areas and Business Parks

7.26. It is the intention of the City Council to maintain some employment opportunities, particularly of an industrial nature, within recognised areas separate from residential areas. These are designated as Key Employment Areas. Where employment and residential areas meet, consideration will be given to the hours of use and level of noise permissible from nearby industrial development and appropriate landscaping and other buffers.

7.27. Although major office development falls within use-class B1 it has been identified within PPS6 as a town centre use and is therefore subject to the sequential test required for all such uses. The Key Employment Areas are not suitable locations for town centre uses and major office development is therefore excluded from the list of suitable land uses within Policy E02. Policy E05 deals specifically with major office development.

7.28. The Key Employment Areas provide local employment opportunities within self-contained estates which allow a certain amount of general industry away from residential areas. They are all close to strategic road routes and have the potential for public transport. Three of these areas adjoin railway tracks although only Cobden Street has sidings onto the estate. These sidings known as Humberstone Goods Yard are one of only 80 "Strategic Freight Sites" identified by Railtrack in the United Kingdom.

7.29. While many new job opportunities are within service and leisure industries, it is still essential that the City should continue to provide for manufacturing and distribution industries. These should ideally be accessible to the local workforce. The purpose of this policy is to give such areas in the City an added level of protection from pressures from developers for alternative land-uses.

7.30. The type of industry that can be accommodated within these Key Employment Areas will be guided not only by the proximity of any particular site to adjoining residential areas but also by the needs of existing businesses within these areas. For example, Freeman's Common Key Employment Area has developed predominately as a storage and distribution centre serving the City. The introduction of any B2 Class uses into this area will need to be compatible with these existing uses.

E02. KEY EMPLOYMENT AREAS

Within the Key Employment Areas shown on the Proposals Map planning permission will only be granted for development of B1 (except major office development), B2 and B8 uses.

E03. PRIMARILY EMPLOYMENT AREAS

Within Primarily Employment Areas planning permission will be granted for development of B1, B2 and B8 uses as appropriate, and not for changes to other land uses unless it can be shown that:

- a) the land and buildings are no longer viable for employment purposes; or
- b) the use is ancillary or complementary to an existing or proposed B-Class Use; or
- c) the use would provide a significant number of jobs; or
- d) redevelopment of the site would make an important contribution to improving the wider urban environment; or
- e) the use would be for housing on a site without a greater need to be retained for employment purposes; or

- f) the use proposed is a local community facility for which there are no alternative sites available, for which there is a demonstrable need in the area and which will not have unacceptably adverse effects on existing businesses.

Major office development will not be allowed in Primarily Employment Areas outside the Commercial Zones of the City Centre, Beaumont Leys and Hamilton Town Centres. (See Policies SPA05 and SPA08).

7.31. While policy E03 gives Primarily Employment Areas a level of protection from proposed changes of use which are outside the B-Class Use, unlike the Key Employment Areas, proposals outside this use will be looked at on their merits. The proposed alternative use would need to comply with other policies within the Local Plan. In particular, proposals for retailing will not normally be acceptable.

7.32. Redevelopment of a site within a Primarily Employment Area for a non-B Class use will be considered where the new development would have a significant impact on a far wider area than merely the site itself. The City Council would need to be convinced that the new use was desirable in this location and that the environmental, social and economic benefits would have significant urban regeneration repercussions. Alternatively where there is a need for a local community facility such as a Place of Worship for which no alternative sites can be found, the use of sites within Primarily Employment Areas will be looked at sympathetically by the City Council.

7.33. Where it is proposed to redevelop sites within Primarily Employment Areas for housing, it must be demonstrated that there is a greater need for housing rather than Employment uses. In particular, account will be taken of the Council's employment land studies and housing needs survey. The City Council will then consider each application on its individual merits.

7.34. While Primarily Employment Areas are intended to cater for the whole range of B Class Uses, they are more closely interwoven with the housing areas of the City than the Key Employment Areas. There will therefore be instances where issues of amenity dictate that B2 or B8 uses will not be appropriate. Some Primarily Employment Areas fall within the B8 Restriction Zone (Policy E07). Major office development is also excluded from Primarily Employment Areas that do not fall within the identified Commercial Zones of the City Centre, the Abbey Lane Research Business Park, Beaumont Leys and Hamilton (Policy E05).

E04. BUSINESS PARKS

Within the Business Parks shown on the Proposals Map planning permission will be granted for appropriate high quality B1 and B2 uses.

Major office development in Business Parks will be subject to the sequential test set out in Policy E05.

Other uses which are complementary to a Business Park will be considered on their merits.

A high level of design and landscaping will be expected within Business Parks.

7.35. Regional Spatial Strategy (RSS8) for the East Midlands (March 2005) highlights the need for more high quality employment sites within the urban areas of Leicester, Nottingham and Derby. Bede Island North Business Park is an example of the type of high quality development that can be achieved within the City as part of a wider regeneration initiative. Large scale warehousing would not be suitable for this type of development. Where an element of B8 uses is appropriate such as in the proposed Bursom Business Park, this has been set out and conditioned within the particular site specific policy (see Policy E14). Other types of light and general industry can be accommodated but they must be able to demonstrate a high level of design and landscaping. Heavy duty B2 industries producing high levels of noise, fumes and heavy traffic would not be suitable.

7.36. Abbey Lane Research Business Park has been allocated specifically for science based, high technology businesses to take advantage of its location adjacent to the National Space Centre and in line with the LRC Masterplan. Policy E15 sets out the particular development requirements of this site.

7.37. Other uses which could be considered complementary to a Business Park would be those providing a service for the business community such as central office or banking facilities, hotels and conference centres. The need for such complementary facilities will vary according to the location of individual Business Parks. More central Parks will be served by the variety of facilities on offer in the City Centre. Any complementary uses which are subject to a sequential test elsewhere in this document will also need to satisfy the Local Planning Authority that a more central site is not available.

Offices

7.38. PPS6 identifies major office development as a town centre use and requires that such uses should be located within existing centres where access by a choice of travel modes is easy and convenient. The location of any new major office development is therefore subject to the sequential test as set out in PPS6. Major office development within the City is defined as over 1,000 sq.m. floorspace or typically employing at least 50 people on site. A Central Office Core has been identified around London Road Station within the City Centre. The Office Core and the Abbey Lane Research Business Park will be the preferred location for any major office development in line with the LRC Masterplan as set out in Policies PS05 and PS08. A second area of search includes the remainder of the City Centre (as defined by the Central Commercial Zone boundary). Major office development at Abbey Lane Research Business Park will have to be in line with Policy E15 and will facilitate the development of a science based Business Park at this location as set out in the LRC Masterplan.

7.39. Major office development should not be allowed to occur through unchecked incremental growth of out-of-centre offices. The City Council, however, is sympathetic to the expansion needs of firms in the City and will allow expansion of existing offices provided that they are in locations with good public transport links and that the expansion would not contravene other policies throughout the Local Plan. The need for a sequential test will not apply to offices that remain ancillary to another land use.

E05. MAJOR OFFICE DEVELOPMENT

Planning permission will be given for office development of over 1,000 square metres floorspace within the Central Office Core (New Business Quarter) of the City Centre and the Abbey Lane Research Business Park. In the latter, office development must satisfy the criteria set out in Policy E15.

If there are no suitable or available sites within the Central Office Core or Abbey Lane Research Business Park, planning permission will be given for sites in the remainder of the City Centre as shown on the Proposals Map.

If there are no suitable or available sites within the City Centre or Abbey Lane Research Business Park planning permission will be given for sites within Beaumont Leys and Hamilton Town Centres.

All other sites will be out of centre in terms of a sequential test and will only be considered if there are no suitable sites within the City Centre, the Town Centres or Abbey Lane Research Business Park. Any out of centre sites should be well served by public transport.

The expansion of existing offices in out of centre locations into major “stand alone” office developments will not be permitted unless they are well served by public transport.

7.40. In the City Centre, there are concentrations of office uses in areas that are not generally suitable for B1 research and development and industrial processes or for B2 general industrial and B8 storage and distribution processes. These have been identified on the Proposals Map as Primarily Office Areas. They are generally located close to the City Centre and have narrow street patterns or areas of pedestrianisation where access for loading and unloading for a broader industrial use would not be satisfactory. The City Council would wish to see these retained and developed as office areas.

7.41. Many of these office areas were originally residential, such as in the Friar Lane and New Walk areas. In many areas they still provide quiet backwaters within the bustling City Centre where a housing/office mix is acceptable. Housing in the New Walk Conservation Area provides activity and surveillance outside office hours and contributes to the unique character of New Walk.

7.42. There may be instances on the edge of these office areas where B1(b) and B1(c), research and development and light industry may be acceptable provided that unacceptable levels of traffic are not drawn into the office areas, that there is off-street provision for loading and unloading and that there is no loss of any viable office or residential units as a result of the development. Such uses are more likely to be acceptable if they are fairly small-scale.

E06. PRIMARILY OFFICE AREAS

Within the Primarily Office Area shown on the Proposals Map planning permission will be granted for the development of B1 offices.

B1 light industry and research and development will not be allowed unless it can be shown that:

- a) there will be no detrimental impact in terms of traffic generation, loading and unloading on the character and function of the Primarily Office Area; and
- b) there will be no loss of viable office or residential units.

Development of B2 general industry and B8 storage and distribution will not be allowed.

Planning permission will be granted for residential use where premises are or land is underused or redundant.

Other uses will not be allowed unless they are ancillary or complementary to the main office use.

Warehousing

7.43. Leicester's location close to national transport routes make it attractive for distribution and warehousing industries. This is a growth industry and should not be deterred from locating in the City. However, land for industry is in short supply particularly within the central area and should not be lost to large scale low density employers such as the distributive industries. This could result in a net loss of employment with adverse consequences for nearby residential areas in particular where there is already a high level of unemployment. Such large scale warehousing uses are more appropriately located away from the central area of Leicester. This has the advantage of ensuring that the heavy traffic associated with this type of warehousing is not drawn into the city centre.

E07. WAREHOUSING

~~Planning permission will not be granted for storage and distribution industries (Use Class B8) over the permitted development threshold within the Restriction Zone as defined on the Proposals Map.~~

~~Throughout the City B8 uses will only be permitted within Key Employment Areas and Primarily Employment Areas with good access to the specified road network or the railway network.~~

~~Trade showrooms associated with B8 uses should not give the appearance of a shop front.~~

7.44. The permitted development threshold of 235 sq.m. allows B1 and B2 uses within that range to change to B8 use without the need for planning permission. This will allow small scale distribution activities which specifically serve the Leicester economy to locate within Key Employment Areas and Primarily Employment Areas throughout the City. Larger storage and distribution industries should locate outside the Restriction Zone in Key Employment Areas and Primarily Employment Areas.

7.45. Wherever possible access from warehousing onto the specified road network or the railway should be as direct as possible. Warehousing which draws heavy traffic through residential areas will not be permitted in the interests of safety and amenity. The use of rail freight will be encouraged.

7.46. Trade showrooms are often an integral part of B8 uses. They should however remain ancillary to the storage and distribution functions. In particular the appearance of trade showrooms on the frontage of industrial buildings should not serve to attract visits from the general public.

Vehicle Repair Garages

7.47. The City Council has, over the years, experienced a constant demand to allow car repairs to be undertaken within residential areas. This use, however, is not acceptable on land or buildings in or allocated for Class B1 use or close to residential or other uses which would be detrimentally affected by the noise and other disturbance caused.

~~E08. VEHICLE REPAIR GARAGES~~

~~Planning Permission will be granted for vehicle repair garages within Key Employment Areas and Primarily Employment Areas and not within other areas, particularly Primarily Residential Areas.~~

Other Commercial Uses in Employment Areas

7.48. Other Commercial Uses outside the B Class Use will generally not be allowed within Key Employment Areas, Primarily Employment Areas or Business Parks. However there are some specific commercial uses which may be suitable within these areas, although planning conditions may be required to prevent a future change of use to retailing. These include factory shops, cash and carry warehouses, car showrooms, car and machinery hire premises and taxi offices.

~~E09. FACTORY SHOPS~~

~~Shops within premises mainly used for manufacturing (Use Classes B1 and B2) will be permitted provided that:~~

- ~~a) the articles for sale are produced in the factory concerned; and~~
- ~~b) no shop front is included (except within the defined shopping areas); and~~
- ~~c) the retail element remains ancillary to the main use.~~

7.49. Factory shops are a recognised source of cheap goods particularly where the factory shop makes available "seconds" which would not normally find their way into high street shops. Where these are allowed within existing employment areas the retail element must remain ancillary to the main use.

~~E10. CASH AND CARRY WAREHOUSES~~

~~Direct sales from premises used for storage and distribution (Use Class B8) will be allowed provided that:~~

- ~~a) the direct sales are limited to trade customers only; and~~
- ~~b) no shop front is included.~~

7.50. While retail warehouses open to the public are not acceptable within employment areas, trade warehouses serving local businesses are an important part of the local economy and these should be facilitated where possible within Key Employment Areas or Primarily Employment Areas. Trade warehouses over 235 sq.m. should not be located within the B8 Restriction Zone (see Policy E07). Warehouse clubs are sui generis use but will be treated in the same way as retail businesses depending on the degree to which they share the characteristics of large retail outlets.

~~E11. CAR SHOWROOMS/VEHICLE SALES/CARAVAN SALES~~

~~Planning permission will be granted for vehicle or caravan sales areas or car showrooms in Primarily Employment Areas (but not Key Employment Areas or Business Parks):~~

7.51. Car showrooms and other vehicle and caravan sales areas often require more extensive sites than are generally available in shopping centres. While showrooms are acceptable within shopping centres they often seek other locations particularly with prominent frontages onto the main road network. Where such frontages are part of a Primarily Employment Area this use may be acceptable. This will be especially so when the development contains workshops and/or storage areas that need to be located away from residential areas. Consideration of future uses is more likely to apply to smaller and older sites which may become redundant. Where sites are in shopping centres, alternative uses such as retail, offices, restaurants or community uses would be an option. Encouragement would be given where appropriate to mixed use schemes.

7.52. The City Council will not allow car showrooms, vehicle sales or caravan sales or intensification of existing uses within Key Employment Areas where it intends to encourage the location of traditional manufacturing and storage and distribution industries. They will also not be suitable uses within existing or proposed Business Parks.

~~E12. CAR HIRE/TAXI HIRE/MACHINERY HIRE~~

~~Planning Permission for car and taxi hire premises and the hire of machinery and tools with associated storage, workshop or parking requirements will be granted in Primarily Employment Areas (but not Key Employment Areas or Business Parks) provided that hire shops that fall within Class A1 are excluded.~~

7.53. Like car sales, car hire, taxi hire and machinery hire premises often require large areas for storage, workshop and parking purposes and this can more easily be accommodated within employment areas. As with Policy E11 this type of use will not be acceptable within the Key

Employment Areas or Business Parks. Most car hire and private hire taxi businesses deal with bookings over the phone and do not need to be easily accessible. The hire of machinery and tools will also usually necessitate collection by a vehicle or the business will deliver the goods themselves. The hire of smaller items (falling within class A1) or taxi or car hire offices without associated parking, storage or workshops can be accommodated within shopping centres.

SITE SPECIFIC EMPLOYMENT POLICIES

7.54. Very few sites of any significant size remain available in the City for industrial development. The following policies relate to three major employment sites. Part of the largest site, Gipsy Lane Brickworks, will be available for general industry but the remainder has been allocated for more intensive business uses. This is partly due to the particular location and characteristics of these sites but it is also intended to maximise the employment potential of the remaining employment sites in the City and to provide high quality developments that will encourage and cater for further economic diversification. The need for more high quality employment sites in the urban areas of Leicester, Nottingham and Derby is acknowledged by RSS8 March 2005. A smaller site of 1.47 hectares has been identified within the Braunstone New Deal Area for business development associated with this initiative (see Policy E17).

Gipsy Lane Brickworks

7.55. The Gipsy Lane Clay Pits have ceased to be worked since the 1980s. The Gipsy Lane Brickworks Policy Area includes the old clay pits, a scheduled SSSI, a SINC, the old brickworks buildings, Belgrave allotments and an area of golf course land adjacent to the clay pits that has been separated from the main area of the Humberstone Golf Course by Victoria Road East Extension. At almost 20 hectares in total this represents the largest opportunity for industrial development in the city.

7.56. The policy area is divided into two development sub-areas which are dealt with in E13a) and E13b). They are divided by a scheduled Site of Special Scientific Interest (SSSI) and part of a Site of Importance for Nature Conservation (SINC) at the centre of the brickworks, where development will not be permitted. This is shown as green space on the Proposals Map. Policies GE01 and GE02 in Chapter 10 give protection to the SSSI and SINC respectively. Development will be allowed on the area of the SINC which is within E13b) provided that appropriate measures are taken to protect the ecological features of the site. E13b) provides one of only three opportunities within the urban area to develop high quality business parks and its strategic importance outweighs the need to prevent development throughout the whole of this SINC.

7.57. The existence of these green spaces offers an opportunity for a business park development around them and towards Thurmaston Lane and Victoria Road East extension. This eastern half of the site is therefore restricted to high quality B1/B2 development. However other uses which would complement a business park will be considered on their merits. These could include central facilities serving firms on the business parks such as a conference or exhibition centre or

office facilities. It could also include facilities for those working in this area such as small banking or eating establishments. These latter would need to show that they were specifically serving the business park and were not detracting from the vitality and viability of any local centres. Also uses which would facilitate visits to the SSSI and the SINC by the general public will be considered sympathetically. Any town centre uses will be subject to a sequential test.

7.58. The western half of the policy area which lies between the existing industrial area off Barkby Road and the SSSI and SINC provides one of the very few opportunities in the City to accommodate B2 and B8 uses away from residential areas and with good access to the strategic road network. The southern tip of this western half is close to housing and while there will be no access between the residential and industrial areas any development in this area will need to consider residential amenity.

7.59. Gipsy Lane Brickworks Site Development Guidance (February 2002) considers these and other design issues in greater detail and should be consulted by any prospective developer.

E13. GIPSY LANE BRICKWORKS

E13a. Western Half

- i) Within the western half of the Gipsy Lane Brickworks Policy Area, shown on the Proposals Map, planning permission will be granted for B1 (except major office development), B2 and B8 uses.
- ii) Development of this part of the policy area will form part of the wider Troon Way Key Employment Area.

E13b. Eastern Half

- i) Within the eastern half of the Gipsy Lane Brickworks Policy Area, shown on the Proposals Map, planning permission will be granted for high quality B1 (except major office development) and B2 uses.
- ii) Other uses that are complementary to a high quality business park and to the wider employment area will be considered on their merits.

Development will not be allowed on the scheduled Site of Special Scientific Interest (SSSI) and the area of the Site of Importance for Nature Conservation (SINC) at the centre of the policy area, shown as Green Space on the Proposals Map. Plans for the development of the employment areas should include provision for the management and maintenance of the SSSI and SINC areas.

Development of the majority of the Gipsy Lane Brickworks Policy Area will be accessed from Victoria Road East Extension.

Planning applications for any part of the Gipsy Lane Brickworks Policy Area which would prejudice the comprehensive development of the site will be refused.

Bursom Business Park

7.60. This extension of the Bursom industrial area to the east of Beaumont Leys Lane was originally allocated for B1 use only in the 1994 City of Leicester Local Plan. The intention was to provide a landscaped office and research park, in demand at the time, and to prevent a continuation of the general industry on the first phase of development at Bursom which, it was felt, would lead to an industrial sprawl which might blight future housing developments.

7.61. Since the 1994 Plan there have been some significant changes. Firstly the demand for such office parks dipped while at the same time the City experienced a continuing demand from indigenous firms for land for relocation and expansion. The limited supply of land for industry in the City, together with the restrictions previously placed on this site, have led to firms being unable to expand or relocating away from the City with, in both cases, a consequent loss of jobs.

7.62. At the same time the increasing emphasis on sustainable development has meant that national planning guidance now requires that major trip generators such as large office developments should be located within town centres where they are more accessible by public transport. It has also been shown that it is possible to accommodate a range of B-Class uses within a high quality environment. By creating a site that can accommodate City firms wishing to relocate, this will also help to bring about regeneration in the inner city.

7.63. As a result the second phase of industrial development at Bursom has been allocated as a Business Park development which can accommodate high quality B1 and B2 Use Classes and a limited amount of B8. Major office developments are subject to the sequential test as set out in Policy E05. In order to prevent any blight on future developments in this area and in the adjoining Ashton Green proposals it is essential that the allocation should remain of the highest quality design with appropriate landscaping. For this reason B8 uses have been limited by the total amount of floorspace and their location within the site. Site Development Guidance for the Bursom Business Park Extension was adopted in April 2001.

7.64. As with the Gypsy Lane Brickworks Business Park (Policy E13b) other uses which would complement the business park and the wider employment area will be considered on their merits. Examples of these are given in paragraph 7.57.

E14. BURSOM BUSINESS PARK

Within the Bursom Business Park shown on the Proposals Map permission will be granted for high quality B1 (except major office development) and B2 uses.

Some B8 uses will be permitted provided that:

- a) they do not occupy more than 25% of the total floorspace of the business park; and
- b) no B8 units are sited along the Beaumont Leys Lane frontage.

Other uses that are complementary to a high quality business park and to the wider employment area will be considered on their merits.

~~Development will be guided by the Bursom Business Park Site Development Guidance which will include reference to the height of buildings.~~

~~Development and landscaping should be of a high quality throughout with particular attention paid to the Beaumont Leys Lane frontage.~~

~~Planning applications for any part of the Bursom Business Park which would prejudice the comprehensive development of the site will be refused.~~

Abbey Meadows Research Business Park

7.65. A study undertaken by Segal, Quince, Wicksteed in 1998 as part of the Leicestershire, Leicester and Rutland Structure Plan Review concluded that there is a strong case for supporting development of a hierarchy of sites for high-tech firms in the City and County. This hierarchy should include incubator facilities, as close as possible to related research institutions; well managed, ready-built small units for existing high-tech small to medium sized enterprises (SME's) and at least one substantial Science Park development in a high quality location capable of providing a range of facilities.

7.66. The consultants concluded that development opportunities adjacent to the National Space Centre (NSC) currently offered the greatest potential within Leicester. This is due to a number of factors, but specifically the presence of the NSC and the identification of this area as a Priority Investment Area by the City Council and English Partnerships. The LRC has ratified this potential and includes provision for a science-based park in this vicinity within its Masterplan.

7.67. The sites providing current redevelopment opportunities within this area are identified as the Abbey Lane Research Business Park on the Proposals Map. The Research Business Park is made up of the existing National Space Centre and adjoining underused previously developed land in a central accessible location. This site specific policy outlines the approach that the City Council will require of any development. Further guidance is provided in Policy PS08 in the Plan Strategy Chapter.

7.68. Given the potential of this particular site for research and development linked to the National Space Centre, its recognized potential as a high quality employment site and the strategic importance of such a site in regional terms it is felt that the current redevelopment opportunities should be safeguarded and allocated for a high quality business development with significant research and development links. Major office development with links to high technology industry will also be permitted within the Research Business Park (see Policy E05).

E15. ABBEY MEADOWS RESEARCH BUSINESS PARK

In the Abbey Meadows Research Business Park shown on the Proposals Map planning permission will be granted for development within use class B1(b) 'research and development'.

Planning Permission will be given for other uses that are complementary or ancillary to the uses specified above or to the National Space Centre.

Planning applications for any part of Abbey Lane Research Business Park which would prejudice the comprehensive development of the whole site will be refused.

Development of this site will require a new access road through the site from Abbey Lane to the National Space Centre.

The Riverside should be a key focus both visually and physically for new development.

A high standard of pedestrian and cycle links should be incorporated within the site and into adjoining areas.

Sunningdale Road Waste Facility Site

7.69. In the previous Local Plan, 2.5 hectares of this privately run sports club and playing field were allocated for the expansion needs of the adjoining business. This business has now left the area and the Playing Pitch Assessment (2001) commissioned by Sport England and the City Council highlights the high quality of these particular pitches. As a result the previous allocation has been rescinded. The current allocation is much smaller and will allow the remaining area to continue to function effectively as a sports ground.

7.70. The 0.8 hectares which are allocated for the waste facility site can only be developed in conjunction with the adjoining employment site to the east. It cannot be developed separately for any other industrial or commercial use. As such, if the development of a waste facility on this site does not come about, the 0.8 hectares will continue to function as part of the sports ground and the allocation will be reviewed in subsequent Local Development Documents.

7.71. Preliminary work in conjunction with Leicestershire County Council on a new Waste Development Framework (WDF) suggests that the provision of suitable sites for waste treatment and transfer will be a priority for Waste Planning Authorities. When comparing the capacity for waste disposal against the projected volume of waste arisings to 2016 a shortfall already exists.

E16. SUNNINGDALE ROAD WASTE FACILITY SITE

Planning permission will be granted for a waste facility on the site shown on the Proposals Map. This site can only be developed for a waste facility in conjunction with the adjoining land in the Key Employment Area.

BRAUNSTONE NEW DEAL AREA

7.72. An allocation for a small business development of 1.47 hectares has been identified on the former sports grounds on Hockley Farm Road, west of Braunstone Way to be developed in connection with the Braunstone New Deal Community Initiative. It will depend on the relocation of the playing pitch to Braunstone Park. The whole of this area between Hinckley Road and Hockley Farm Road is a Biodiversity Enhancement Site so that any development will need to be in line with Policy GE03 in the Green Environment Chapter. The remaining

green space will be used as an amenity and play area. Negotiations with the developer of the business units will be undertaken to ensure that landscaping, access and management of the business development and green space will be achieved to the satisfaction of the City Council. A commuted sum payment will be sought for the refurbishment of the play area. The site is shown as an employment development proposal on the Proposals Map and is therefore also covered by Policy E01.

~~E17. HOCKLEY FARM ROAD EMPLOYMENT DEVELOPMENT~~

~~Planning permission will be granted for small scale B1 and B2 units on the site shown on the Proposals Map provided that:~~

- ~~a) units are less than 500 square metres;~~
- ~~b) the sports pitch is relocated onto Braunstone Park, or another acceptable location within the Braunstone area, prior to development beginning on this site;~~
- ~~c) opportunities are sought through the planning process to enhance the biodiversity of the site, of adjacent sites or the green network to which it relates;~~
- ~~d) the remaining green space can be effectively used as an amenity area and play space; and~~
- ~~e) the play area adjoining the site is refurbished to the satisfaction of the Local Authority.~~



Chapter 8

Retailing

Introduction

8.1. This Chapter sets out the strategy for retail development throughout the City and the policies which will apply to retail development within and outside the shopping centres apart from the Central Shopping Core which is dealt with in Chapter 4 'Special Policy Areas' (Policies SPA01 – SPA04) and Chapter 2 'Plan Strategy' (Policy PS04).

8.2. The term 'retail development' refers to developments within Class A1 (shops) of the Town and Country Planning (Use Classes) Order 1987. In the context of this chapter the term 'non-retail' uses is used generally to mean those uses falling within Classes A2, A3, A4 and A5 of the Order, for example, banks and building societies (Class A2), restaurants and cafés (Class A3), drinking establishments (Class A4), and hot food takeaways (Class A5).

Retail Policy Aims

8.3. The Local Plan retail policies have the following aims:

- to sustain and enhance the vitality and viability of the City Centre, in particular its role for comparison goods shopping;
- to sustain and enhance the vitality and viability of the town, district and local centres by concentrating new shopping and related facilities in them and to support the principle of a hierarchy and range of centres;
- to ensure access by a choice of means of transport particularly the promotion of walking and cycling, to facilitate combined shopping trips and minimise the need to travel; and
- to minimise the disturbance caused by retail development to nearby residential areas.

National Policy Context

8.4. Planning Policy Statement 6: 'Planning for Town Centres' (PPS6), issued in March 2005, continues the Central Government's 'town centres first' policy which was hailed as a significant policy success when it was announced in March 2001 that for the first time in 20 years, new shopping floorspace in major town centre schemes exceeded new floorspace in out-of-town locations and retail warehouse parks.

8.5. The Government's key objective for town centres is to promote their vitality and viability. In both allocating sites and assessing proposals for retail and leisure developments in particular, local planning authorities should assess the need for development principally in quantitative terms, identify the appropriate scale of development, apply the sequential approach to site selection, assess the impact of development on existing centres and ensure that locations are accessible and well served by a choice of means of transport.

Local Context

8.6. Investment has continued to be made in the City Centre and the town centres. The retail offer in Leicester is expected to be transformed by a substantial 60,000m² retail and leisure development known as Shires West proposed in the city centre for completion by 2008.

8.7. Although retail development has been completed for some time in Hamilton Town Centre, the range of much needed community facilities that will make it a true town centre are now being brought forward. The Beaumont Shopping Centre in Beaumont Leys Town Centre has been improved and enlarged by the addition of nine new shop units and an extension to the food superstore. The catchment of the centre probably extends beyond that originally intended for it.

8.8. The future of the smaller local centres remains uncertain but some of the larger local and district centres have developed distinctive attractions that have brought in investment and improved their image. The number of new bars in the West End is proving to be an attraction for and stimulus to the housing market, which in turn is stimulating the market for new bars and restaurants. London Road has an attractive range of restaurants and latterly, branded pubs catering for a student population. Belgrave Road continues to offer a range of restaurants.

8.9. Outside the City boundaries, qualitative improvements to the substantial retail development at Fosse Park in the Motorways Retail Area, such as the completion of a large food court and evident development of a high street line up, means it will continue to be a strong competitor with the City Centre.

Studies of Retail Capacity

8.10. The Central Leicestershire Retail Study (CLRS) was completed in 2003. It found that there would be a need for substantial amounts of supportable new floorspace for comparison goods sales by 2006 and 2011 but very little supportable convenience floorspace in the same period.

8.11. A supplementary study, jointly commissioned by the Leicester Regeneration Company (LRC) and the City Council, concentrated on the city itself and drew detailed conclusions and recommendations relating to the city centre. The study, published in August 2003, found that there would be ample expenditure capacity available to support the retail aspirations incorporated in the LRC Masterplan.

Centre Hierarchy

8.12. The shopping centres are identified on the Proposals Map and the status of individual centres is identified in the document "Maps of the Shopping Centres" supplementing the Local Plan. The terms city, town, district and local are defined in the Glossary:

- City Centre: the Central Shopping Core;
- Town Centres: Beaumont Leys and the developing town centre of Hamilton;

- District Centres: Uppingham Road, Evington Road, Belgrave Road and Narborough Road have been identified as District Centres;
- Local Centres: Only the local centres or groups of shops retaining at least the range of basic shops described in PPS6, or those that are allied to other community facilities are shown on the Proposals Map.

8.13. It is not intended that the Town Centres should compete with the Central Shopping Core. Their primary role is to provide facilities for the growing districts of Beaumont Leys and Hamilton. A distinction is, therefore drawn between major retail development that serves a citywide or sub-regional catchment and that which serves the Beaumont Leys and Hamilton catchment areas. In the former case it will be necessary for developers to show that there are no opportunities for locating in the Central Shopping Core or on its edge before Town Centre sites are considered.

MAJOR RETAIL DEVELOPMENT

8.14. The general approach to proposals for out-of-centre retail development will be restrictive. Policy R01 will apply to all types and formats of retail development including retail warehouses, supermarkets and superstores, factory outlets and warehouse clubs. It will apply to new proposals, to changes of use to retail, to extensions to existing retail buildings, and to proposals to vary restrictive planning conditions to allow a wider range of goods to be sold.

8.15. Whilst a quantitative or qualitative need for new large foodstores, either supermarkets or superstores, has not been identified in the studies, proposals for new supermarkets within existing town or district centres may be acceptable providing they do not harm the vitality and viability of the centres. They should be of a scale appropriate to the size of the centre and in some cases a retail impact assessment will be sought. The vitality and viability of a centre can be dependent on an existing supermarket to provide the main anchor and its loss could lead to the centre's decline.

8.16. It is important that a balance is maintained in the type and location of supermarkets and superstores so that customers have access to the shops that suit them most. The development of too many superstores could lead to a coarser grain of food retail provision entailing more travel to the detriment of those without private transport, including the elderly, young and disabled people.

8.17. In applying the sequential approach set out in policy R01, the relevant centres in which to search for sites will depend on the nature and scale of the proposed development and the catchment it seeks to serve. The authors of 'The Impact of Large Foodstores on Market Towns and District Centres' (DETR 1998), suggested that, in the context of these centres and the provision of convenience floorspace, any proposal over 1,000m² of net floorspace should be accompanied by a retail impact assessment. This is a reasonable definition of major retail development (both convenience and comparison) for the purpose of the Development Plan, where development of this size can have an economic impact on district centres.

R01. MAJOR RETAIL DEVELOPMENT

Outside the existing shopping centres shown on the Proposals Map, planning permission for major new retail development will not be granted unless it can be demonstrated that there is a need for the development, and that there are no suitable and available sites or buildings in the following locations, where appropriate to the catchment that the development seeks to serve:

- a) firstly within the Central Shopping Core; followed by sites
- b) on the edge of the Central Shopping Core; then
- c) within the Town Shopping Cores;
- d) on the edge of the Town Shopping Cores;
- e) within the district centres or within the local centres;

providing the proposed development is appropriate to the scale and function of the centre:

Where the above cannot be demonstrated, the following considerations will then be taken into account when assessing planning applications for major retail development outside the preferred locations set out above:

- a) the proposal does not undermine the strategy and objectives of the Local Plan to sustain and enhance the vitality and viability of existing centres;
- b) the scale of development and type of retailing, by itself, or cumulatively with other retail development proposals, (including those with outstanding planning permissions) would not have a detrimental impact on the vitality and viability of the Central Shopping Core or nearby town, district and local centres;
- c) the location is accessible by a choice of means of transport including walking, cycling and public transport; and
- d) there are no losses of land use, or land allocation, for which there is an identified need in the Local Plan.

8.18. In applying the sequential approach developers and operators should be flexible about their proposed business model in order to enable a development to fit onto more central sites. In the rare instance that out-of-centre retail development is permitted PPS6 advises the use of planning conditions to prevent a change in the character of the development to one that the local planning authority would originally have refused.

8.19. The imposition of planning conditions will, therefore, be considered amongst others to limit the range of goods sold, to prevent the development from being subdivided into smaller units and to prevent the future addition of mezzanine floors.

8.20. Similar concerns apply to supermarkets and superstores, which sell comparison goods and provide a range of services. The type of comparison goods sold and the amount of space devoted to their sale, can potentially threaten nearby centres. Even within centres, the amount of comparison floorspace could represent a significant proportion of a centre's overall comparison floorspace.

8.21. PPS6 stresses the importance of easily accessible shopping to meet people's day-to-day needs. Existing facilities which meet these needs should be protected, retaining wherever possible, opportunities for vital services such as post offices and pharmacies. Careful consideration will also be given to the retention of financial services for the reasons set out in paragraph 8.24, although the inclusion of financial services in supermarkets and superstores may present an opportunity to restore banking facilities in areas where they are deficient.

R02. PLANNING CONDITIONS: MAIN FOOD SHOP DEVELOPMENT

If it is considered that the sale of comparison goods from out-of-centre supermarkets and superstores would adversely affect the viability and vitality of a shopping centre as a whole, they will be limited by planning condition:

- a) to exclude
 - i) clothing;
 - ii) footwear;
 - iii) books;
 - iv) jewellery;
 - v) toys;
 - vi) sports goods;
 - vii) recorded material; and
 - viii) services such as opticians, post offices, pharmacies, financial services and travel agencies; and
- b) to specify the floor area from which durable goods can be sold.

Shopping and Service Provision in Local and District Centres

8.22. Local and district shopping centres perform important functions in providing goods, services and a focus for local communities through the location of shops, healthcare facilities, libraries, financial services and social venues including pubs, cafes and takeaways. Their contribution to sustainable development and to social inclusion by retaining and improving access to shops is inestimable. Therefore, the policy towards new retail development outside the Central Shopping Core supports existing and proposed centres by:

- ensuring that new retail businesses take space in them rather than setting up elsewhere;
- concentrating retail development in centres making mixed shopping trips easier for the public, particularly for those who rely on walking and public transport and for people with disabilities or restricted mobility; and thereby:
 - i) encouraging reduced travel by car;
 - ii) reducing disturbance to residential areas that may be caused by a more diverse distribution of retail facilities.

8.23. The aims are also relevant to uses within Classes A2, A3, A4 and A5 which also provide services to visiting members of the public. These will need to be in shopping centre locations where they are easily accessible by foot, cycle, public transport and car.

R03. LOCAL AND DISTRICT SHOPPING CENTRES

Retail development outside the Central Shopping Core will be confined to the existing and proposed shopping centres shown on the Proposals Map.

Proposals for new retail development including extensions to existing shops within these centres, whose scale is consistent with the size and function of the centre concerned, will be required to demonstrate that:

- a) the development would not inhibit the use of the upper floors for residential purposes;
- b) the scale and design is sympathetic to the character of the area;
- c) the traffic generated by the development and the arrangements for loading, unloading and servicing will not have a significant detrimental impact on parking and traffic problems and pedestrian and highway safety; and
- d) the needs of people with disabilities including access to and within the development are provided for.

Offices

8.24. Financial and professional services (Use Class A2) will be permitted in centres. Financial services, banks and building societies, are increasingly withdrawing from local centres which are undermined further if potential shoppers are diverted to other centres offering these facilities. The losses have serious social exclusion implications.

8.25. Some business and financial offices falling within Use Class B1 also serve a local need. Such offices may, in exceptional circumstances, be acceptable within district and local shopping centres. The consideration of any proposal for a B1 use will be subject to the criteria below; acceptability will be enhanced if it is small scale. Where other B1 uses, that is, 'light industrial' and 'research and development' would have an adverse effect on the character of the street and shopping centre, it may be necessary to impose conditions restricting the use to office purposes only (within Class B1(a)).

~~R04. OFFICES FOR FINANCIAL AND PROFESSIONAL SERVICES~~

~~The use of the ground floor of premises within shopping centres for offices for financial and professional services (Use Class A2) which provide a service for the general public will be permitted except where:~~

- ~~a) the addition of another A2 use within any particular shopping centre or part of that shopping centre would have a cumulative detrimental effect in terms of:
 - ~~i) parking and traffic problems and pedestrian and highway safety; or~~
 - ~~ii) residential amenity; or~~
 - ~~iii) visual amenity; or~~
 - ~~iv) the character and function of the shopping centre; or~~~~
- ~~b) a shop front would not be retained; or~~
- ~~c) it would inhibit the use of an upper floor for residential purposes.~~

Food and Drink

8.26. Uses falling within Classes A3, A4 and A5 are appropriate in shopping centres and will be permitted subject to the criteria in policy R05. The character and particularly the retail function of a shopping centre continue to be critical, and where this function is likely to be significantly affected by the predominance of uses within these Classes, planning permission will be refused for any new use within these Classes.

8.27. Many of the local centres are small, less than ten shops, and are interspersed with or are very close to houses. Uses within Classes A3, A4 and A5 in these centres are often of concern to people who live close by and indeed to those living over a wider area when noise and disturbance is also generated by increased pedestrian and vehicular traffic drawn into an area. The pattern of activity associated with, for instance, hot food takeaways, a typical use within Class A5, found in local centres, is late night use at unsociable hours and the frequent use of cars to visit facilities. The disregard for traffic and parking restrictions when making typically short stay visits are also features. Evenings and Sundays can be particularly sensitive times because of a lower background noise.

8.28. In any location where residential properties are nearby, such uses will only be acceptable if planning conditions restricting the hours of opening can reasonably be imposed and when they cannot, planning permission may not be granted at all. Opening outside the hours of 0730 - 2300 on Mondays to Saturdays or at any time on a Sunday, will be unacceptable if significant detriment is likely to be caused to the amenity of local residents by the operation of an A3, A4 or A5 business.

8.29. A3, A4 and A5 uses present particular problems with regard to using upper floors. Acoustic insulation is not always fully effective in protecting the amenities of residents in adjoining buildings and this can inhibit the use of adjacent upper floors for residential purposes. In addition, to be consistent with policies elsewhere in the local plan, which seek to prevent loss of housing, the use of upper floors for A3, A4 or A5 purposes will be restricted.

8.30. Supplementary Planning Guidance, "Guidelines for Class A3 Uses in Local, District and Town Centres (2003)", has been adopted to provide guidance on a range of issues including hours of use, street frontages, concentrations of A3, A4 and A5 uses, and the suspension of the presumption in favour of granting planning permission for A3, A4 and A5 uses in the smallest defined shopping centres.

R05. DEVELOPMENT FOR FOOD AND DRINK PURPOSES

Proposals for the use of premises within the shopping centres shown on the Proposals Map for food and drink purposes (Use Classes A3, A4 and A5) will be permitted except where:

- a) the development either individually or cumulatively with other A3, A4 and A5 uses would be likely to prove significantly detrimental to the amenities of the occupiers of nearby residential properties, to visual amenity, and to parking and traffic problems which could not reasonably be controlled by way of condition; or
- b) a further change of use from Class A1 would seriously affect the retail function of the shopping centre; or
- c) the applicant has failed to demonstrate that a satisfactory ventilation flue could be provided, that is effective for its purpose; would not cause problems of noise and fumes for the occupiers of nearby properties, and would not be detrimental to visual amenity;
- d) a shop front is not retained; or
- e) it involves the use of the upper floors for A3, A4 or A5 purposes. Where ancillary residential accommodation is intended, a condition will be imposed restricting upper floors to ancillary residential accommodation only and not for any other purpose connected with the A3, A4 or A5 use.

Local Shopping Outside the Defined Shopping Centres

8.31. Where deficiencies in local shopping facilities are identified, planning permission will normally be granted for new retail development to meet that local need, provided the proposal is of an appropriate scale, it is readily accessible by a choice of means of transport, and is unlikely to have adverse implications for residential amenities and for traffic and parking conditions.

8.32. Policies PS09 and E06 set out the priorities for Potential Development Areas (PDA) and Primarily Office Areas respectively. The former envisages a role for shops in some PDAs and both envisage roles for A3, A4 and A5 uses as a desirable complement to offices, new residential development and regeneration. The LRC Masterplan also identifies a need for small scale retailing as part of mixed use schemes or waterside development. The location of new shops, bars and restaurants will be determined by detailed assessment of each PDA and for parts of the LRC Masterplan area and then set out in Supplementary Planning Guidance and Documents. Individual proposals in these areas will be assessed on their merits and against the relevant policies and Supplementary Planning Guidance and Documents.

8.33. Corner shops and other isolated shops still provide a local service. Sometimes they are located in areas that are not well served by the defined centres. Limited extensions to existing shops to aid their viability and to retain a local, accessible facility will be acceptable subject to the criteria in policy R06. This is consistent with the themes of accessibility and reducing the need to travel.

~~R06. LOCAL SHOPPING DEVELOPMENT OUTSIDE THE SHOPPING CENTRES~~

~~Planning permission will not be granted for new local shops and facilities falling within Use Classes A1, A2, A3, A4 and A5 outside the centres identified on the Proposals Map unless:~~

- ~~a) there is a need for additional local facilities in the area;~~
- ~~b) suitable sites and premises are not available in nearby shopping centres;~~
- ~~c) the proposed development is easily accessible by foot, cycle and by public transport;~~
- ~~d) significant disturbance is unlikely to be caused to nearby residential areas (the change of use of mid-terrace houses will not be acceptable); and~~
- ~~e) the traffic generated by the development will not have a significantly detrimental impact on parking and traffic problems and pedestrian and highway safety.~~

8.34. New local shopping centres are proposed at North Hamilton and Ashton Green, where substantial residential development is planned, and at Caversham Road to replace obsolete shopping provision.

~~R07. NEW LOCAL SHOPPING CENTRES~~

~~The sites for new retail development shown on the Proposals Map will be safeguarded and planning permission will not be granted for alternative development, which is likely to prejudice that provision. New local centres are planned at the following locations:~~

- ~~a) North Hamilton; and~~
- ~~b) Ashton Green.~~

Petrol Filling Stations and Shops

8.35. The market in forecourt retailing has led to the selective redevelopment of existing petrol filling stations incorporating a small, but not insignificant convenience store, typically of 200 - 300m² of retail floorspace. Whilst in some cases this will lead to improved local shopping at least in qualitative terms, their size and location makes them effective competitors with the smaller supermarkets in shopping centres.

8.36. Where a proposal is within a defined shopping centre, it will be considered against policy R03. Outside the defined centres the new shopping provision will be judged against the criteria of policy R06 in particular criterion a). If necessary a reduction in the floorspace will be sought in order to protect nearby centres.

Other Related Uses and Ancillary and Complementary Retail Development

8.37. Other uses not falling within the definition of shop, Class A1, can have locational needs and characteristics similar to conventional retailing and are commonly found both within and outside defined centres. Factory shops, car showrooms and hire businesses are covered respectively by policies E09, E11 and E12 in the Employment Chapter.

8.38. Cash and carry warehouses are covered by policy E10. Wholesale uses within existing shopping centres harm their character and viability. However, the City Council has accepted that wholesale uses may be permitted as an exception within the Narborough Road District Centre situated between 3 to 75 Narborough Road, following an appeal decision.

8.39. Warehouse clubs are a more recent phenomenon, stipulating membership, a proportion of which are individuals unconnected with businesses. Warehouse clubs can generate substantial turnover, therefore, they will be treated as though they are retail businesses depending on the degree to which they share the characteristics of large retail outlets.

8.40. Sauna and massage parlours use a variety of premises including those located in residential areas. They can give rise to complaint though not always on environmental and amenity grounds. Such uses can be discreet but potentially problems of parking and noise and general disturbance caused by visitors can arise. The opening times are typically late into the evening.

8.41. Where new sauna and massage parlours are proposed in residential and employment areas identified on the Proposals Map, they will be judged against the policy criteria relevant in those areas. In the shopping centres such uses will be permitted subject to the criteria in Policy R03. The use of conditions to restrict the hours of opening will also be considered in order to protect the amenities of nearby residents.

8.42. Shops that are ancillary or complementary to a main non-retail development or use, for example, in hospital premises, in sports stadia, and, subject to these conditions, on farms will normally be permitted providing they are small scale and the direct ancillary link to the main use is maintained. It is suggested that such shops are contained within and are only accessible from the main building or, if appropriate, the site. Advice should be sought from the Local Planning Authority on the circumstances under which planning permission will be required for these types of shop.

Belgrave Shopping Centre

8.43. The importance of the Belgrave Road as a shopping centre of international, national and regional renown is recognised. New and replacement shops, services and other facilities will be encouraged. The Belgrave Corridor Project, a transport led scheme, is now underway bringing qualitative improvements to the centre. Improving access by public transport, reducing pollution and accidents, improving parking for residents, shoppers and visitors will maintain and enhance the role of Belgrave Road.



Chapter 9

Built Environment

Introduction

9.1. The built environment has an important role to play in improving quality of life for the people of Leicester and in creating a more sustainable City. A high quality built environment makes Leicester a more enjoyable place in which to live, work, shop and relax. The most important aspects of the built environment should be protected and enhanced and opportunities taken for improvement through new developments and conservation-led regeneration that reflect the character and value of the historic environment.

Built Environment Aims

- To create a more sustainable built environment;
- to protect and improve the quality of the built environment;
- to preserve and enhance the historic environment of the City;
- to protect and preserve the archaeological heritage of the City;
- to encourage regeneration through enhancing the built environment and related site improvements; and
- to encourage the regeneration of derelict, vacant and underused land and premises.

9.2. The policies of this Chapter support the principles of sustainable development (see Plan Strategy) by helping to create quality places and respect for the environment.

Policy Context

9.3. PPS1 highlights the importance of planning in achieving quality urban design and sustainable development. Since the adoption of the previous Local Plan, Central Government has produced guidance on the role of planning in addressing wider issues that affect the built environment, such as pollution, renewable energy, noise and flood risk. The Government has also provided more up to date direction on issues such as the historic environment, telecommunications and advertisements.

9.4. Alongside the Regional Spatial Strategy (RSS8) for the East Midlands and the Leicestershire, Leicester and Rutland Structure Plan, Chapter 2 of this Plan introduces overarching policies concerning Sustainable Development (PS01), Residential Amenity and New Development (PS10), Protection from Pollution (PS11).

9.5. This Chapter sets out related detailed policies.

BUILT HERITAGE AND ARCHAEOLOGY

9.6. The historic environment of Leicester provides an invaluable insight into the City's past. It expresses what is unique about the City, enhances the quality of the environment and creates a

sense of local distinctiveness. Historic buildings, monuments and Conservation Areas are often important in forming the local setting and context for future development. They can also help attract potential investors to Leicester and stimulate regeneration. Some sites have become important in attracting tourists or for education and recreation.

9.7. The City Council maintains the Sites and Monuments Record (SMR) which provides a register of all known sites of archaeological significance within Leicester. The City of Leicester Building Conservation Directory contains lists of, and information on, Conservation Areas, listed buildings, buildings covered by an Article 4 direction, scheduled ancient monuments, buildings of local interest and Parks and Gardens of Special Historic Interest within the City. A policy on Parks and Gardens of Special Historic Interest is included in Chapter 10 (Policy GE11).

Archaeology

9.8. The archaeological heritage of the City includes evidence of prehistoric, Roman and Medieval occupation. The central areas of the City contain extensive above and below ground remains. The importance of these remains has been recognised by the designation of an Archaeological Alert Area as defined on the Proposals Map. Monuments that have been scheduled by English Heritage (Scheduled Ancient Monuments) because of their national importance are also shown on the Proposals Map. The SMR holds further details of other sites of archaeological significance including those outside the historic core of the City. In all cases developers must ensure thorough consideration of any potential archaeological remains whether scheduled or not, wherever possible, prior to submitting a planning application. The City Archaeologist can provide further advice and information.

9.9. The City Council, in partnership with English Heritage and The Leicester Regeneration Company, is developing the Leicester Urban Archaeology Database – a detailed database of the archaeological resource in the historic core of the City. In addition, the City Council will be collaborating with the Leicestershire Historic Landscape Characterisation Project funded by English Heritage and run by Leicestershire County Council. This project will foster a broader understanding of the development of the City. It is anticipated that these two projects will enable the City Council to develop an archaeological strategy to complement this policy and other aspects of the Historic Environment. The Government's direction and procedures for the developments that affect archaeologically important sites are set out in PPG16 "Archaeology and Planning" (1990).

BE01. PRESERVATION OF THE CITY'S ARCHAEOLOGICAL HERITAGE

The City's archaeological heritage will be preserved where appropriate by:

- a) requiring an archaeological assessment and evaluation of a site to assist in the determination of any planning application, where that application would affect a site of known or potential archaeological significance; and
- b) refusing planning permission for development which would seriously damage important archaeological remains, including Scheduled Monuments and other nationally important sites, their setting or character; or

- c) ~~negotiating amendments to submitted schemes to preserve archaeological remains in situ and generally minimise the impacts by appropriate siting, foundation design and location of services and associated landscaping; or~~
- d) ~~imposing conditions and/or seeking agreement with developers to ensure that sites of archaeological interest are excavated and recorded and the results disseminated, or are subject to appropriate archaeological investigation and recording during development, where preservation in situ is not merited.~~

Listed Buildings

9.10. About 500 buildings in the City are listed by the Department of Culture, Media and Sport as being of special architectural or historical interest. Listed building consent is needed for the demolition of listed buildings or to carry out any internal and external alterations that affects the character of a listed building. In considering applications for listed building consent the City Council has a statutory duty to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historical interest which it possesses. PPG15 "Planning and the Historic Environment" provides further direction as to the Government's policies and advice on listed buildings. Circulars 01/2001 and 09/2005 discuss arrangements for handling heritage applications that amend PPG15 and should therefore be read in conjunction with the guidance:

BE02. ALTERATIONS AND EXTENSIONS TO LISTED BUILDINGS

~~Applications for alterations and extensions to listed buildings, including the fitting of signs, security features, and alterations to interiors, will not be approved if they would adversely affect the architectural or historical interest of the building. Extensions should be appropriate in design, scale, materials and colour to the rest of the building and its setting.~~

9.11. Once historic features and other characteristics of listed buildings are lost they cannot be replaced. The City Council has a duty to pay special regard to their preservation and enhancement. In considering applications affecting listed buildings, the City Council will consider the advice of statutory and local consultees. Conservation-led regeneration can bring about improvements to the historic environment by bringing redundant buildings back into productive use.

BE03. CHANGES OF USE OF LISTED BUILDINGS

~~Planning permission will only be granted for changes of use of listed buildings where the proposed use would ensure the continued viability of the building and would be compatible with its architectural and historical interest.~~

9.12. The upkeep of historic buildings will depend very much on the continued economic viability of their use. The City Council recognises that this viability may depend on a new use for a listed building. Any proposed change of use must be sympathetic to the architectural or historic interest of the building, taking account of the requirements of the use in terms of floor

loadings and long-term wear and tear as well as physical alterations. The Council will require change of use applications to include fully detailed drawings of all alterations, internally and externally, required to implement the proposed use.

BE04. SETTING OF A LISTED BUILDING

~~Planning permission will not be granted for development that would have a detrimental effect on the setting of a listed building.~~

9.13. The setting of a listed building often forms an integral and complementary part of its character. The erosion of the setting of a listed building can isolate the building and have a negative impact on its viability.

BE05. DEMOLITION OF LISTED BUILDINGS

~~Development involving the demolition of the whole or significantly all of a listed building, will only be permitted in exceptional circumstances. In considering such proposals, the following criteria will be taken into account:~~

- ~~a) the condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use;~~
- ~~b) the adequacy of efforts made to ensure the continued use of the building for its existing, previous or a compatible alternative use. This should include the offer of unrestricted freehold of the building on the open market at a realistic price reflecting the building's condition; and~~
- ~~c) the merits of alternative proposals for the site and whether they bring substantial public benefits for the community which decisively outweigh the harm resulting from demolition.~~

9.14. Before recommending approval for the demolition of a listed building convincing evidence will need to be produced that demonstrates every effort has been made to continue the existing use or to find an alternative use and that the condition of the building renders repair and reuse impossible. Such efforts would include offering the building for sale on the open market and, where appropriate, the setting up of some form of charitable or community ownership. The impact of the demolition on the setting and character of other listed buildings, conservation areas and the general street scene will also be taken into account. In exceptional circumstances the City Council may be totally satisfied that the demolition of a listed building will lead to significant benefits for the local community that cannot be met in another location or through the retention of the building. These benefits will have to be carefully weighed against the arguments for preservation. Imaginative design solutions can often be found that result in the incorporation of the listed building into any redevelopment.

9.15. Consent for demolition will not be given on the basis that the redevelopment of the site is more economically attractive than the repair and re-use of the building.

9.16. Repair and maintenance are fundamental to preservation. The City Council will continue to use its legal powers to ensure that listed buildings are kept in proper repair and that correct materials and repair techniques are used.

Conservation Areas

9.17. There are twenty-three areas of the City which have been designated as Conservation Areas and these are shown on the Proposals Map. Conservation Areas have been designated because of the mature quality of their environment created by the combination of existing buildings, spaces and landscape. The City Council has a statutory duty to pay special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Within these Areas consent is usually needed for demolition and more restrictive standards of 'permitted development' apply.

9.18. The City Council is committed to preparing a character statement for each Conservation Area. The statements will define the special features that contribute towards the character and appearance of the Area and will form the basis for subsequent enhancement proposals. They will complement the policies of the Local Plan by providing further guidance as to which elements of a Conservation Area need to be preserved or enhanced. Periodic reviews of Conservation Areas will be undertaken to determine the areas which possess the special interest that led to the original designation.

~~BE06. NEW DEVELOPMENT AND CHANGES OF USE IN CONSERVATION AREAS~~

~~New development or changes of use within or adjoining a Conservation Area must preserve or enhance the character or appearance of the Area.~~

~~Planning permission will only be granted for new development proposals where:~~

- ~~a) the scale, form, materials and detail of buildings in the immediate area have been taken into account; and~~
- ~~b) significant views into or out of the Area are not unacceptably affected.~~

~~Planning permission will not be granted for security fittings or signs that would have an unacceptable effect on the character or appearance of a Conservation Area.~~

9.19. Character and appearance is very much governed by the form and materials of buildings and by the arrangement of buildings and spaces. The character and appearance of some Conservation Areas can be enhanced by the erection of appropriate buildings on certain sites. New buildings should preserve or make a positive contribution to the character and appearance of the Conservation Area.

9.20. Green spaces, including private gardens, play a particularly important part in determining the quality of a Conservation Area. Site coverage of development on plots, the nature and pattern of uses of buildings and land further define the character of a Conservation Area. Preservation of the character of an area will therefore depend on appropriate use as well as correct design and layout. Further guidance on locally prevailing site coverage and other special features that contribute to the character of an area will be provided in character statements. More exacting standards will be applied to the design and siting of advertisements and security fittings in these areas.

BE07. DEMOLITION IN CONSERVATION AREAS

Planning permission for development involving substantial demolition of buildings which make a positive contribution to the special character of a Conservation Area will only be granted in exceptional circumstances. Proposals will be considered against the following criteria:

- a) The condition of the building; the cost of repairing and maintaining it in relation to its importance and the value derived from its continued use;
- b) the adequacy of efforts to ensure the continued use of the building for its existing; previous or a compatible alternative use; and
- c) The merits of alternative proposals for the site and whether these would bring substantial public benefits for the local community that will substantially outweigh the loss of the building and cannot be achieved through the retention of the building within any redevelopment.

9.21. There will be a general presumption against the demolition of buildings that make a positive contribution towards the character and appearance of a Conservation Area. It is, however, recognised that in certain circumstances the demolition of a building can enhance an Area's character or appearance. Consent for demolition in these Areas is often sought to allow for redevelopment. In such instances details of design and materials including accurately scaled plans and detailed drawings of all elevations that clearly show any proposal in relation to existing and adjoining properties must be submitted with the application. Conditions will be used to ensure that no demolition commences until a contract has been let for any approved works of redevelopment. This is to avoid adverse effects on the character and appearance of the Conservation Area if existing buildings are demolished without being replaced. Imaginative design solutions can often be found that result in the incorporation of a building that makes a positive contribution towards a Conservation Area into any redevelopment.

Buildings of Local Interest

9.22. Outside Conservation Areas there are a number of individual buildings and groups of buildings which the City Council considers play a key role in defining Leicester's townscape, for their architectural quality, and/or as illustrations of the city's development over time. The City Council is keen to protect these buildings and encourage schemes that retain and improve them.

9.23. Many of these buildings will be suggested for addition to the statutory list or are likely to be included in future Conservation Area designation. Buildings of Local Interest are listed in the City of Leicester Building Conservation Directory. This directory provides an indication as to which non-statutory buildings have historic, architectural or amenity value which may merit protection.

BE08. BUILDINGS OF LOCAL INTEREST

~~Planning permission will not be granted for development which would have an unacceptably adverse impact on a building the historic, architectural or amenity value of which merits protection.~~

Article 4 Directions

9.24. Over 1,000 buildings in the City, mostly houses within Conservation Areas, are affected by an Article 4 Direction. The Direction means that the property owner must apply for planning permission to carry out works, such as the replacement of windows, doors or roofing, which are normally 'permitted development' under the General Permitted Development Order 1995. The aim of an Article 4 Direction is to prevent the erosion of the character of an area by the loss of architectural detail.

BE09. ARTICLE 4 DIRECTIONS

~~Works for which permission is sought as a result of an Article 4 Direction will only be considered for approval if the original character of the building is retained, or if necessary, reinstated.~~

~~Materials and methods appropriate to the original character of the building must be used.~~

9.25. Directions have mainly been imposed in areas of finely detailed Victorian and Edwardian housing. In the past the replacement of original detail has harmed the character of these areas. Further insensitive operations are likely to continue the damage. The Council will advise owners on the most suitable repairs and alterations and will attempt, where resources permit, to offer grant aid towards the cost of appropriate works.

9.26. The City Council may also impose further Article 4 Directions in areas of architectural or historic interest.

SHOPFRONTS AND ADVERTISEMENTS

Shopfronts

9.27. The design and condition of shopfronts is critical in defining the attractiveness of street frontages and shopping areas. A visually attractive shopping environment is important to the image of the City as a whole.

BE10. SHOPFRONT DESIGN

In developments involving a new shopfront, the design should be an integral part of the whole building and should be in proportion to the lines of the facade of which it forms a part.

The quality and treatment of materials should be consistent with the overall design.

9.28. Replacement shopfronts will normally not be approved where the existing shopfront survives in good condition or is capable of repair and dates from the nineteenth or early twentieth centuries, or was designed as an integral part of the building. The craftsmanship and appreciation of fine detail shown in many older shopfronts enrich the street scene and warrant retention.

9.29. Where new or replacement shopfronts in aluminium are proposed, they will be approved only if the aluminium is colour coated.

9.30. Further guidelines will be produced in a forthcoming Supplementary Planning Document (SPD) - 'Shopfront Design Guide'.

Shopfront Security

9.31. The City Council recognises that security is a major concern of shopkeepers and owners of commercial premises. However, whilst the fitting of external protection such as shutters and grilles may appear to be the simplest solution the effect on the local environment can be extremely damaging. In all cases the Council will encourage security solutions which have the least harmful environmental impact. The Council can advise on the most appropriate method of security for any particular property, and will consider each case on its merits.

BE11. SHOPFRONT SECURITY

Planning permission for the fitting of external security measures including roller shutters and grilles will only be approved where the City Council is satisfied that a special need for external security exists.

Where external security protection for shopfronts is required, permission will normally only be given for fittings which:

- a) allow some visibility into the shop when they are in place;
- b) are colour coated to match the shopfront, preferably in a durable finish applied before installation; and
- c) are designed to be as unobtrusive as possible during business hours.

9.32. The City Council would wish to see external security as the exception rather than the rule in shopping centres and considers that security concerns of business owners can be met in other ways.

9.33. Further detailed policy guidance is contained in the Council's 'Shopfront Security Policy' published in 1994 which seeks to balance concerns for the environment and safety issues.

BE12. SECURITY TO BUILDINGS AND SITES

~~Permission for external security to sites and buildings will only be granted where fittings and security features:-~~

- ~~a) have the least harmful visual impact and are designed to be as unobtrusive as possible; and~~
- ~~b) are colour coated in a durable finish applied before installation.~~

~~Features such as barbed wire or spikes and fittings on top of walls or fences adjoining streets and public spaces will not be approved.~~

9.34. The Council considers that such features to be visually obtrusive and damaging to the local environment.

Advertisements

9.35. The City Council accepts the need of shops and businesses to announce themselves to customers but believes that a better visual balance can be achieved by use of quality design and materials than by size or brightness.

9.36. Advertisements are governed by the guidance in the Town and Country Planning (Control of Advertisements) Regulations 1992 which enable the control of advertisements in the interests of amenity and public safety.

9.37. PPG19 on 'Outdoor Advertisement Control' highlights the need to ensure that signs and advertisements are in harmony with the built environment and local characteristics.

BE13. ADVERTISEMENT DESIGN

~~Consent will not be given for signs and advertisements which:~~

- ~~a) do not relate well to the building on which they are fixed or to the surrounding area;~~
- ~~b) cause unacceptable light pollution or loss of amenity through excessive glare, light spillage or sky glow.~~

9.38. The design of signs should be an integral part of the design of the building facade, and advertisements which display particular ingenuity of design, and detail will generally be encouraged. However over-dominant signs, sky beams and those that cause unacceptable light pollution as a result of excessive illumination will have a negative impact on amenity and visual surroundings and therefore will not be approved. Fully illuminated plastic box fascia signs or projecting signs, particularly with bright backgrounds will generally not be approved. The less intense effect produced by external illumination will be preferred.

9.39. The Council will apply this policy to advertisements such as hoardings (whether illuminated or not), freestanding poster panels and internally illuminated units. The Council will seek to control the impact and proliferation of permanent advertisement hoardings as part of its efforts to improve the appearance of the City, and considers many such advertisements to be out of scale and inappropriate to the visual environment.

~~9.40. Temporary hoardings will only be allowed where they screen sites awaiting development.~~

~~9.41. The Council will also seek to control the display of banners, flags, and advertisement boards on the highway.~~

~~BE14. PROJECTING SIGNS~~

~~A maximum of one projecting sign per frontage will normally be permitted.~~

~~Fascia and projecting signs above the level of first floor window sills will not normally be permitted.~~

~~9.42. An excessive number of projecting signs, along with a proliferation of signs at upper levels of facades produces an unacceptable cluttered effect. Where a business is located on an upper floor, its signs should still be located at ground floor fascia level near to the entrance to the building.~~

~~BE15. NEW WALK~~

~~Within the New Walk Area of Special Advertisement Control adverts that exceed the permitted size, height above ground level and illumination will not be acceptable.~~

~~9.43. The Council has sought to protect the special quality of the New Walk Conservation Area and the features that merit its inclusion on the Register of Historic Parks and Gardens of Special Historic Interest by designating a large part of it as an Area of Special Advertisement Control.~~

ENVIRONMENTAL MANAGEMENT

9.44. Buildings are significant users of energy, produce waste and impact on air, land and water resources. New development can also lead to the undesirable side effects of noise and outside lighting. The appropriate design and control of new development can help minimise these impacts and lead to the more prudent use of environmental resources as well as achieving wider social and economic benefits.

Renewable Energy and Combined Heat and Power

9.45. In considering planning applications for renewable energy development the Council will give weight to the wider environmental benefits of such schemes including their contribution towards meeting renewable energy and greenhouse gas emission targets. These factors will be carefully balanced against the impact on the local environment and residential amenity. Further advice on renewable energy can be obtained from PPS22 and its accompanying Companion Guide, and also from Leicester's Energy Advice Centre. Supplementary Planning Document "Energy Efficiency and Renewable Energy", was adopted in November 2005 and provides further practical advice.

9.46. The Energy White Paper (February 2003) reinforces the Government's commitment to ensuring that renewable energy and combined heat and power make an increasing contribution to UK energy supplies. Key drivers include the need to reduce our greenhouse gas emissions caused by the burning of fossil fuels and the need to diversify our energy supply. RSS8 (March 2005) sets energy targets to be achieved within the East Midlands by 2010.

9.47. Climate change is recognised as one of the most significant environmental issues facing the City. The Leicester Energy Strategy (1994) set the challenging target of halving the City's carbon dioxide emissions from 1990 levels by 2025. The Climate Change Strategy for the City takes this work forward. The Strategy concludes that the most effective single action the City could take to achieve the target is to set up community heating networks based upon combined heat and power. This could be delivered through the establishment of an Energy Services Company.

Renewable Energy

9.48. RSS8 has set the following sub-regional renewable energy targets for electricity generation within Leicestershire, Leicester and Rutland up to 2010.

| Renewable Energy Technology | Capacity (MW) | Electricity (GWh/y) |
|----------------------------------|---------------|---------------------|
| Onshore Wind | 22 | 58 |
| Biomass - Wet agricultural waste | 1.2 | 9.3 |
| Biomass - Energy crops | 10 | 75 |
| Solar - photovoltaics | 0.4 | 0.34 |
| Landfill gas | 18 | 150 |
| Anaerobic Digestion | 3.4 | 26.9 |
| TOTAL | 55 | 319.54 |

9.49. Leicester needs to play a pro-active role in contributing towards the regional targets, although there will obviously be greater potential to contribute towards some of these targets than others. Photovoltaic technology can be incorporated into the roof and wall cladding of buildings and is therefore ideally suited to urban environments. There is some potential for small scale wind energy developments in exposed and open areas. The City can help stimulate the demand and investment for biomass grown in the surrounding rural hinterland through its use in CHP or other schemes. Similarly waste from the City can be used to produce energy from the anaerobic digestion process. The proposed plant at Wanlip will produce 1MW of electricity from the City's recycled biodegradable waste. There are other sources of renewable energy including solar, water and space heating that are not included in the regional targets because they do not generate electricity. These technologies are well suited to urban environments and can be easily installed into new and refurbished buildings or other structures.

9.50. Planning permission may be required for the installation of renewable technologies involving panels and cladding. This will depend very much on their extent and positioning. Special consideration should be given to the installation of panels or cladding on listed buildings or those within a Conservation Area. In such cases, the need to preserve the character and historic interest of the building or area, or its setting, as defined in Policies BE02 and BE06, will take precedence over energy conservation measures. Such development on a listed building will require listed building consent.

BE16. RENEWABLE ENERGY

Planning permission will be granted for the development of renewable energy installations where they do not have an unacceptable effect on the local environment that would outweigh their wider community and/or environmental benefits.

All major developments will be expected to provide an assessment of how they will contribute towards the regional targets for renewable energy. Planning permission will only be granted for major developments that realise their potential for meeting their energy requirements from renewable sources.

9.51. In considering planning applications for renewable energy development the Council will give weight to the wider environmental and community benefits including their contributions towards meeting renewable energy and greenhouse gas emission reduction targets and the provision of more affordable energy.

9.52. Major developments have the potential to make a significant contribution towards these targets because of their scale. The Companion Guide to PPS22 sets out good practice examples of how this can be achieved. These developments will therefore be expected to provide an assessment of how they can realise their potential for meeting their energy requirements from renewable sources. An assessment should cover the potential of the various technologies, how they could be incorporated into the design and fabric of the development and any infrastructure/operational requirements. Leicester's Energy Advice Centre can provide technical advice on renewable energy. The adopted Supplementary Planning Document "Energy Efficiency and Renewable Energy in New Developments" (2005) also provides further practical advice.

Combined Heat and Power and Community Heating Networks

9.53. Combined Heat and Power (CHP) is a very efficient method for producing electricity and heat together from a single source and therefore has the potential to significantly reduce the City's greenhouse gas emissions. Unlike conventional power stations, CHP reclaims the heat from generating equipment that can be used for space heating and hot water. Major developments and high density development lend themselves to very cost effective use of CHP, as it reduces the extent of any distribution grid or network. This makes it particularly suited to city centre development and higher density housing. In addition, compliance with the government's 'Good Quality' CHP standard presently qualifies a scheme for exemption from the Climate Change Levy. The use of community heating networks to distribute the power and heating from CHP plant can bring the benefits of such schemes to the wider community.

BE 17. COMBINED HEAT AND POWER AND COMMUNITY HEATING

~~Planning permission will be granted for infrastructure associated with combined heat and power schemes where it does not have an unacceptable effect on the local environment that would outweigh their wider community and/or environmental benefits.~~

~~All major developments and developments within the Strategic Regeneration Area will be expected, where feasible, to source their energy requirements from combined heat and power (either through on-site plant or a community heating network). Planning permission will only be granted for those developments that source their energy requirements from combined heat and power or can demonstrate that this is not a feasible option.~~

~~All new developments within proximity to existing or proposed community heating networks must assess the possibility of sourcing their energy requirements from such networks. Planning permission will only be granted for those developments that propose to meet their energy requirements from the network or can demonstrate that this is not a feasible option.~~

9.54. In considering planning applications for CHP infrastructure, weight will be given to the wider environmental and community benefits including their contribution towards meeting CHP and greenhouse gas emission reduction targets and the provision of more affordable energy.

9.55. Major developments and comprehensive, high density developments and refurbishments within the Strategic Regeneration Area provide a significant opportunity for Combined Heat and Power. These developments must therefore assess the technical and financial viability of CHP in providing their energy requirements either through on-site plant or a community heating network. Mixed used schemes can be particularly efficient as they can balance the demand for the heat and power produced by CHP. The Leicester Energy Advice Centre can provide technical advice on the feasibility of CHP.

9.56. There are already district heating networks, based upon CHP, within the City on the St. Andrew's, St. Matthew's, St. Peter's and St. Mark's estates. Some of these systems have the capacity to expand. New developments in proximity to these networks should therefore take account of the feasibility of sourcing their energy requirements from them.

9.57. Consideration will need to be given to planning for and protecting necessary wayleaves and easements for establishing CHP and district heating infrastructure.

The Water Environment

9.58. The urban nature of the City environment creates pressures on the quality and flow of the River Soar and its tributaries. Urban drainage brings with it, associated problems of pollution incidents, storm flow and the obstruction of flows on watercourses and floodplains. There is also an increasing need to adapt to the predicted impacts of climate change on the City's water environment.

9.59. The Environment Agency have prepared a Local Environment Agency Plan (LEAP) for the Soar Catchment which sets out the problems, issues and actions required within the area. The Agency encourages Local Authorities to adopt a precautionary approach to development that might affect the water environment or be at risk from flooding within the Soar Catchment. The City Council is keen to work with the appropriate agencies and developers to encourage the inclusion of environmental enhancements as part of developments where this would be appropriate. New development should aim to minimise any adverse impacts and maximise potential benefits. Development that involves amending or affecting a watercourse must have the approval of the City Council. Guidance on development and flood risk is provided in PPG25 (July 2001) and draft PPS25 (December 2005). In addition the City Council has undertaken a Strategic Flood Risk Assessment endorsed by the Environment Agency. (See paragraph 9.64).

Water Flow and Quality

9.60. New developments have the potential to affect the quality of surface and ground water and the rate of surface water run-off. It is therefore important that their potential environmental impact is considered in the early design stages of development.

BE18. WATER FLOW AND QUALITY

~~New development must seek to minimise any adverse impact on the quality of, and flows within, the water environment through source control and other mitigation measures.~~

~~Development will not be permitted on sites where the discharge of additional surface water will create or exacerbate existing flooding or pollution problems.~~

9.61. Impermeable surfaces created by new development can increase the amount of surface runoff flowing directly into watercourses, not allowing for the natural cleansing of water through the ground. Water also reaches watercourses more quickly and therefore increases the likelihood of flooding downstream from the proposed outfall. Localised flooding can also occur when the capacity of the drainage system is exceeded after intense rainfall.

9.62. Development on land with a permeable surface, such as greenfield sites, should aim to achieve a rate of urban surface run-off equal to that before development (in terms of rate and peak of flows). Additionally, development of previously developed sites should seek to reduce the amount of surface water run-off. Sustainable drainage systems (SuDS) can help to achieve this by controlling surface water runoff as close to its origin as possible, before it enters a watercourse, through engineering solutions that replicate natural drainage processes. Techniques include:-

- ~~the infiltration of clean water through the ground where conditions permit (e.g. soils, porous pavement and car park surfaces);~~
- ~~the treatment of polluted runoff prior to discharge to water courses (e.g. swales and reedbeds);~~

- the control of the rate of runoff (e.g. soakaways, swales and filter strips of vegetated land); and
- environmental enhancements and features (e.g. public open space with water features and wildlife habitats);

Floodplains and Flood Risk

9.63. The strategic importance for flood relief and biodiversity of the River Soar and its floodplain is recognised in Regional Spatial Strategy for the East Midlands. Floodplains should not be built on as any development will be at risk of flooding and will also affect the flow of water and the capacity of the floodplain to store excess water. As a consequence, river levels could rise causing problems elsewhere. The Environment Agency would oppose inappropriate development in the floodplains. The extent of the floodplains along the River Soar and the Rothley, Melton, Saffron and Bushby Brooks are shown on the Proposals Map. The Environment Agency will take a precautionary approach to proposed development that may be at risk of flooding or affect the storage capacity of the floodplain along these watercourses.

9.64. The Council has undertaken a Strategic Flood Risk Assessment of the City. The Assessment defines the areas that would be flooded in a 1 in 100 year event (taking account of climate change) for the River Soar (south of Watermead Way) and the Melton, Saffron and Bushby Brooks. The information for the River Soar (north of Watermead Way) and the Rothley Brook is derived from Environment Agency flood risk maps and does not take account of climate change. Both of these areas are referred to as the 1 in 100 flood risk area throughout this section. The City Council will use the flood risk information to assess whether the Environment Agency need to be consulted on an individual application. Within these areas mitigation or compensation measures may be required to support developments.

BE19. FLOODPLAIN PROTECTION AND ENHANCEMENT

~~Within the area of Floodplain shown on the Proposals Map development that is likely to have an unacceptable impact, either directly or indirectly, on the natural functions of the floodplain or flood water retention areas will not be permitted.~~

~~Opportunities should be taken to restore the natural functions of floodplains wherever possible.~~

~~Any development alongside the City's watercourses will only be approved where there is adequate provision for access to allow for maintenance, future improvements or emergency work by the relevant authorities.~~

9.65. Floodplains are more able to perform their natural role if they remain undeveloped. In exceptional circumstances, however, a small sports changing pavilion in connection with the use of open space for recreational purposes may be acceptable. In such circumstances compensatory floodplain works should be implemented and ground levels should not be raised. Where development is immediately outside the 1 in 100 year flood risk area or within a defended area the finished floor level should be set at least 600mm above the 1 in 100 year flood level. New development can create opportunities to restore the natural functions of floodplains that have

been impeded by previous development. This has the added benefit of enhancing the strategic and local nature conservation value of the waterway network (see Policies GE02–05).

9.66. The Environment Agency normally requires that developments allow for adequate access to the banks of a main river such as the River Soar and Rothley Brook. This requirement may vary on non-main rivers depending on the nature of the watercourse and its environs.

BE20. FLOOD RISK

Developments that are likely to create flood risk onsite or elsewhere will only be permitted if adequate mitigation measures and/or appropriate flood defence works can be implemented to reduce the risk to an acceptable level.

9.67. Where a proposed development is at risk from flooding, or could create a risk of flooding elsewhere, a flood risk assessment must be submitted with the planning application. Paragraph 62 of PPG25 identifies the situations where flood risk issues are likely to require particular consideration such as sites within the 1 in 100 year flood risk area or in areas or sites adjacent to a watercourse. Whilst sites adjacent to the Grand Union Canal may not face the same flood-risk constraints as those next to the River and Brooks, the close proximity of the River Soar can mean that they are still influenced by the flood risk areas associated with the River. Early discussions with the City Council and the Environment Agency are recommended where a potential risk is identified. In such circumstances it is likely that a flood risk assessment will have to be carried out by the applicant. The assessment should reflect the scale and nature of the development and the risks involved and should be submitted with the planning application. The Council's Strategic Flood Risk Assessment will provide useful baseline information for local flood risk assessments. Guidance on the requirements for undertaking a flood risk assessment is provided in Appendix F of PPG25 and Appendix E of draft PPS25. The costs associated with necessary mitigation measures or flood defence works will normally have to be met by the developer.

9.68. The regeneration of the riverside environment is a key aim of the Local Plan and Leicester Regeneration Company's Masterplan. Two of the LRC intervention areas (see Policies PS07–PS08) and several Potential Development Areas (PDAs) (see Policies PS09 – PS09a) border the river and canal but do not fall within the floodplain. Existing flood defences have been successful in preventing flooding problems in the PDAs. However, with the possibility of extreme flood events becoming a more regular occurrence, it is important that potential applicants for development in these areas enter into discussions with the City Council and the Environment Agency during the early stages of the design process to discuss the potential need for and requirements of a flood risk assessment.

Noise

9.69. Unacceptable levels of noise can impact on the health and well-being of local communities or individuals. Certain land uses such as housing, schools, hospitals and open spaces enjoyed for quiet recreation are particularly sensitive to noise.

BE21. NOISE

Noise generating development will not be permitted if it is likely to affect unacceptably the amenities of people who live, work or are otherwise present, in the vicinity.

Noise sensitive development will not be permitted if its users would be affected unacceptably by noise from existing or proposed noise-generating land uses.

9.70. The effects of noise can be minimised through the appropriate location of development or through mitigation measures such as engineering solutions (insulation, source control), site layout and/or the limitation of operating times. Mitigation measures will help facilitate a greater mixing of land uses such as residential developments within the city centre. This would be achieved through the use of conditions (see Policy PS11). Further guidance on planning and noise is given in PPG24.

Outside Lighting

9.71. Outside lighting has a vital role to play within the City in terms of improving security, safety, enabling outdoor activities at night and enhancing the nocturnal appearance of buildings and other features. However, badly designed or poorly installed lighting can also create the undesirable side effect of light pollution through light trespass, glare or skyglow.

BE22. OUTSIDE LIGHTING

Planning permission for development that consists of, or includes, external lighting will be permitted where the City Council is satisfied that:

- a) the lighting is essential to the operation of the development, is necessary for personal safety or security or is an integral part of the aesthetic design of the development;
- b) light pollution is minimised through good design, orientation and location; and
- c) there will be no unreasonable impact on the historic environment, highway safety and areas in which dark skies are an important aspect of the nocturnal landscape.

9.72. The unwanted side effects of artificial outdoor lighting can very often be reduced or eliminated through good design, correct orientation and the imposition of curfew times. When designing lighting schemes, particular attention should be given to the impact of the lighting on the amenity of local residents (Policy PS11), historical features, dark landscapes (particularly in Green Wedges and the urban fringe) and the visibility of the night sky. Consideration also needs to be given to the visual impact of lighting structures and highway safety. Where background levels of lighting are already high (e.g. in the City Centre) the cumulative impact of a new scheme will usually be less severe than in areas of low background lighting (e.g. Green Wedges and the urban fringe). This policy will only apply where lighting is a material consideration of the development. It does not apply to advertisements. Applications for advertisement consent will be assessed against Policies BE13 to BE15.

9.73. Further advice is given in the publication produced by the Institution of Lighting Engineers, "Guidance Notes for the reduction of Light Pollution" (1994).

Waste

9.74. The businesses and residents of Leicester produce a significant amount of industrial and domestic waste every year. The City Council as Waste Planning Authority has prepared a Joint Waste Local Plan (Adopted September 2002) with Leicestershire County Council and Rutland County Council. It sets out detailed planning policies and guidance on all types of waste development in the Plan area between 1995 and 2006. The Plan emphasises the preference for waste minimisation, re-use and recycling but recognises that further landfill sites need to be identified. Two potential landfill sites have been identified outside the City boundary. All planning applications for waste related development will be assessed against the policies of the Waste Local Plan. Land at Sunningdale Road has been identified as suitable for a waste facility (see Policy E16). The City Council and Leicestershire County Council are preparing a Joint Waste Development Framework under the new system of local development frameworks.

9.75. It is important that developments are designed so that occupiers can fully participate in the City Council's recycling initiatives. The storage of wheelie bins and the design of recycling facilities in new development are dealt with in Policy UD07.

Contaminated Land

9.76. It is important to bring land which has been contaminated back into proper use to improve amenity and the environment and to make the maximum use of land within the City. The City Council will endeavour to give every reasonable assistance to developers who wish to make use of contaminated land subject to compliance with other policies in the plan:

BE23. CONTAMINATED LAND

~~Development on land that is, or may be contaminated will only be allowed where the City Council is satisfied that the risks caused by the contamination can be reasonably overcome:~~

~~Conditions will be attached and/or legal agreements sought to ensure that acceptable measures are implemented to overcome any related problems:~~

9.77. The City Council has carried out an extensive programme of investigation and remediation of sites in its ownership. Under Part IIA of the Environmental Protection Act 1990, the Council has been given the duty of preparing a Strategy for identifying, assessing and securing the remediation of all contaminated land within its area. The Council will make every effort to inform prospective developers of known hazards caused by these sites and to provide guidance. However, the responsibility for determining the existence, nature and extent of such risk lies with the developer. The planning authority may impose conditions on a developer to arrange

for a detailed survey of the site by a competent contractor and to devise and execute a scheme for the protection of the development. Land will have to be rendered fit for the purpose for which it is being developed.

9.78. It is possible for development sites to be affected by contaminated land adjacent to it. Leicester City Council holds, for public inspection, a map of landfill sites notifiable under Article 18(1)(w) of the General Development Order 1995. Under this Order, special scrutiny will be given to development proposals within 250 metres of a known gassing site.

9.79. Potential developers should note that under the Environmental Protection Act 1990, the operators of any contaminative activities on land will ultimately be responsible for cleaning up any contamination which they cause, in addition to any regulatory requirements. This should be taken into account at the planning stage of the development.

Telecommunications

9.80. Modern telecommunications have an important role to play in the economic development of the City by attracting businesses to the area and helping firms remain competitive. They can also reduce the need to travel by increasing people's ability to work and shop from home and improve personal safety and security.

BE24. TELECOMMUNICATIONS

~~Planning permission for telecommunications development will only be approved where:~~

- ~~a) the structure and any ancillary apparatus is designed, sited and landscaped to minimise its visual impact on the skyline~~
- ~~b) the City Council is satisfied that the proposed site is the least environmentally damaging, given the technological requirements of the installation; and~~
- ~~c) for new masts, all reasonable efforts have been made to secure the sharing of an existing mast or other structure or site; and,~~
- ~~d) its impact on highway users, especially pedestrians and cyclists, and on road safety is acceptable.~~

9.81. Government policy is to facilitate the growth of telecommunications whilst protecting the environment and local amenity from the effects of structures such as masts. The impact of new telecommunications development can be reduced through sensitive siting or the sharing of existing telecommunication masts with other operators. The revised Planning Policy Guidance note 8 and the 'Code of Best Practice on Mobile Phone Development' (ODPM, 2002) provide detailed advice on these and related matters. Certain telecommunication development enjoys 'permitted development' rights as defined in the amendment to Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (August 2001). However, some types of permitted development, such as ground based masts below 15 metres in height and public call boxes, are now subject to a 56 day prior approval procedure.



Chapter 10

Green Environment

Introduction

10.1. Government pressure for identification of development land in urban areas to minimise the loss of countryside can pose threats to the existing open space, habitats and landscape character of the City. However the debate over how to accommodate the projected increase in households has stressed the need to make urban areas more attractive and desirable for residential development. Crucial to this is the creation and retention of quality, accessible open space to provide for the recreational needs of residents.

10.2. In addition to opportunities for outdoor leisure and recreation, open spaces provide visual amenity, a structure for the City, a diversity of wildlife habitats and the links between these habitats extending beyond the urban area. The quality, complexity and accessibility of this green environment should not be compromised unless there are significant overriding needs and circumstances, which would result in an overall improvement to the quality of urban life.

Green Environment Aims

- To protect and improve the quality of the green environment throughout the City;
- To ensure effective protection, conservation and enhancement of the wildlife, landscape and natural features of the City; and
- To safeguard and create a variety of accessible public open spaces for active and passive leisure use.

10.3. Following the Plan Strategy, policies have a presumption against the loss of green space and environmental features to development. However they also give guidance on the exceptional circumstances, which might arise when open space could be considered for development. Central to this guidance is the need for thorough assessments of ecological and environmental quality and open space requirements for leisure use.

National and Regional Policy Context

10.4. The production of Local Nature Conservation strategies is a key action of the Government's guidance on planning for sustainable development. PPG9 on Biodiversity and Geological Conservation builds on the framework of statutory measures to safeguard the natural environment. It views the key to the conservation of wildlife as the protection of the habitat on which it depends. It also identifies the need to consider nature conservation generally and not just with regard to designated sites. "Biodiversity, the UK Action Plan" was published in 1994 following the signing of the Convention on Biological Diversity at the "Earth Summit" in Rio and was accepted by the Government in 1996.

10.5. PPG17 published in July 2002 stresses the importance of open spaces, sport and recreation provision in underpinning people's quality of life. Well designed and implemented policies for open space, sport and recreation are therefore fundamental to delivering the wider objectives of urban renaissance, promotion of social inclusion and community cohesion, improved health

and well being and promoting more sustainable development. The PPG and its companion guide on assessing needs and opportunities emphasises the need to establish the requirements of local communities by undertaking robust assessments of needs and opportunities. These assessments should then be used to set local standards which include quantitative, qualitative and accessibility elements.

10.6. Regional Spatial Strategy (RSS8) for the East Midlands emphasizes that development needs should be met within and adjoining urban areas but states that existing recreational open spaces should be protected from development and improved wherever possible. It sees local initiatives as the best focus for environmental protection and enhancement and these should be reflected in development plans.

Local Policy Context

10.7. Environment Policy 2 of the Leicestershire, Leicester and Rutland Structure Plan 2005 states that “important areas of open space and green linkages within built up areas will be identified, protected and enhanced”. Environment Policy 3 and 3A, set out detailed considerations relating to the promotion of natural biodiversity, protecting and conserving sites of ecological significance and protected species and their habitats and enhancing the wider ecological value of the environment. It requires Local Plans to identify the sites to be protected.

10.8. The Leicestershire and Rutland Wildlife Trust has published a local Biodiversity Action Plan: “Biodiversity Challenge: an Action Plan for Leicester, Leicestershire and Rutland” (1998). This identifies the local priorities for conserving habitats and species within Leicester and the two counties and has informed the nature conservation policies within the Structure Plan and this Local Plan. It recognises the importance of typically urban habitats, such as buildings and structures, bare ground and disused or abandoned land. Further information on the biodiversity of these habitats and others in Leicester is included in the Biodiversity Action Plan for Leicester (2006).

10.9. The River and Canal corridor has a key role in sustaining the biodiversity of Leicester and the wider area and providing a variety of accessible open space for the benefit of residents and visitors. The particular features of the riverside are the subject of policies for the Riverside Special Policy Areas (see policies SPA09 and SPA10).

10.10. Two EMAS targets directly affected by the policies of the Local Plan are the quality of the natural environment on council owned land and the quantity of open space on council owned land. There is a commitment that Council owned sites of highest ecological value will maintain the level of coverage that they did in 1999 and that in 2020 there should still be as much publicly accessible green open space as there was in 1994.

NATURE CONSERVATION POLICIES

10.11. Sites of Special Scientific Interest (SSSI) are afforded the highest level of protection to a site of natural interest outside statutory nature reserves. Sites may be designated by English Nature for their flora, fauna or geological features, and may be of local or national importance. Local Nature Reserves are designated by local authorities, under the National Parks and Access to the Countryside Act 1949.

GE01. SITES OF SPECIAL SCIENTIFIC INTEREST

Development will not be permitted if it adversely affects Sites of Special Scientific Interest unless an overriding national need for the development can be shown to outweigh the sites' ecological interest and there are no alternative sites available for that development.

10.12. Gypsy Lane Pit SSSI is shown on the Proposals Map. This policy also applies to development on adjacent land or off site, which could adversely affect the SSSI. Policy E13 sets out the site development requirements for the Gypsy Lane Brickworks, which includes measures to safeguard the SSSI.

Sites of Importance for Nature Conservation

10.13. The criteria for the selection of Sites of Importance for Nature Conservation (SINCs) are set out in the document "Guidelines for the selection of Sites of Importance for Nature Conservation" 1999 and included in the Supplementary Planning Guidance on Biodiversity. SINCs are defined as the major and most important reservoirs of rare, local and declining native species and the best examples of typical Leicester, Leicestershire and Rutland habitats. They may also be areas of ecological interest that provide people with the opportunity to learn about, appreciate and experience habitats and species of the natural world. This system of site evaluation replaces the Leicester Habitat Survey method of A and A* sites used in the previous Local Plan.

10.14. The Supplementary Planning Guidance on Biodiversity identifies the sites, describes their important ecological characteristics, explains how they meet the criteria for selection as a SINC and gives guidelines for the management needed in order to sustain their value for wildlife. In addition to the sites shown on the Biodiversity Proposals Map, other sites meeting these criteria may arise during the life of the Local Plan. Where the City Council perceives a significant impact on any Site of Importance for Nature Conservation, Local Nature Reserve or Regional Important Geological Site an Environmental Impact Assessment may be required. The Council will seek to establish additional Local Nature Reserves on areas of land, which have ecological or geological value.

GE02. SITES OF IMPORTANCE FOR NATURE CONSERVATION, LOCAL NATURE RESERVES AND REGIONALLY IMPORTANT GEOLOGICAL SITES

Development will not be permitted where it would adversely affect Sites of Importance for Nature Conservation, Local Nature Reserves and Regionally Important Geological Sites, unless an overriding national or local need of strategic importance can be shown to outweigh the ecological interest. In such exceptional cases planning conditions will be imposed to mitigate the impact of development on the ecological or geological features of the site.

Enhancing Biodiversity

10.15. Biodiversity Enhancement Sites are essential to ensure that the biodiversity of the City is sustained, enhanced and buffered from harm. They complement the Sites of Importance for Nature Conservation. Many are along wildlife corridors and form links between SINCs that would otherwise be vulnerable to ecological isolation. Biodiversity Enhancement Sites are not protected from development. Instead the City Council will seek opportunities through planning conditions to enhance the biodiversity of the sites or the adjacent green network. It is also acknowledged that there may be, in certain circumstances the potential through development proposals for appropriate mitigation and compensation measures.

10.16. Biodiversity Enhancement Sites meet one or more of the following criteria;

- sites that have nature conservation value at present but do not meet the criteria for selection as a SINC, but which have potential for improvement to that quality; or
- open land of little existing wildlife value but which has an important place in a wildlife corridor and green network; or
- built or derelict land of little existing wildlife value but occupying an important position in the wildlife corridor and green network.

10.17. The rationale for identifying each Biodiversity Enhancement Site, together with recommendations for enhancement, is given in the Supplementary Guidance on Biodiversity. The sites are shown on the Biodiversity Proposals Map.

GE03. BIODIVERSITY ENHANCEMENT SITES

Development on a Biodiversity Enhancement Site will be permitted if the strategic nature conservation value is maintained or enhanced. Opportunities will be sought through the planning process to enhance the biodiversity of the site, of adjacent sites or of the green network to which it relates.

Protected Species

10.18. The presence of a protected species is a material consideration in the determination of a planning application. Whilst the nests, breeding sites, setts and roost sites of protected species are covered by legislation, their hunting, sheltering and foraging habitats may not be. This policy is intended to ensure that protected species are not left isolated within a development without any surrounding habitat to support them. A protected species is a species that is included, or meets the criteria for inclusion, in Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended), in the National or Local Red Data book or a species subject to a special Species Action Plan in the Leicester, Leicestershire and Rutland Biodiversity Action Plan.

10.19. Where any protected species are known or suspected to be present the City Council will require developers to carry out independent surveys of the species before a decision on the development can be made. The surveys should cover consultation with English Nature and the County Wildlife Trust, the status of the species, the size of the population, the habitats used by the species, the impact of the proposed development on the species and any proposed mitigation measures. English Nature will need to be consulted on all applications affecting a protected species prior to any decision being made.

10.20. Where any species listed in Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended), the National or Local Red Data Book or subject to a Species Action Plan are known to be present, the developer must demonstrate that measures to mitigate the impact of the development have been incorporated into the proposals.

GE04. PROTECTED SPECIES

~~Development will only be acceptable where it would not harm or damage the habitat on which a protected species relies, unless an overriding interest can be proven and there are no alternative solutions available. Where an overriding need for the development is demonstrated the City Council will impose conditions on the planning permission or enter into planning obligations to:~~

- ~~a) Facilitate the survival of individual members of species;~~
- ~~b) Reduce disturbance to a minimum;~~
- ~~c) Provide adequate alternative habitats to sustain at least the current levels of population of the species.~~

Wildlife Habitats

10.21. Some important wildlife habitats occur outside designated nature conservation sites, often in areas of low overall wildlife value such as arable land or close mown amenity grassland. They may be the only chance for some species to live in that area, so their protection and conservation is important for the biodiversity of the whole City. All of these habitats are identified in the local Biodiversity Action Plan as in priority need of conservation action.

GE05. WILDLIFE HABITATS

Planning permission will be given for development where the design and layout addresses the retention, incorporation, or promotion and management of the following habitats:-

- a) hedgerows of predominantly native or naturalised species, including associated features such as ditches, banks, walls and the adjacent herbaceous grass margin;
- b) mature trees;
- c) standing mature dead wood habitats;
- d) species-rich grassland;
- e) floodplain wetlands and other wetlands habitats; and
- f) woodlands and spinneys, including all associated vegetation and habitats features.

STRATEGIC GREEN NETWORK

10.22. Within the City there is a hierarchy of open spaces providing landscape features, wildlife habitat, accessible open space and areas for play, sport and informal leisure activity. These contribute to the artistic, cultural, educational, health and heritage values of the city. Together they form a network, which provides links and stepping-stones for people and wildlife from the urban area to the surrounding countryside.

Green Wedges

10.23. Green Wedges are defined by the Leicestershire, Leicester and Rutland Structure Plan Strategy Policies 6 and 7 and comprise extensive areas of a predominantly open/green character which penetrate towards the City Centre from the edge of Leicester. Their value lies as open space for leisure or recreational purposes, as agricultural land, as land of ecological significance and as land providing separation between existing settlements. The City Council will seek to protect and enhance Green Wedges and to improve non-vehicular access to them.

10.24. Green Wedges have been designated on the Proposals Map. Any development proposals within Green Wedges will be assessed within the provisions of policies GE06, GE07 and GE08.

GE06. PROTECTION OF GREEN WEDGES

Planning permission will not be granted for development which would:

- a) affect the predominantly open and undeveloped character of a green wedge;
or

- b) reduce the physical separation between existing settlements; or
- c) prejudice agricultural and forestry operations; or
- d) impair recreational and leisure access to and within green wedges.

10.25. Subject to the above, any approved development within a Green Wedge will be expected to serve the open space (i.e. a pavilion, sports pitch, farm building, agricultural holding). The scale and size of any development must take into account its location in a Green Wedge. Development which cannot justify a Green Wedge location will therefore be unacceptable. When redevelopment opportunities arise on previously developed land they will be assessed in terms of this policy. Redevelopment/conversion on a limited scale could be acceptable if it reflects the existing built form and where the function and character of the Green Wedge is not adversely affected. This policy also relates to uses and activities adjacent to the Green Wedge. To minimise the visual and environmental impact of development adjacent to Green Wedges a high quality of boundary and frontage treatment should be provided.

GE07. UNACCEPTABLE LAND USES IN GREEN WEDGES

~~Subject to the provisions of GE06, the following uses will not be acceptable in Green Wedges:~~

- ~~a) housing;~~
- ~~b) industry;~~
- ~~c) warehousing;~~
- ~~d) retail and commercial;~~
- ~~e) leisure complexes; which do not at least mainly presuppose the use of a significant area of associated open land in the form of playing fields or athletics track for participatory sporting activities;~~
- ~~f) offices;~~
- ~~g) parking (other than well landscaped facilities needed for existing or proposed open space uses);~~
- ~~h) hospitals;~~
- ~~i) educational establishments;~~
- ~~j) any structure over 5 metres in height; and~~
- ~~k) open storage of any materials or items.~~

10.26. Any car parking areas in or adjacent to Green Wedges will need to be carefully designed to minimise their impact. They will be expected to be screened, landscaped and appropriately surfaced.

10.27. Because of special permitted development rights for Telecommunications Development, the restriction on structures over 5 metres in height does not apply to them. In such cases, development which requires a planning application will be dealt with under the provisions of PPG8 (Telecommunications) and Policy BE24.

GE08. ACCEPTABLE LAND USES IN GREEN WEDGES

The following uses will be considered acceptable in Green Wedges, subject to the provisions of GE06 and provided that the operational requirements of any development do not harm the character of the Green Wedge:

- a) golf courses;
- b) sports pitches;
- c) nature and other open recreational areas including canals, rivers and other open water;
- d) burial grounds;
- e) agriculture;
- f) horticulture;
- g) allotments;
- h) forestry; and
- i) footpaths, cycleways and bridleways.

10.28. Where sites in Green Wedges are also Sites of Importance for Nature Conservation then intensification of uses by, for example, floodlighting, artificial surfaces or glass houses would not be acceptable. Proposals for dedicated public transport routes across Green Wedges will only be accepted in exceptional circumstances where there is no other alternative and noise attenuation measures are incorporated. The environmental impact of such schemes would have to be assessed carefully and appropriate mitigation and replacement measures agreed with the City Council in advance. They should not be regarded as setting a precedent for associated development or for similar development in other Green Wedges.

Green Space

10.29. Green Space comprises linear open space corridors, often with strong landscape features and often linked to Green Wedges and other areas of open space in the City, including parks, playing fields and allotments. The City Council will seek to protect, and enhance these areas and to improve access to them. It is important that the viability and separate identity of these areas is retained.

10.30. PPG 17 places great emphasis on the protection of all types of open space for sport and recreational activities. However, not all open space, sport and recreational land and buildings are of equal merit and some may be available for alternative uses. In determining whether green

space can be developed it should clearly be shown to be surplus to requirements through an assessment of need. For open space, “surplus to requirements” should include consideration of all functions that open space can perform. It will also be necessary to demonstrate that proposals are widely supported by the local community.

GE09. GREEN SPACE

Planning permission will not be granted for any development, which would endanger or encroach upon Green Space as shown on the Proposals Map unless:

- a) nature conservation and landscape value is protected in accordance with Policies GE02–GE05 and UD06; and
- b) such development would not in itself create an area of public open space deficiency as defined in paragraph 10.34; and
- c) a local assessment of need identifies the land as surplus to requirements.

In addition planning permission for any development on Green Space will only be granted where:

- d) it would service or improve the character of open space uses of the land and the green and open character of the area continues to dominate; or
- e) it involves the development of playing fields in accordance with Policies GE15, GE16 and GE17; or
- f) it involves the future of allotments in accordance with Policy GE19.

10.31. Green Spaces help to meet the leisure and recreation needs of the City’s residents. They are also of importance visually and ecologically. However a situation may arise where a site is required for a development for which an area of Green Space provides the only suitable location. The community benefit of the development would have to be carefully weighed against the irretrievable loss of open space.

10.32. Some areas of public open space have suffered from a decline in use due partly to a perceived lack of security. This in turn has led to vandalism and real threats to personal safety. In such exceptional cases partial development which retains public open space as the predominant land use and ensures that it is overlooked can reduce the opportunities for anti social behaviour and encourage greater use of the remaining space for leisure.

Open Space Deficiency

10.33. Although overall public open space provision within Leicester is reasonably satisfactory, its distribution is uneven and some parts of the City are clearly under-provided. Generally speaking the City is well served by larger parks, recreation grounds and public playing fields. However, it is deficient in local open spaces including play areas, small recreation grounds and sitting out

spaces, particularly within the Inner City area. An important consideration in addressing these deficiencies is the need to ensure that all Leicester's citizens enjoy reasonable access to open space and recreational opportunities by suitable, safe pedestrian routes and cycleways

10.34. Special care is necessary to preserve the opportunity of enjoying open green space within the City for all, especially disabled people, elderly people, children and those without access to a private car. Access to public open space can be limited not just by distance but by the dislocating effects of major transport routes. Map 06 shows those residential areas of the City which have a deficiency of public open space. In this instance an area is deficient in open space if it is more than 400 metres from an entrance to publicly accessible open space of at least 1 hectare, or if it is separated from such a facility by a major physical barrier such as a waterway, a railway line or a main road without an adequate crossing. Smaller open spaces with a particular quality or range of facilities have occasionally been included in the assessment of deficiency.

GE10. PUBLIC OPEN SPACE DEFICIENCY

~~In and immediately adjacent to areas of identified public open space deficiency; shown on Map 06, development (other than that needed for the maintenance or enhancement of open space) will not be permitted on areas of open space; which would increase the deficiency.~~

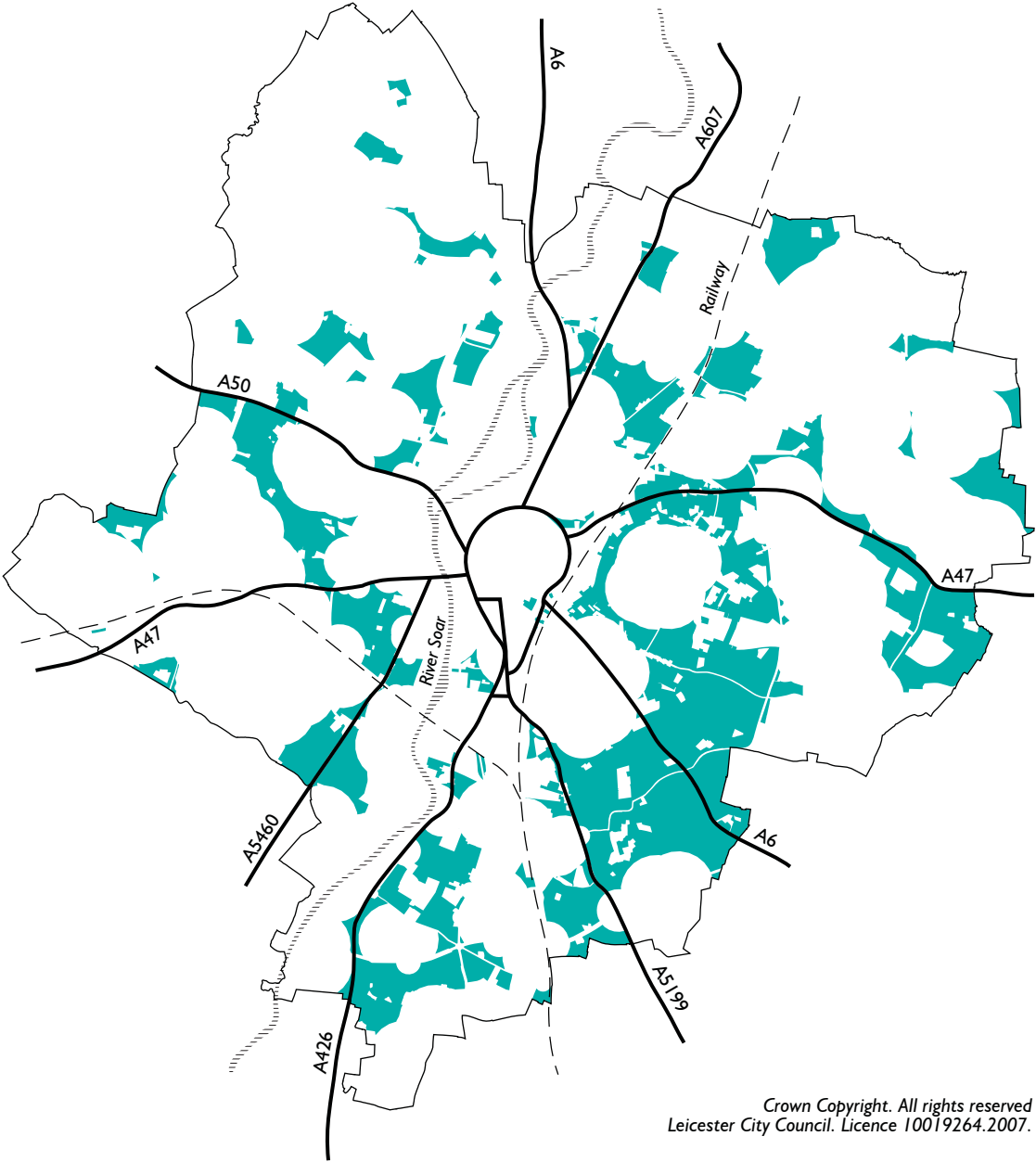
10.35. Any open space has the potential to be made available for public use and such opportunities should not be lost. However partial development of open space can allow for the creation of accessible and overlooked public open space as part of the proposal.

LAND USES IN THE STRATEGIC GREEN NETWORK



Parks, Recreation Grounds and Public Open Space

10.36. The importance of Parks, Recreation Grounds and Public Open Spaces lie in the complex role they play in the physical, social and mental well being of City residents, the quality of the urban environment, in generating civic pride and complementing inward investment and economic regeneration initiatives.

10.37. Public open space creation should be part of the process of neighbourhood renewal and urban regeneration. A key feature of the redevelopment funded by City Challenge was the new Bede Park, which provides leisure opportunities for residential areas which were deficient in public open space as well as new residents. The City Council will endeavour to assemble additional sites for public open space, which could include, if necessary, the use of compulsory purchase powers. Within the City Centre Regeneration area the creation of a new urban park is a high priority as part of the St. George's Residential and Working Community (see Policy PS06).



MAP 06. PUBLIC OPEN SPACE DEFICIENCY

-  City of Leicester Local Plan boundary
-  Areas deficient in public open space

10.38. Leicester is rich in historic parks and gardens of a variety of ages, sizes and types which have great value as part of Leicester's social history and local heritage. Most of these spaces are also of landscape interest and are open to the public. Abbey Park, Victoria Park, New Walk, Welford Road Cemetery, Saffron Hill Cemetery and Belgrave Hall Gardens are recognised by English Heritage by virtue of their listing in the Register of Historic Parks and Gardens of Special Historic Interest in England. There are also a number of historic parks and gardens which are not of sufficient national interest for inclusion in the Register but which nevertheless merit special protection because of their local interest. These are defined as Parks and Gardens of Historic Local Interest and will be listed in "The City of Leicester Building Conservation Directory".

~~GE11: PARKS AND GARDENS OF HISTORIC INTEREST~~

~~Planning permission will not be granted for development that harms the special historic character or detracts from the setting of Parks and Gardens of national and local interest.~~

10.39. Any development within historic parks and gardens must conserve and interpret the structural landscape, architectural and any other principal components that contribute to the area's special character and setting. However the Council will encourage the enhancement and/or restoration of the layout of historic parks and gardens where this is appropriate and is based on thorough historical research. An historic landscape appraisal report may be required where development affecting an historic park or garden, or its setting, is proposed.

Play Spaces

10.40. The opportunity for play is essential for children of all ages, of different social and cultural backgrounds, and different physical and intellectual abilities. The City Council recognises the National Playing Field Association's (NPFA) "Six Acre Standard" 1992 for outdoor playing space, as a desirable minimum and will endeavour, within the constraints imposed by a densely developed urban fabric, to work towards it. The NPFA standard for the minimum provision of children's play space is 0.6 - 0.8 hectares per 1000 population, comprising 0.2 - 0.3 hectares for equipped playgrounds and 0.4 - 0.5 hectares for other play space. Government guidance in PPG17 and its companion guide on assessing needs and opportunities for open space, sport and recreation emphasises the importance of setting local standards. Until a local assessment has been undertaken the City Council will continue to use the NPFA standards for new developments.

~~GE12: PROVISION OF CHILDREN'S PLAY AREAS~~

~~Developments which include 15 units of family housing or more should incorporate 0.8 ha. of children's play space per 1000 population, to include at least one Local Area for Play (LAP).~~

~~Developments of 50 units or more will be required to include at least one Local Equipped Area for Play (LEAP).~~

The location, siting and design of play spaces should:

- a) encourage a variety of forms of play to cater for the needs of children of different ages (as appropriate to the site), race, sex and ability;
- b) be fenced to make them secure against dogs;
- c) provide facilities and access suitable for carers with prams or push chairs;
- d) be overlooked by nearby properties; and
- e) cause no unacceptable harm to residential amenity.

For smaller developments of family housing the City Council will seek to negotiate a commuted sum towards the provision and/or enhancement of play space in a location accessible to the new development.

10.41. The requirement for on site provision relates to developments of 15 or more dwellings with two or more bedrooms, including flats. The provision of children's play spaces should be an integral part of residential layout, and their location, size and functions need to be considered from the beginning of the design process. For smaller developments and even some larger developments it may be preferable for the City Council to seek to negotiate a commuted sum towards new provision and/or enhancement of existing provision in a location accessible to the development. Developers are advised to seek guidance from the City Council on the particular play requirements of the development before designs are prepared, to ensure that the scheme is appropriate to meet the needs of that development.

10.42. The variety of types of playspace will depend on the size and type of development and identified local need. This will include the consideration of the level and quality of any existing provision and any requirements for flexibility given particular local circumstances and site characteristics. The needs of teenagers should be considered as part of the design to prevent inappropriate use of children's facilities. Account should be taken of the wider environment for children's play and play space should not be limited to designated equipped areas only. The location and range of equipment should meet the standards set by the NPFA and designs must meet the European Safety Standards 1998 (BSEN 1176 and 1177).

10.43. If development sites adjoin, it may be desirable that the play area requirements are pooled to secure better facilities. Where developers need to hand over play areas to the City Council, conditions or planning agreements will be used to secure provision. Commuted sums will be required to meet maintenance costs for a period of ten years.

Youth and Adult Outdoor Play Provision

10.44. The City Council recognises that the National Playing Fields Association standard of a minimum of 1.6 - 1.8 hectares per 1,000 population for youth and adult play is a desirable provision. Again the NPFA standards will continue to be used until a thorough local assessment of needs for open space, sport and recreation has been made. For development of less than

100 dwellings, or where outdoor play provision would prevent the creation of a high density development, or where existing playing field provision is already in excess of need, the City Council will seek a commensurate commuted sum towards the improvement of existing and accessible facilities.

~~GE13. PROVISION OF YOUTH AND ADULT OUTDOOR PLAYING SPACE~~

~~Residential development must make provision for youth and adult play. Where appropriate a minimum 1.6 ha. of play space per 1,000 population added should be included as part of the development.~~

~~Where the scale or nature of the development does not allow space for youth and adult play, the City Council will seek a commuted sum towards the provision or improvement of outdoor sporting and recreational facilities in an accessible location. Any provision will be directly related to the development proposed.~~

Protecting Play Areas

10.45. Children's play areas within residential areas which are not large enough to be designated as Green Space are usually shown within Primarily Residential Areas on the Proposals Map. This does not mean that they are available for residential development.

~~GE14. PROTECTION OF PLAY AREAS~~

~~Planning permission will not be granted for development of land laid out or reserved as a children's play area unless suitable alternative facilities are provided to an equal or better standard on a site which is equally accessible.~~

Playing Fields

10.46. Leicester has a wide range of parks and playing fields which are reasonably accessible from all areas of the city. In addition there are school and college playing fields and those provided by private sporting clubs or the voluntary and community sectors. Additional provision can be made by the dual use of school and college playing fields and by the multi-use of existing playing fields and artificial turf pitches.

10.47. The Leicester Playing Pitch Assessment (March 2001) sets out the future demand for facilities for football, rugby, cricket and hockey in the City. It was based on the National Playing Field Association standard of a minimum of 1.6 - 1.8 hectares per 1,000 population for youth and adult play. This has provided the basis for a subsequent County Wide Playing Pitch Assessment.

10.48. Sport England is a statutory consultee for planning applications relating to playing fields and has established a set of criteria for the consideration of any proposal for development of playing fields. This is now supported by the government, in respect of land owned by a local authority or used by an educational institution, with the publication of Circular 9/98 and by the

requirements of the School Standards and Framework Act. Playing fields serve a dual purpose of providing space for leisure pursuits, not only organised sports, and as a green open space within an urban environment.

GE15. PLAYING FIELDS

~~The City Council will only consider proposals for the development of all or any part of a playing field for other uses if:~~

- ~~a) the proposal would not result in a deficiency of playing fields and/or public open space provision or a deficiency in high quality pitches; or~~
- ~~b) the proposal is ancillary to the principal use of the site as a playing field; or~~
- ~~c) the proposal does not result in the loss or reduction in size of a playing pitch or the inability to make use of a playing pitch; or~~
- ~~d) the loss would be replaced by alternative provision of equivalent or greater community benefit, in terms of quantity or quality, and at least as accessible; or~~
- ~~e) sports and recreation facilities can be best retained and enhanced through the redevelopment of a small part of the site.~~

10.49. Policies of the Local Plan seek to protect Green Space and Green Wedges, which include playing fields, from inappropriate development. The ecological and landscape quality of the playing fields will be determining factors in the consideration of leisure/community developments and development should be in accordance with Policies GE06 to GE09. The City Council must also be assured that there would remain sufficient playing pitches of a quality to meet current and future needs. Alternatively the developer must make provision for facilities of comparable size and quality in a location which is at least as accessible as the existing facilities. Where a surplus of playing fields has been identified through an assessment, the need for public open space and other recreational uses will be considered first before planning permission is granted for some other form of development. It will also be necessary to establish local support for any development on open space. It is recognised that the catchment for some playing fields can be city-wide.

GE16. BLACKBIRD ROAD PLAYING FIELDS POLICY AREA

Development of the Blackbird Road Playing Fields Policy Area as shown on the Proposals Map should be in accordance with Policy H01. The City Council will require proposals to:

- a) be part of a comprehensive scheme for the whole site;
- b) provide for 5.9 hectares of open space of which a minimum of 3 hectares is publicly accessible and overlooked by development. The remaining open space will provide for additional sport and recreational facilities.

- c) incorporate pedestrian and cycle routes across the site to the adjoining school.
- d) address the demand for community uses in the area.

10.50. The playing fields are no longer required for educational use and are not currently available for public use. Policy H01(k) allocates 8 hectares of the site for residential development and the remaining 5.9 hectares are retained as Green Space. As the area to the south of the site is deficient in public open space the City Council wishes to see the provision of at least 3 hectares of public open space as the key feature of any development. The Playing Pitch Assessment 2001 has identified the lack of good quality pitches in the area and the area of open space should include the provision of playing pitches and appropriate facilities.

10.51. Currently there is a shortage of health facilities to serve the existing local community and this site provides an opportunity for the siting of such facilities. A contribution will be sought towards the provision of facilities to meet needs arising from the development, in accordance with Policy IMP01. This will include a contribution, within a Section 106 Agreement, towards the provision of additional places at the local primary and secondary schools. Site development guidance will be produced and will provide details of the developer contributions that will be sought.

GE17. POWERGEN LAND AT RAW DYKES ROAD AND AYLESTONE ROAD SPORTS GROUND

Residential, employment and outdoor sporting and leisure development will be acceptable within the Powergen Sports Ground Area, as shown on the Proposals Map. Development proposals must be part of a comprehensive scheme for the whole site, in which are included:

- a) an area of open space which can accommodate public open space and a range of sports and leisure facilities;
- b) design measures to ensure surveillance of the open space;
- c) the identification and retention of any areas of archaeological importance;
- d) design measures which take account of the potential adverse impact of any existing industrial uses;
- e) the retention and use of the pavilion; and
- f) the retention of trees bordering the site alongside Aylestone Road.

10.52. This private sports ground adjoins an area that is deficient in public open space. The planned residential development on Bede Island South and the old football ground on Filbert Street will place an even greater demand on the existing facilities. Limited development of the site would facilitate improvements to and public use of this open space resource.

10.53. The City Council will prepare site development guidance for the site, which will indicate appropriate uses, constraints and site features that need to be incorporated into any comprehensive development scheme for the site to ensure the retention of open space. Arrangements to accommodate the needs of any sports club currently using the site will be a key requirement of any proposals. Due to the historic importance and quality of the cricket ground the pavilion and pitch should be retained. It will provide changing and club facilities and other community uses.

AYLESTONE POLICY AREA

10.54. The land off Soar Valley Way/Lutterworth Road, Aylestone was allocated for housing development in the City of Leicester Local Plan 1994. In his report following the Public Inquiry into this Local Plan, the Inspector acknowledged that the housing allocation was relevant but he did not make any specific recommendation for the future use of the site. The options for the development of this land depend on further investigation into highway access arrangements following the abandonment of the Park and Ride proposal. At this stage, the Council designates the site as the Aylestone Policy Area. It will consider the detailed options for this land as part of the new Local Development Framework for the City. Previous planning decisions and conditions in respect of this site will be taken into account and any scheme will be expected to include suitable pedestrian and cycle links with the Great Central Way.

GE18. AYLESTONE POLICY AREA

Within the Aylestone Policy Area as shown on the Proposals Map any future development proposals should form part of a comprehensive scheme for the whole site and include satisfactory highway access.

Allotments

10.55. Allotments form a valuable part of Leicester's strategic green network as well as playing an important recreational, social, health and educational role. The decline in allotment use was highlighted by a Commons Select Committee report "The Future of Allotments" in 1998. The government has since made a commitment to ensure that local authorities have actively promoted their allotments before giving consent for disposal under Section 8 of the Allotment Act 1925. The Local Agenda 21 Action Plan seeks to increase allotment use and the City Council is following guidance on best practice in the management of allotments to achieve this aim. Operational allotments in the City are listed in Appendix 03.

10.56. A Review of Allotments was conducted by the City Council in 1999 and consultation with allotment society representatives and users took place in 2000, prior to the preparation of an Allotment Strategy. The Review showed that Leicester has a high level of allotment provision per head of population compared with the national average, although there are areas of the City without adequate allotment provision. It identified non-operational allotments and

allotments which have suffered from long standing vacancies and other problems and which have the potential for total or partial alternative uses including public open space. As a result the following sites have been identified and are shown on the Proposals Map as areas for development. Site development guidance will be prepared for these sites showing the most suitable form of development:

Allotments totally allocated for development:

- 1.4 hectares at Barkby Road Allotments allocated for employment use (Policy E01);
- 0.3 hectares at Aikman Avenue Allotments allocated for residential development (Policy H01) Allotments allocated for partial development;
- 2.5 hectares of the former St. Mary's Allotments allocated for housing (Policy H01), dependent on the remaining area being developed for public open space as part of a comprehensive scheme;
- 1.16 hectares of Uxbridge Road Allotments allocated for employment use (Policy E01);
- 3.0 hectares of Whittier Road Allotments allocated for residential use (Policy H01). The Proposals Map does not show a specific site for this allocation because the proposed layout of the development has not been finalised; and
- 2.0 hectares of Wycombe Road Allotments allocated for residential development (Policy H01).

In addition, the allotments at Laburnham Road, Groby Road and Harrison Road have significant areas of under-use and may be able to accommodate some development.

Abbey Park Road Allotments are included in the Abbey Meadows Intervention Area, to support the regeneration of the area around the National Space Centre.

GE19. ALLOTMENTS

Planning permission will not be granted for development which would result in the loss of allotments unless:

- a) there has been significant and long standing under occupancy of the site despite efforts to secure tenants;
- b) the nature conservation and landscape value of the site is protected or enhanced;
- c) there is adequate alternative allotment provision in a nearby accessible location to cater for long term future need.

10.57. The City Council considers that the scope for consolidation of allotments, the location of vacant plots and the environmental quality of the site are a more appropriate indication of potential for alternative use than a specific vacancy level, although the figure of 40% vacancy will be used as a guide. Allotments, particularly those disused or with low occupancy, are an important element in the bio-diversity of the City. Therefore the particular ecological features

will influence plans for alternative uses on the site. Nature conservation and landscape features will be protected in accordance with policies GE02 - GE05 and UD06. Conversion of allotments to public open space allows the flexibility to cater for any future changes in demand and provides an opportunity to reduce open space deficiency. The need for public open space and other recreational uses will be considered first before planning permission is granted for some other form of development.

10.58. The future provision of allotments to serve the developments of Ashton Green and Hamilton or areas where existing provision becomes inadequate will be considered if a suitable location becomes available.

GE20. ST. MARY'S POLICY AREA

Development of the St Mary's Policy Area as shown on the Proposals Map should be in accordance with Policy H01. The City Council will require proposals to:

- a) be part of a comprehensive scheme for the whole site;
- b) include 2.5 hectares of the site for housing (H01);
- c) develop the remaining area for public open space, and
- d) ensure that the nature and landscape value of the site is protected.

10.59. The St Mary's Policy Area is the site of the former St Mary's Allotments. The existing residential area to the south of the site is deficient in public open space. At the Local Public Inquiry into the previous Local Plan the Inspector recommended that housing development on approximately a third of the land would facilitate enhancement of publicly accessible open space for enjoyment by local residents. Policy H01 allocates 2.5 hectares of the site for residential development. The remaining area of the site will be developed for public open space as part of a comprehensive scheme. Public open space that is provided needs to be accessible to existing residents. Development should facilitate and encourage pedestrian and cycle movements to and within and through the site. The whole area is identified as a Biodiversity Enhancement Site, where development can provide opportunities to enhance biodiversity. In addition it is important that security is taken into account in the provision of the public open space.



Chapter 11

Community and Leisure Facilities

Introduction

11.1. A wide range of Community and Leisure facilities are an essential element in the life and vitality of the City. Their provision is one of the key aims supporting the social and economic fabric of communities and seeking to attain a sustainable City where health, well being and quality of life are enjoyed by all.

11.2. This chapter relates mainly to the land uses defined by Classes D1 and D2 of the Use Classes Order. Class D1 covers the broad category of 'non-residential' institutions, including day nurseries, education and health facilities, places of worship, libraries, museums and public halls. Class D2 covers uses under the category 'Assembly and Leisure' including cinemas, concert halls, sports halls and other leisure uses such as casinos and bingo halls. In addition the policies relate to theatres and there is a policy on the location of hotels (Class C1) and on noisy sports.

11.3. Policies relating to facilities which contribute to the Strategic Green Network of the City, such as playing fields and allotments, are included in Chapter Ten.

Community and Leisure Aims

11.4. The aims of the Plan are to:

- improve and enhance the range of community and leisure facilities and attractions to meet the needs of City residents and visitors;
- safeguard and make best use of existing facilities, and to overcome deficiencies in the provision of specific facilities; and
- seek facilities in accessible locations where they are needed.

11.5. The chapter sets out policies in two sections. Section one relates to the provision of facilities and allocation of sites, and section two contains policies on accessibility and location.

National Policy Context

11.6. PPS1 notes that Plan policies should address accessibility for all members of the community to health, education, leisure and community facilities, and take into account needs relating to religion and ethnic background. PPS12 requires local planning authorities to adopt an approach to plan making that delivers sustainable development objectives by addressing social, environmental and economic issues, and considers the needs and aspirations of communities.

11.7. PPS6 requires that a sequential approach be taken to the location of key town centre uses such as major leisure developments. This is supported by PPG13 which seeks to concentrate facilities in centres well served by public transport and a choice of other transport modes such as cycling and by foot. PPG17 covers the provision of mainstream and specialist sports facilities. It also requires local plans to take account of the recreational needs of tourists and to encourage the development of facilities that benefit visitors and residents.

Local Policy Context

11.8. The City Council plays a leading role in the provision of facilities, and enabling new needs to be met. There are also other agencies - statutory, public and private, voluntary and charitable which ensure a wide variety of opportunities for community and leisure activities in the City. In particular the Leicester Regeneration Company Masterplan addresses the provision of new cultural, community and tourism facilities to meet regeneration objectives. There is an ongoing need to improve facilities, widen the choice of activities to overcome localised deficiencies, and to encourage provision in appropriate locations. Whilst the majority of facilities cater primarily for the needs of local residents, some also serve the needs of people living outside the City. Major leisure and tourism attractions can draw visitors from the region and beyond.

11.9. Improving opportunities and accessibility to facilities is also one of the key sustainability aims of the Plan.

COMMUNITY AND LEISURE FACILITIES

11.10. Libraries, health facilities, and community halls should be provided at Ashton Green. Provision at Hamilton will serve the new population as well as the Humberstone and Thurnby Lodge areas which are deficient in sports facilities.

11.11. The City Council wishes to ensure that there is adequate provision of sites and buildings for community and leisure uses in the City. Although the Council may not directly provide new facilities, it will assist in finding sites for these facilities.

11.12. The Plan identifies sites on the Proposals Map for community use, and within Potential Development Areas in Policies PS09a and b where a range of mixed uses are encouraged, including the potential for community and leisure facilities.

~~CL01. PROTECTING COMMUNITY FACILITIES~~

~~Planning Permission for the change of use of buildings in Community use will only be granted where it can be demonstrated that there is no longer a need for the existing facility or that suitable replacement facilities can be identified.~~

11.13. For the purpose of this policy buildings in 'community use' include community centres, meeting halls and rooms, places of worship, education facilities (all uses under Class D1 of the Use Classes Order), but not other leisure and entertainment facilities (Class D2 uses)

Community and Leisure Facilities in New Developments

11.14. The Plan seeks to provide a range of sites and facilities. As highlighted in the Implementation chapter, it is increasingly difficult for the City Council to provide for the appropriate range of facilities, especially in new development. The Council as 'enabler' will, through partnerships, seek the necessary funding available in order to secure provision.

11.15. Where development adds to demand for social, community, leisure, indoor sport, education, health, or social care facilities, the Council in addition to requiring new provision may also seek improvement to existing facilities. New provision and the appropriate improvements will be sought through planning obligations. (See Policy IMP01).

CL02: COMMUNITY AND LEISURE FACILITIES WITHIN NEW HOUSING DEVELOPMENT

~~In the case of new housing development, the provision of a range of appropriate community and leisure facilities will be sought as part of the development, or by way of financial contribution.~~

~~Improvements or extensions to existing facilities may be sought as a result of new development.~~

Multi-Purpose Uses

11.16. The Council will seek to promote and maximise the potential for new and existing buildings to facilitate a range of suitable uses, and will investigate opportunities for multi-purpose use to ensure that communities are best served without duplication of effort. It is important that the widest possible use is made of buildings which can provide community and leisure facilities close to the areas where they are needed. This meets with a number of the sustainable objectives of the Plan, where best use of resources is achieved, accessibility to facilities is improved, and the need for travel is reduced. Schools and their grounds for example are frequently used for a variety of community and leisure activities.

Libraries

11.17. In addition to the allocation of a site for library facilities at Ashton Green Local Centre, the City Council is investigating opportunities in the City Centre for a single site for the Central Library which will provide a consolidated and improved library service. In order to maximise accessibility the new Central library should be located within the central shopping core. Appropriate uses will be sought for the three current Central library sites in accordance with the policies of the Plan.

Hospitals

11.18. The City's three acute services hospitals are the Leicester General, Infirmary, and Glenfield. The three sites are expected to be able to accommodate the long term provision of services in Leicester. The Council will expect expansion on the sites to provide adequate provision for transport needs. The City Council will require travel plans for each site as part of any future re-organisation. Outline planning consent has been granted for the redevelopment of the three hospital sites. The planning permission for the Glenfield Hospital Site sets out improvements to mitigate the impact of the additional traffic from the development and to

allow Public Transport priority and cycle crossings at appropriate locations. These include general improvements to cycleways, footways and Public Transport to achieve a modal split of no more than 80% of trips by private car and improvements to the Outer District Distributor Road at the Anstey Lane and Groby Road roundabouts and the Aikman Avenue junction. Some improvements will be outside the City Boundary on the A50 corridor but the City Council will work with the County Council to ensure that the improvements are provided in a way that does not impede the operation of the main roads during and after the construction of the new hospital developments.

Burial Grounds

11.19. This policy seeks to ensure that there is adequate provision to cover the needs of the City during the Plan period. Other sites suitable for use as burial grounds will be sought. There is also demand for a site for a crematorium to cater for the City's Asian population and the Council will evaluate the potential of sites for this use.

11.20. Additional space has been provided at Gilroes within the Anstey Lane Green Wedge, at Saffron Hill Cemetery, and at Belgrave on the allotments to the east of the existing cemetery. Policy CL04 sets out the proposals for the area adjoining the Belgrave Cemetery. The vehicular and pedestrian access to the extension to the Saffron Hill Cemetery will be from Stonesby Avenue via the existing cemetery. The access from Dorset Avenue will be restricted to occasional use by maintenance vehicles only.

~~CL03. LAND ALLOCATED FOR CEMETERY USE~~

~~Land at Saffron Hill, Belgrave and Gilroes is allocated for cemetery extensions as shown on the Proposals Map.~~

~~In existing cemeteries and on land allocated for this use, planning permission will not be granted for other uses.~~

Tourism

11.21. Tourism plays an important part in the economic success and prosperity of Leicester. However most of the features which contribute to the enjoyment of visitors to Leicester are those which also serve the city residents. Theatres, museums, shops and restaurants and sporting events all add to the quality of life in the City. Visitors will also be encouraged by attractions which are particular features of the city such as the range of multi-cultural activities or its environmental credentials. Business tourism will depend on the scale and quality of conference facilities and hotel accommodation.

11.22. To maximise the potential benefit of the National Space Centre to the City a Tourism Development Action Zone has been proposed as a focus for visitor development initiatives. There is a need for a venue to support and expand the facilities on offer at De Montfort Hall and Leicester's profile could be further enhanced by the development of an arena. The potential of the Riverside as an attraction for tourism is recognised in Policy SPA09.

11.23. There is scope on land at the Red Hill Allotment site to accommodate a small leisure attraction, building on the close proximity of the Great Central (Steam) Railway. However careful attention will need to be given to the ecological importance of the area and its location within a Green Wedge.

~~CL04. REDHILL POLICY AREA~~

~~Planning permission will not be granted for development of the Redhill Policy Area, as shown on the Proposals Map, which would diminish the green and open character of the Green Wedge, other than for the provision of small scale tourism and leisure facilities associated with the Great Central Steam Railway. The nature conservation value of the area will be a key factor in the consideration of development proposals.~~

11.24. This area is within the Thurgate Green Wedge and has a range of potential land use opportunities. A major part of the site has been identified as a Site of Importance for Nature Conservation whilst the remainder is a Biodiversity Enhancement Site (see Policies GE02 and GE03). It includes the terminus of the Great Central Steam Railway where the City Council would welcome small scale leisure facilities to enhance the attractiveness of the railway as a tourist attraction. The Redhill Allotments are identified in the Allotments Strategy as requiring de-commissioning and designating for alternate uses. Part of the former allotment site is designated as an extension to the Belgrave Cemetery. Development should be in accordance with the provisions of policy GE06.

EDUCATION FACILITIES

11.25. The City Council has been successful in securing funding from the DfES to deliver a £236 million programme for rebuilding and refurbishment of 15 secondary schools in the City. The 'Building Schools for the Future' (BSF) programme will be delivered in four phases during the period 2006 to 2012. This major improvement programme will transform secondary education provision in the City.

~~CL05. PRIMARY SCHOOLS~~

~~Land is allocated for the provision of primary schools in the following locations as shown on the Proposals Map:~~

- ~~a) — Quakesick Valley, Hamilton;~~
- ~~b) — Ashton Green (2 sites); and~~
- ~~c) — Tilling Road (Beaumont Leys).~~

11.26. The Council needs to provide additional primary schools at Hamilton and Ashton Green to cater for population growth in these areas during the Plan period. The Council will expect provision or contribution from developers which may be the subject of a Planning Obligation. Policies CL02 and IMP01 set out the requirements for facilities and developer contributions.

The Universities

11.27. The City Council recognises the contribution of the De Montfort and Leicester Universities to the educational, social and economic needs of the City. 'University Areas of Influence' have been allocated on the Proposals Map which enhance the potential of both Universities to expand or extend their facilities, which by locating within the area of influence would be beneficial to the respective activities of the Universities. These activities include the development of research related technology. The 'Areas of Influence' for both Universities have been expanded from those shown in the previous Plan.

11.28. Leicester University has produced a 'Development Plan' which seeks to expand and enhance the accommodation at the existing campus site. De Montfort University has produced a 'Masterplan' which incorporates the principles of regeneration and public realm improvements, linkages with the City Centre, and enhanced facilities for students.

11.29. The City Council will expect the appropriate levels of student housing to be provided in line with the expansion programmes of the Universities. Existing student housing will be expected to be retained or replaced. Paragraphs 6.33 - 6.35, and Policy H08 set out the Plan's policy on student housing. The Council will resist proposals which affect the special character of the New Walk and Castle Gardens Conservation Areas.

11.30. The City Council recognises the provision of private sector accommodation in meeting the Universities' needs for student housing. There is a need to ensure that there are adequate management measures in place which can reduce the impact of student activity in houses let to students in Primarily Residential Areas.

~~CL06. DE MONTFORT UNIVERSITY:~~

~~Within the area defined on the Proposals Map as the De Montfort University Area of Influence, proposals for development relating to or complementary to the activities of the University including facilities for research and technology transfer that are related to the University will be permitted taking into account other relevant policies of the Plan. In considering such proposals the development needs of the University will be an important consideration to be taken into account.~~

~~Development which leads to the net loss of student housing or prejudices the special character of the Castle Gardens Conservation Area will not be allowed.~~

11.31. The University has been undergoing a major programme of change during the last Plan period with the objective of consolidating academic and support functions. The closure of the former Scraptoft Campus, has presented the opportunity to establish a well defined and identifiable City centre campus. The De Montfort University Masterplan, which is complementary to the Leicester Regeneration Company Masterplan, and is covered by the Old Town (West) Area Strategy Guidance (2000) will seek improvements to the physical and visual environment, and to links with the City Centre. The University also acknowledges the importance of having an integrated transport strategy.

11.32. The majority of land located within the campus is owned by the University. There are a number of buildings which are, or will be, functionally obsolete during the Plan period, and comprehensive redevelopment or refurbishment of these properties may be required.

~~CL07: UNIVERSITY OF LEICESTER~~

~~Within the area defined on the Proposals Map as the University of Leicester Area of Influence, proposals for development relating to or complementary to the activities of the University including facilities for research and technology transfer that are related to the University will be permitted taking into account other relevant policies of the Plan. In considering such proposals the development needs of the University will be an important consideration to be taken into account.~~

~~Development which leads to the net loss of student housing or prejudices the special character of the New Walk Conservation Area will not be allowed.~~

11.33. The University would like to consolidate and expand its facilities on the current site, and has taken opportunities to seek to develop sites such as the Lancaster Road allotments for an extension to the medical school. The University has close links with the National Space Centre and there may be need to develop related teaching and research facilities. The University of Leicester Development Plan proposes a series of academic 'quarters' which will enhance the potential of the existing available space within the campus. The Plan will develop a transport strategy which encourages public transport and reduces car usage.

11.34. The majority of land located within the campus is owned by the University. There are a number of buildings which are, or will be, functionally obsolete during the Plan period, and comprehensive redevelopment or refurbishment of these properties may be required.

LOCATION AND ACCESSIBILITY OF COMMUNITY AND LEISURE FACILITIES

11.35. The City Council will promote and encourage the provision of community, social, leisure and sports facilities in locations where they are accessible to and meet the needs of people in the City. These facilities can range from small places like meeting rooms, local community halls, indoor sports facilities and larger places of worship, up to major sports and entertainment venues.

11.36. Facilities should be accessible to the people who want to use them either by foot, or cycle, and in the case of larger traffic generating facilities, near public transport route nodes and interchanges. Some facilities such as meeting halls, places of worship and specific localised educational needs have both a local and wider catchment areas, but need to be located closer to their particular communities. Others such as indoor sports facilities, larger multi-purpose community buildings, specialist leisure uses, and multi-purpose education facilities may generate travel across the City and in the case of sports venues, cinemas or theatres will have a sub-regional catchment. The location of medical facilities and clinics is covered by Policy CL10.

Development of Major Facilities

11.37. Key city centre uses should be located in the City Centre in accordance with Policy SPA05. However schemes with a catchment area that is less than citywide may be more suited to town or district centres. Policies SPA05 for the City Centre, SPA08 - the two Town Centre Zones, and PS09 a & b relating to Potential Development Areas identify preferred locations for major leisure and community uses. Planning applications for the development of major sports, leisure and entertainment facilities will be subject to a sequential test in accordance with the provisions of PPS6. In applying the sequential approach to major community and leisure proposals the City Council will take into account the specific catchment area of the proposal, its scale of use, levels of activity and other policies of the Plan.

11.38. Major spectator sports facilities are those with 1,500 seats or more. Major higher and further education facilities are those with a gross floorspace exceeding 2,500m². This category also includes cinemas and other Class D2 uses over 1,000m². These are all considered to be Key City and Town Centre Uses where the sequential approach would apply. The category also includes community uses which serve a city or town wide catchment area such as central lending libraries.

Local Community Facilities

11.39. There is continuing demand for localised facilities to meet the needs of a variety of groups in all parts of the City. Groups will require different types of buildings according to their needs in terms of the location, size and accessibility. Uses which serve local communities should be located within the catchment area, normally within a local or district centre. The Council will give special regard to proposals which seek to meet an important unmet demand and which would provide a significant community benefit.

~~CL08: DEVELOPMENT OF COMMUNITY, LEISURE AND ENTERTAINMENT FACILITIES~~

~~Community, education, sports, and leisure facilities should be located where they are accessible by a choice of means of transport.~~

~~Planning permission for the development of these facilities (including conversion and changes of use) or for the extension of existing buildings will be granted provided that:~~

- ~~a) the scale and range of activities and the impact of the peaks of demand in terms of numbers of visitors do not cause an unacceptable level of disturbance to occupiers of nearby properties in accordance with the provisions of Policy PS10;~~
- ~~b) the flow of traffic, and amount of car parking would not have an unacceptable impact through traffic congestion or be a hazard to road safety.~~

11.40. The appropriate parking provision for any development will need to take into account the location and size of the proposal. Some buildings by nature of their location close to or in residential areas, although suitable in meeting a need, may not be able to meet the required parking provision. In considering planning applications, the Council will assess the levels of activity that are appropriate to specific locations in order to avoid over intensification.

11.41. Whilst recognising their important contribution to the overall level of recreation provision, the City Council is anxious to ensure that private sports clubs, leisure centres and neighbourhood centres do not cause increased disturbance to people living nearby. This is especially important following the trend of sports clubs to cater for social functions by staying open until late at night.

Places of Worship

11.42. The City Council has a long tradition of seeking to accommodate Places of Worship which cater for the various religions in the City. The diversity of the population of Leicester has led to an increase in the number and range of buildings needed for worship and associated activities. Places of Worship are often at the centre of the activities of different communities and groups, and cater for a variety of functions to meet different demands. Some groups will meet only to pray, some also seek to provide religious education, while others offer extensive social, welfare, educational and cultural activities in addition to worship.

11.43. Groups have sought to provide these functions where appropriate, within a single site or building, or have split them on different sites. For example a group may conduct its religious functions at the Place of Worship, and then hire school halls or other larger buildings to accommodate activities with large gatherings such as wedding celebrations or special events. There is therefore a need to provide for separate meeting places offering a wide variety of facilities.

11.44. The City Council recognises that Places of Worship need to be close to or within the catchment area of their respective communities in order to facilitate easy accessibility or to meet specific religious needs. Many places of worship are located within residential areas in the inner areas of Leicester. Proposals for extensions to existing places of worship will be examined closely to take account of the needs of the group and to seek to accommodate the provision of the facility close to its users. However as communities grow, along with demand for larger multi-purpose facilities, there has been a trend for larger multi-purpose buildings being sought away from residential areas.

11.45. In considering proposals for Places of Worship, the Council will take account of the scale of activities for which the place of worship is likely to be used, and the nature of the area around it. It will be especially difficult to grant planning permission where the proposal shares a party wall with a residential house or flat.

11.46. Within the provisions of Policy CL08, the Council will take into account that major places of worship and associated community facilities (more than 1,000m²) may not be readily accessible or be able to accommodate the needs of their communities in locations away from their catchment areas such as within the City and Town Centres. Consideration of proposals

for these facilities will take account of the suitability of the proposed site in respect of other policies of the Plan, the scale of use, and levels of activity. A range of measures may be required to minimise the impact of the proposal. Development of these facilities in employment areas will be subject to Policy E03.

Retention of Places of Worship

11.47. The City Council will seek to retain existing Places of Worship in order to ensure provision for a variety of religious groups. Existing Places of Worship should be preserved where possible. The City Council will have regard to the needs of groups vacating premises, and will consider the viability of the property for use by other religious groups, including whether the building is unsuitable for continued use as a Place of Worship because of its relationship with adjacent property, its parking provision, or where there is likely to be an unacceptable intensification in the scale of the use.

Allocation of Sites for Places of Worship

11.48. There is demand for sites and buildings for Places of Worship and the need to accommodate Places of Worship of different sizes. Where possible consideration will be given to provision in new housing areas.

CL09: PROVISION FOR PLACES OF WORSHIP

~~Appropriate provision for Places of Worship will be sought within District Centres, Potential Development Areas as identified in Policies PS09, PS09a & PS09b, and other areas offering redevelopment opportunities in order to meet future demand which reflects the number and diversity of religious groups.~~

Health Centres, Surgeries and Clinics

11.49. It is important that health facilities are easily accessible to those who need them through a choice of means of transport. Clinics, surgeries and other “primary” health and social care facilities will normally only be allowed to locate in or near to shopping centres. It may be necessary however for small scale practitioner clinics and surgeries to be located within residential areas where it is not possible to provide them elsewhere. Where possible provision should be made in self contained or detached property which retains living accommodation.

11.50. The local Primary Care Trusts are seeking to implement the Department of Health ‘LIFT’ (Local Improvement Finance Trust) schemes which will provide better health and social care in the City. The Leicester LIFT Plan includes the development of:

- Health and Social Care centres for a neighbourhood of around 50,000 people including accommodation for doctors, community nurses and other health and social care staff to deliver a high level of local care which may have previously required a visit out of the neighbourhood, for example to hospital.

- Primary Care Service Centres also providing a comprehensive range of primary care facilities
- Primary Care practices to improve the environment in which family doctor services are provided.

11.51. The LIFT programme proposes that all premises are purpose built, or where this is not possible, that high quality conversions take place. Health and Social Care facilities will be of a large scale and suitable sites should be sought firstly within the district centres and larger local centres. Where this is not possible, they should be in locations near to existing centres which allow high levels of accessibility, where the need to travel is minimised, are easily accessible by public transport, and are a natural focus for the local catchment.

~~CL10. LOCATION OF HEALTH CENTRES, CLINICS AND SURGERIES~~

~~Health and social care facilities, and other health centres, should be located within shopping centres. Where a location within the shopping centre is not possible, they should be located on sites close to existing centres which are a natural focus for the local catchment and are easily accessible by a choice of means transport.~~

~~Smaller clinics and surgeries should be located within shopping centres. Where a site or premises is not available in a shopping centre, and there is a proven need to locate within a Primarily Residential Area, planning permission for the conversion of part or all of a dwelling for a clinic or surgery will be granted where the use would not give rise to an unacceptable level of disturbance to nearby residents, especially during the evenings and weekends, due to noise or vehicular and pedestrian activity.~~

Noisy Sports

11.52. There is increasing interest in a number of sporting and leisure activities which produce large volumes of noise and nuisance. These include all types of gun and pistol shooting, motorcycle sports, go-karting, model aeronautics, microlight aircraft flying, power boating, water skiing and jet skiing. These are not generally considered suitable land uses within a densely developed urban area although provision has been made for motorcycle sports on land adjacent to the Outdoor Pursuits Centre on Loughborough Road. The development of purpose built indoor facilities for noisy sports would be considered separately and judged against the criteria set out in Policy CL08. This policy does not relate to issues of noise from spectators or ancillary entertainment facilities.

~~CL11. PROPOSALS FOR DEVELOPMENT OF NOISY SPORTS~~

~~Planning permission will not be granted for the use of land, air or water for motorised and gun-based sports, which would be unacceptably detrimental to the character of the area or the amenities of those who might be affected, by reason of noise.~~

Childcare

11.53. The City Council fully acknowledges the importance of day care provision for children under school age. It is also aware of the need to provide care for older children after school and during the school holidays. In addition to the following policy, guidance on planning considerations are included in the City Council document “Planning Policies for Day Nurseries 1995”.

11.54. In residential areas concern over the number of cars setting down children may require restrictions on the size of the nursery. This may apply particularly to sessional care when children will be entering or leaving the building at approximately the same time. Ideally buildings should be detached, otherwise activity rooms will be limited to the ground floor and should not abut habitable rooms of adjoining residential premises. Depending on the particular circumstances of the application the City Council may wish to see the building retain an element of residential use.

11.55. Where it is intended to receive more than 15 children, planning consent may restrict the area which can be used as a nursery. Outside play areas should be situated to produce as little noise disturbance as possible and restrictions placed on the number of children playing outside at any one time. Restrictions may also be applied to the hours and days of opening to ensure that the activities take place within a normal working day.

CL12. CHILDCARE FACILITIES

~~Planning permission will be granted for the establishment of day care facilities for pre-school children and after school and holiday care facilities for school children provided that:~~

- ~~a) the activities would not cause an unacceptable level of disturbance to people living nearby;~~
- ~~b) traffic and car parking generated by the development would not have an unacceptable impact or be a hazard to road safety; and~~
- ~~c) the development and its environs enable a satisfactory standard of day care facilities.~~



Chapter 12

Implementation

Introduction

12.1. This chapter of the Plan sets out:

- the resource framework within which the Plan will operate;
- the framework for enabling and securing development;
- requirements for developer contributions and planning obligations;
- methods of monitoring and enforcement of policies; and
- the production of supplementary planning documents.

Resources

12.2. The primary functions of the Local Plan relate to initiating and co-ordinating the development and use of land in the City. The implementation of policies and proposals will allow the Plan's aims and objectives to be achieved. In formulating the proposals in the Plan, the Council has had regard to the needs and aspirations of the local population, and will continue to take these into account when implementing, monitoring, and reviewing the Plan.

12.3. Whilst the majority of policies and proposals can be implemented by the control and guidance of development, some will have direct resource implications and will rely on the availability of these resources to facilitate and secure proper forms of development. In implementing these proposals the Council must give consideration to the availability of resources - both public and private.

12.4. Although the Plan will be used as a basis for guiding investment decisions of the public and private sector, the Plan itself does not commit or programme any financial resources. Indeed with the current financial restraints in the public sector, the achievement of the Plan's objectives will rely heavily on appropriate private sector investment. Implementation will therefore depend on the rate of investment and availability of resources, and these will be determined partly by economic factors which cannot be predicted and are beyond the control of the Council.

12.5. The Council can however fulfil the pivotal role of the 'enabler', contributing its own resources, and creating conditions where proposals can be brought to fruition, and the objectives of the Plan realised. Work with key partners such as the Leicester Regeneration Company can add impetus to this process and enable joint ventures such as regeneration schemes to be undertaken which tackle the comprehensive development of an area. The Council may also initiate Compulsory Purchase Orders in order to alleviate constraints on development potential.

Enabling and Securing Development

12.6. The Council recognises that in making decisions to allocate land or to determine planning applications it will need to take account of all material considerations including the provision of infrastructure necessary to support development, and the reasonable need for amenities and facilities arising as a direct result of the development. In light of the resource framework highlighted above the Council and service providers have found it increasingly difficult to provide infrastructure and amenities for new development.

12.7. It is the Council's view that developers and landowners should make the necessary and appropriate provision for infrastructure, services and amenities, including community facilities where the need for these arises as a direct result of the proposed development.

12.8. Provision of satisfactory infrastructure is essential to the proper implementation of the Plan's policies and proposals. The timing of its implementation may impact on the rate and phasing of development. Development of land often increases the burden on existing infrastructure which has insufficient capacity to enable significant developments to proceed and can also worsen conditions for other users of the infrastructure and services. Thus developers may be reasonably expected to pay for or contribute to the cost of infrastructure which would not have been necessary but for their development.

12.9. Developers may therefore be requested to submit information and assessments to assist the Council in determining what infrastructure should be provided and the phasing of the provision. PPS12 – 'Local Development Frameworks' highlights the importance of infrastructure provision and its linkages to development.

Developer Contributions and Planning Obligations

12.10. The current arrangements for planning agreements with developers are set out under S106 of the Town and Country Planning Act 1990 (as substituted by the Planning and Compensation Act 1991). Sections 46 and 47 of the Planning and Compulsory Purchase Act 2004 give the Secretary of State the power to make regulations to replace S106. Circular 05/2005 on Planning Obligations sets out the Government's policy on the use of planning obligations.

12.11. Planning Obligations are a proper and recognised part of the planning system and can provide the means of reconciling the aims and interests of developers with the need to safeguard the environment or to meet the costs and needs arising as a result of the development. They enable developers to give undertakings to local authorities to agree that certain works are carried out in relation to a proposed development. The provision of facilities or contributions to enable their provision will be secured by means of a planning obligation negotiated with the developer.

12.12. In seeking to secure proper forms of development, the Council will therefore apply the following policy:

IMP01. PLANNING OBLIGATIONS

~~In the case of new development proposals planning obligations will be sought in order to secure from developers the necessary costs and provision of infrastructure, facilities and needs arising directly as a result of the development. Any provision will relate to the scale and nature of the development.~~

12.13. The list in Appendix 04 indicates examples of appropriate provisions and measures which could be sought through entering into planning obligations with developers. The list is not exhaustive and where appropriate, items not on this list will be sought. Obligations will relate not only to the development proposed, but also to the provisions of the Local Plan for the site, in order to secure the proper planning of the area.

12.14. The LRC is preparing strategies to secure contributions to fund improvements to the public realm. This will address issues ranging from environmental improvements, highways works, street maintenance and other enhancement works. They are also working with the City Council and other public agencies to ensure the provision of facilities essential to support the newly planned residential and employment development, including education, recreation, community and health facilities.

12.15. Obligations will require developers to provide infrastructure which is either needed to allow the development to go ahead, or is directly related to the use of land after its completion. The Council will seek to secure the provision of facilities or of contributions where necessary or appropriate, to meet the needs of the occupiers and users of the development. Thus it may be reasonable for developers to meet the full cost of essential community, educational and recreational facilities required as a direct result of the development, or where the development will create a need for extra facilities such as new access roads, bus shelters, or open spaces. The improvement and extension of existing facilities may also be acceptable, or contributions may be requested towards off-site provision suitably located to serve the development site.

12.16. Obligations may also require provision of a specific benefit or facility, and/or a financial contribution toward the provision and maintenance of such a benefit. Negotiations will be sought with landowners and/or developers to allocate 1% of the capital budget for major development proposals for the provision of public art. (This will apply to residential development of twenty five dwellings or more, or where the site area is 1 ha or more. For all other uses this will be where the gross floorspace to be built is 1,000 square metres or more, or the site is 1 ha. or more.) The Council will also seek, where appropriate, contributions to the maintenance of specific aspects of the development such as open space, recreation facilities or amenities, woodland and landscaping which are required for the benefit of the development. Maintenance payments will normally be for a period of ten years.

12.17. The Council will identify the type of planning obligations likely to be required as early as possible in the planning process and will make a comprehensive assessment of the requirements

- in supplementary planning documents
- and during the planning application process.

Monitoring

12.18. It is important that the policies and proposals of the Plan are monitored and reviewed to gauge their effectiveness as they are implemented. The monitoring process highlights the areas of the Plan which need reviewing and gives an indication as to whether the Plan is achieving its aims. PPS12 highlights the monitoring arrangements that local planning authorities need to establish.

12.19. A monitoring report for the previously adopted Local Plan was produced (September 1998) and the first Annual Monitoring Report produced as part of the requirements of the new planning system in 2005. A comprehensive Sustainability Appraisal of its policies was undertaken (1996) which informed the review of this Plan. The sustainability appraisal of policies in this Plan has been undertaken at the first and second deposit, and modification stages in order to assess whether the current set of policies are in line with the strategic sustainability aims of the Plan and a comprehensive set of indicators established. Independent consultants verified both the appraisal and the indicators during the preparation of this Plan (July 2000).

12.20. The Council produces a series of regular monitoring reports in addition to other planning related data as required by the Government. These relate to the key areas of:

- housing - the monitoring of residential land availability, the supply of housing land, house building rates, brownfield development, housing densities, city centre housing and affordable housing;
- employment - the supply of strategic employment land, quality of employment sites, greenfield/brownfield take up rates and loss of employment land;
- retailing - survey of the city centre, district and local centres, and retail floorspace in the City; and
- planning application statistics, and data on the use of policies in determining applications.

12.21. A list of indicators and targets relating to the strategic aims of the Plan has been devised as shown in Appendix 05. This will enable monitoring of the policies in the Plan and provide information on whether the aims of the Plan are being met. Further areas for monitoring and use of data will be examined where necessary. The Council also undertakes monitoring of policies and procedures under EMAS. (Eco-Management and Audit System).

12.22. The Council will continue to monitor regularly the effectiveness of policies and proposals in the Plan and will take account of the changing circumstances in the physical, social, and economic environment in order to review and update the Plan.

Development Control and Enforcement

12.23. The Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 gives the Development Plan greater weight when dealing with the control of development.

12.24. Section 54A of the Town and Country Planning Act 1990 requires that the determination of planning applications or appeals should be made in accordance with the Development Plan unless material considerations indicate otherwise. Thus applications which are not in accordance with the relevant policies in the Plan should not be allowed unless material considerations indicate otherwise.

12.25. In exercising its enforcement powers the City Council will follow the general principles and details set out in this Plan, and will where appropriate take the necessary action against unauthorised development by seeking to enforce breaches of planning control.

Supplementary Planning Documents

12.26. To assist with their implementation, the policies and proposals in the Plan will be supplemented by site development guidance and Supplementary Planning Documents (SPD) as set out in PPS12. In the case of the latter future SPDs will be programmed in the City Council's Local Development Scheme.

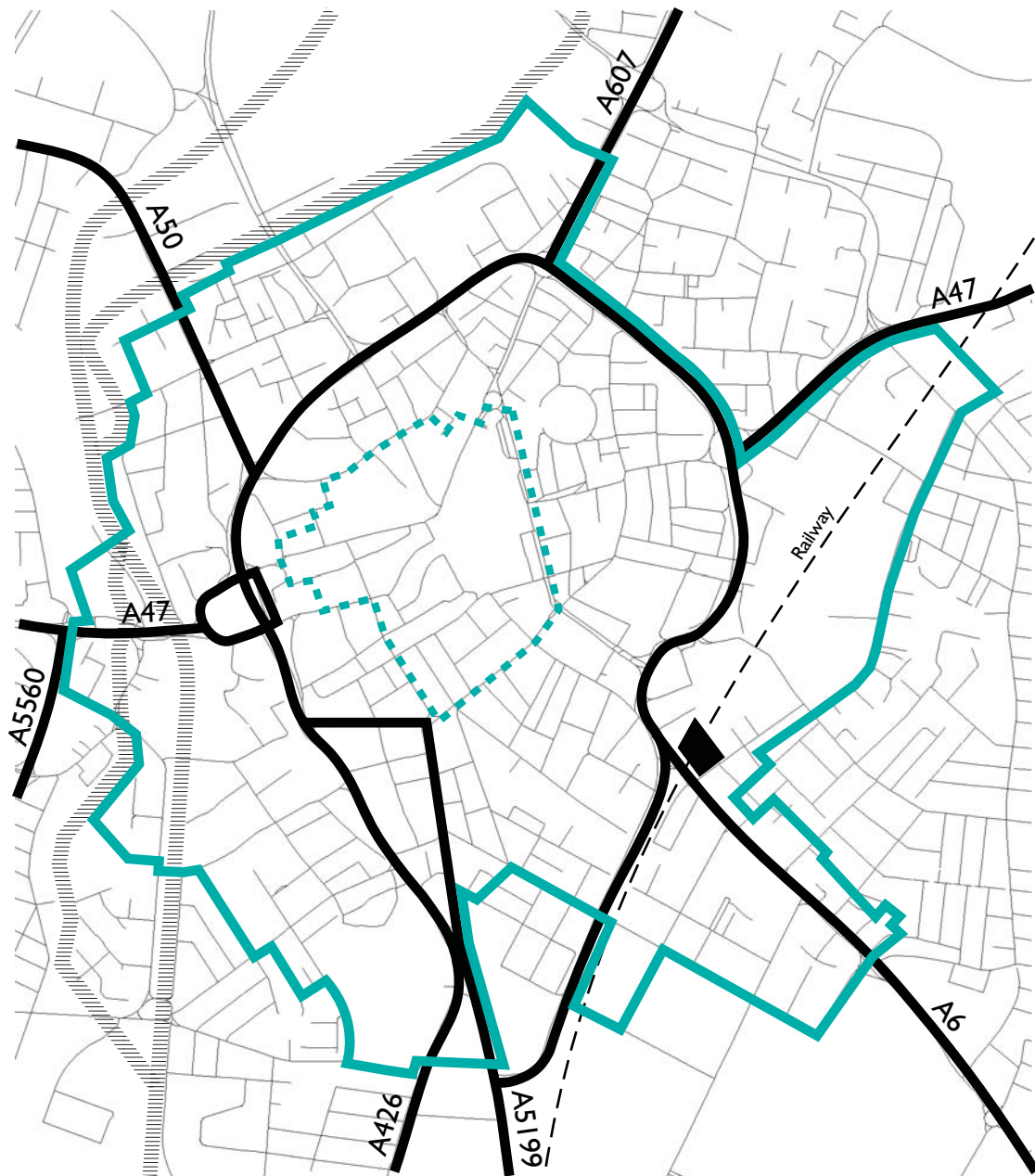
12.27. They further clarify and illustrate Local Plan policy and land use proposals providing helpful guidance for those preparing planning applications. Their purpose will be to state the type of development required or proposed for a site, as well as any relevant development information and constraints.

Appendices

APPENDIX 01: Parking Standards

VEHICLE PARKING STANDARDS

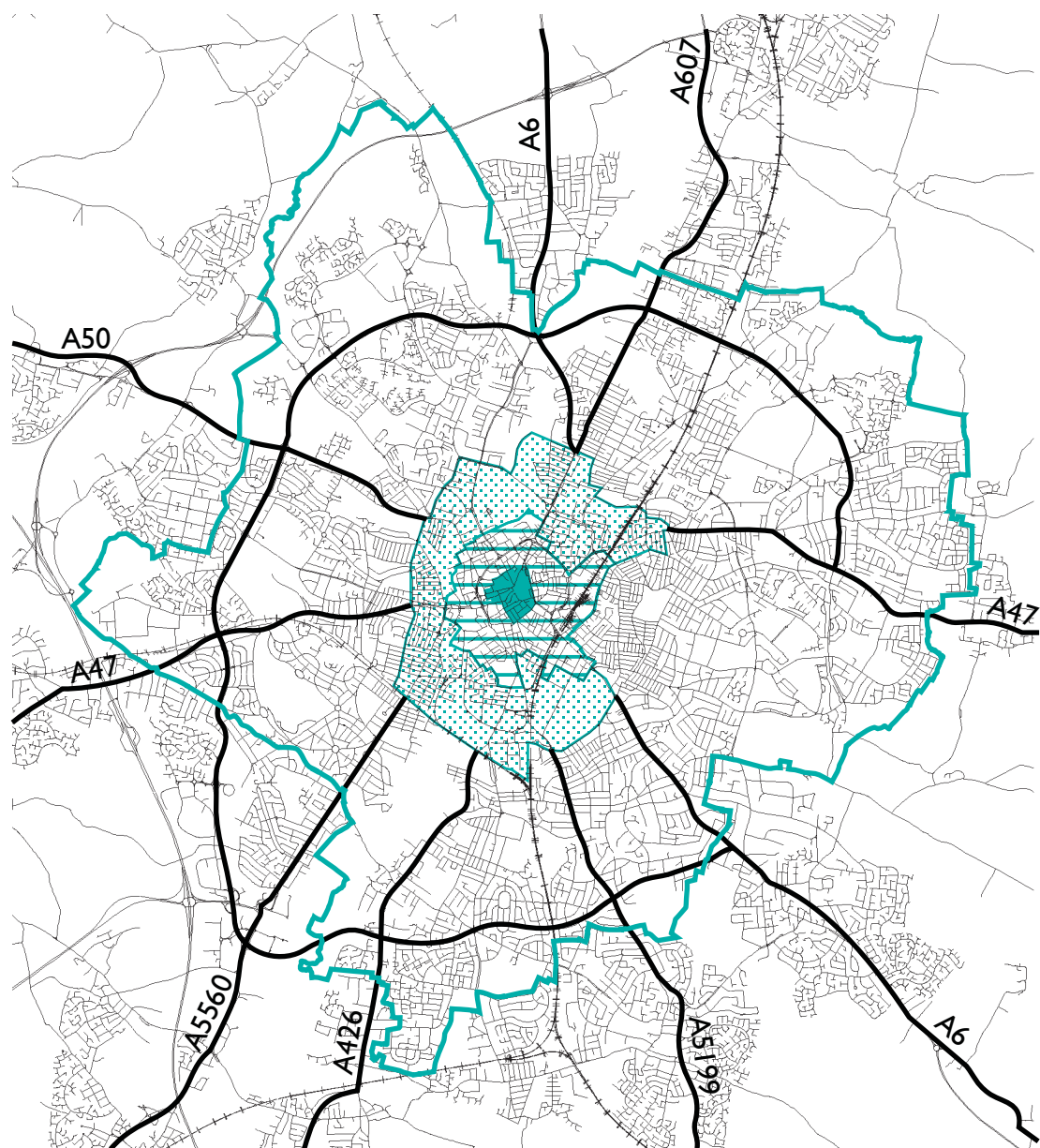
| | Within Central Pedestrian Zone (Zone 1) | Within Central Commercial Zone (Zone 2) | Outside Central Commercial Zone (Zones 3 & 4) | |
|---|---|---|--|--|
| Land Use | | Sqm per space | Sqm per space | Notes |
| B1 Offices | Nil | 100 | 40 | Transport Assessments may be appropriate for some developments |
| B1 Non-office/ B2 industry | Nil | 215 | 70 | |
| B8 Warehousing | N/a | N/a | 120 | |
| A1 Retail/A2 Financial and Professional Services/ A3 Restaurants & Cafes, A4 Pubs, A5 Takeaways. | Nil | 60 | Up to: 100 sqm: 2 spcs 200 sqm: 3 spcs 300 sqm: 4 spcs Up to 1000 sqm: 1 space per 20 sqm A1 Food retail: Over 1000 sqm: 1 space per 14 sqm A1 non-food retail/ A2/A3/A4/A5: 1 space per 20 sqm | Transport assessments may be appropriate for some developments. For smaller stores in defined Local, District or City Centre locations, no parking will be required on-site, where adequate off-site public parking is already available and no serious road safety or amenity problems would otherwise be created. |
| C1 Hotels | Nil | 1 space per 3 bedrooms | 1 space per bedroom | Arrangements can be made with public/private car park operators in CCZ. Coach parking on merit. |
| C2 Residential institutions and student accommodation | Nil | 1 space per 12 bedspaces | 1 space per 4 bedspaces | |
| C3 dwellings | Nil | 1 space per dwelling | 1 bedroom: 1 space 2 bedrooms: 2 spaces 3+ bedrooms: 2 spaces | In the CCZ and adjoining areas (Zones 2 & 3), reduced levels of on-site parking will be permitted with factory conversions or for other change of uses, in line with the criteria in Policy AM 13. |
| D1 Non- Residential institutions/ D2 Leisure uses | Nil | 70 | 1 space per 22 sqm (excludes cinemas, conference facilities, stadia, higher and further education) | For cinemas, conference facilities, stadia, higher and further education uses outside the CCZ, see maximum parking standards applied in PPG13 (Annex D) for further guidance. Transport assessments may be appropriate for some developments. |



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MAP 1. Parking Standard Zones 1 and 2

- Central Pedestrian Zone (Zone 1)
- Central Commercial Zone (Zone 2)



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MAP 2. City-wide Parking Standard Zones



CYCLE PARKING STANDARDS

| Land Use | Standard (sqm per space) (Gross floorspace) | Notes |
|---|--|--|
| B1 Offices B1 Non-office/B2 industry/ B8 warehousing | 400 500 | Cycling facilities needed to accommodate a minimum of 12% of all journeys to work. |
| A1 Retail/A2 Financial Services/ A3 Restaurants & Cafes, A4 Pubs, A5 Takeaways | 1 space per 400 sqm for staff plus 1 space per 1000 sqm for customers | Minimum standards based on modal split targets in travel plans, where required. |
| Student accommodation | 1 space per 2 bedspaces plus 1 per 20 bedspaces for visitors | |
| C3 Residential (high density development e.g. flats) | 1 space per 2 bedspaces plus 1 per 20 bedspaces for visitors | |
| D1 Education | 1 space per 5 students (year 7 and above) plus 1 space per 10 staff** | Cycling facilities needed to accommodate a minimum of 15% of all journeys.* |
| D2 Leisure | 1 space per 10 staff plus 1 space per 20 visitors | Minimum standards based on modal split targets in travel plans, where required. |
| All other uses | To be determined on their individual merits | Based on modal split targets in travel plans, where required. |
| * A Travel Plan should promote safe cycle routes and cycle storage facilities for new or expanded educational facilities. | | |

Standards for Parking Provision for Disabled People.

Employment generating developments not normally visited by the public and hotels/guest houses open to residents only:

| | |
|--------------------------|---------------------------|
| Up to 25 parking spaces | 1 wider reserved space |
| Up to 50 parking spaces | 2 wider reserved spaces |
| Up to 75 parking spaces | 3 wider reserved spaces |
| Up to 100 parking spaces | 4 wider reserved spaces |
| Thereafter | 1 per 100 or part thereof |

Shops and buildings to which the public have access, and public car parks:

| | |
|-------------------------|---------------------------|
| Up to 25 parking spaces | 1 wider reserved space |
| Up to 50 parking spaces | 3 wider reserved spaces |
| Thereafter | 3 per 100 or part thereof |

Residential - General Purpose Housing:

1 space for every dwelling built to mobility standards

Further advice on the siting and detailed design requirements on parking for disabled people are set out in the City Council's booklet 'Paving the Way' 1994.

Powered Two Wheeler (PTW) Parking

Transport assessments and travels plans should indicate the expected level of demand for PTW parking. As a minimum developers will be required to provide for safe, well lit and secure (including ground anchors) parking equal to 5% of the number of parking spaces provided. If possible these facilities should be under cover.

APPENDIX 02: TRANSPORT SCHEMES AND HIGHWAY IMPROVEMENT LINES

The individual schemes set out below are shown on the Proposals Map and Policy AM22 will ensure that land is safeguarded.

Transport Schemes – AM22 (a)

1. Eastern District Distributor Road (completion of the outer ring road). Land safeguarded as required by the adopted Replacement Structure Plan. Programmed in the emerging second LTP for completion after March 2011.
2. Abbey Lane/Loughborough Road. Land safeguarded as required by the adopted Replacement Structure Plan.

Quality Bus Corridors - AM22 (b)

The specific elements of quality bus corridors will be dependant on local circumstances, but the principal is based on improved infrastructure (e.g. bus shelters, level access bus stops), better information (e.g. expanding the current real time information system) and - where appropriate - bus priority measures including selective vehicle detection at traffic lights and/or bus lanes.

It is proposed that quality bus corridors will be implemented within existing highway boundaries or by utilising existing highway improvement lines. The improvement lines to be safeguarded as part of quality bus corridors are set out below.

1. A426 Lutterworth Road/Middleton Street,
2. A426 Aylestone Road/Boundary Road, this does not involve a bus lane,
3. A46 Belgrave Road,
4. A50 Northgate Street,
5. A47 Humberstone Road/Forest Road,
6. A47 Uppingham Road/Scraptoft Lane,
7. A6 London Road/Mayfield Road,
8. A47 Hinckley Road.

City Centre Bus Corridor - AM22 (c)

A new bus corridor is to be complete by March 2011 using Causeway Lane, a gyratory around Mansfield Street, Church Gate and Gravel Street linking to Belgrave Gate (High Street bypass, including new link from Charles Street to Mansfield Street: bus only along Mansfield Street and St Peters Lane) The following highway improvement line is safeguarded:

9. Mansfield Street.

Outer Ring Road/Melton Road Junction Improvements - AM22 (d)

By 2011 a programme of Outer Ring Road junction improvements will be completed.

The following highway improvement lines are safeguarded to allow for the Melton Road junction improvement:

10. Troon Way,
11. Watermead Way.

APPENDIX 03: CURRENT OPERATIONAL ALLOTMENTS IN THE CITY

Abbey Rise Allotments

Beaumanor Road Allotments

Beaumont Leys Lane Allotments

Blakenhall Road Allotments

Bonney Road Allotments

Broad Avenue Allotments

Cecil Gardens Allotments

Colchester Road Allotments

Donnington Street Allotments

Earl Howe Street Allotments

Ethel Road Allotments

Gilmorton Avenue Allotments

Gorse Hill Allotments

Groby Road Allotments

Gwendolen Road Allotments

Halstead Street Allotments

Harrison Road Allotments

Holden Street Allotments

Kedleston Road Allotments

Kimberley Road Allotments

Melbourne Street Allotments

Meredith Road Allotments

Netherhall Road Allotments

Oakland Avenue Allotments

Paget Street Allotments

Queen's Road (Private Allotments to the west and rear of 196-252 Queens Road)

Rancliffe Crescent Allotments

Red Hill Allotments

Reservoir Allotments

Sandhurst Road Allotments

Stokes Drive Allotments

Stoughton Drive North Allotments

Sutherland Street Allotments

Sutton Road Allotments

Uppingham Road Allotments

Uxbridge Road Allotments

Wakerley Road Allotments

Walsh Road Allotments

Welford Road Allotments

Whittier Road Allotments

Wycombe Road Allotments

APPENDIX 04: EXAMPLES OF OBLIGATIONS WHICH WILL BE SOUGHT

| Type of Measure/Benefit | Examples |
|--|---|
| Enhancing the Built Environment/Conservation | <ul style="list-style-type: none"> • Archaeology - retention/preservation/improved facilities at Scheduled Ancient Monument • Archaeology - retention/recording of other feature • Restoration of listed building • Restoration of building of local importance • Environmental enhancement/pedestrian facility including off site landscaping • Public access within development |
| Enhancing and Improving the Environment/Ecology | <ul style="list-style-type: none"> • Public access to open space • Land reclamation • Retain feature/enhance nature conservation value |
| Meeting External Costs | <ul style="list-style-type: none"> • Physical measures to alleviate impact, e.g. traffic management, landscaping, noise insulation • Habitat creation & management |
| Measures to Offset Loss of/Impact on Amenity/Resource on Site | <ul style="list-style-type: none"> • Replacement/retention of recreation/environmental facilities for those lost on site, e.g. playing field, nature conservation area, litter, waste recycling • Replacement/retention of social economic facilities, e.g. training scheme, community facilities |
| Provision of Facilities /Services to Support Development | <ul style="list-style-type: none"> • Education facilities - new schools contributions to additional classrooms • Affordable housing & Lifetime Homes • Public (open) space, including improvements & maintenance • Play space, including maintenance • Sports facilities or improvements to existing • Community facilities to support development, libraries • Other community facilities, e.g. health centre, leisure • Public art • Childcare/creche/nursery • Training/employment facilities • Access for people with disabilities • Crime prevention measures • Facilities for children • Toilet facilities, parent and child facilities • Waste recycling facilities |
| Implementing Policies/Proposals in the Plan or Supplementary Planning Guidance | <ul style="list-style-type: none"> • Enabling measures, e.g. infrastructure works • Complete linear open space, walkway/country park • Environmental enhancement |
| Highway/Physical Infrastructure | <ul style="list-style-type: none"> • Highways e.g. improvements to road network and access to site, provision of access roads, public transport • Drainage/sewerage/flood defence • Operational parking off site • Improvements to public parking • Traffic signals • Public transport provision • Travel Plans • Monitoring of travel plans as a result of development • Public transport, e.g. land for park and ride, LRT facilities • Cycle & pedestrian facilities, footpaths etc • Freight provision including access to railheads, new sidings, layover sites, lorry parks |

APPENDIX 05: Local Plan Monitoring Indicators

KEY:

Desirable Direction of change for indicator - ↑↓

| Main Strategic Theme Aim | Indicator | Target (by 2016) |
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| ENVIRONMENTAL QUALITY | | |
| 1. Promote vitality and a sense of place and identity. | <ul style="list-style-type: none"> • Number of Conservation Areas. • Listed Buildings - new & lost. • Amount of floorspace of new retail development located in existing centres as a % of total new retail floorspace. • City Centre Housing. | <ul style="list-style-type: none"> • ↑To increase or maintain. • To increase or maintain. • No major out of centre retail development (major new retail development built outside centres as a proportion of total new retail development.) • ↑ |
| 2. Minimise energy consumption by transport, and the need to travel. | <ul style="list-style-type: none"> • Number of car trips to the City Centre (morning peak). • Use of public transport to the City Centre (bus). • New development over 100 dwellings to have bus access not in excess of 250m from 75% of the development. • Increase in cycling as a transport mode. • Number of major planning applications for which travel plan agreed. | <ul style="list-style-type: none"> • ↓Reduce. • ↑ • ↑ |
| 3. Secure the development of brownfield land and buildings. | <ul style="list-style-type: none"> • % of new housing built on previously developed land (including conversions). • Completions on windfall sites (%). • Average housing densities in new development. • % of new employment development on brownfield sites. | <ul style="list-style-type: none"> • ↑At least 60% of new housing to be built on brownfield sites by 2016. • ↑ • At least 60% of new employment development to be built on brownfield sites by 2016. |
| 4. Maximise re-cycling/re-use of waste. | <ul style="list-style-type: none"> • % of waste arisings recycled. | <ul style="list-style-type: none"> • ↑To recycle or compost at least 40% of household waste arising by 2010. |

| Main Strategic Theme Aim | Indicator | Target (by 2016) |
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| 5. Protect open space for amenity, recreational, ecological, and landscape value. | <ul style="list-style-type: none"> Area of publicly accessible open space gained and lost. Net area of GW lost. Number of TPO's. Number of Sites of Importance for Nature Conservation adversely affected & enhanced through by development. | <ul style="list-style-type: none"> ↓ No net loss of existing GW. No sites adversely affected by development. |
| 6. Minimise pollution of air | <ul style="list-style-type: none"> Reduction in NO₂ and PM10 particulates - especially in the Air Quality Management Area. | |
| ECONOMIC PROSPERITY | | |
| 7. Consolidate, strengthen and diversify the local economy. | <ul style="list-style-type: none"> Supply of employment land as part of Structure Plan target. Employment land developed by use class (B1, B2 & B8). | |
| 8. Encourage development and regeneration within the Leicester Regeneration Company Area. | <ul style="list-style-type: none"> Development of site as proposed in the 5 key project areas. Area of land in PDA's developed for priority and other acceptable land uses. | |
| SOCIAL JUSTICE | | |
| 9. Improve access to facilities and services for all, especially disadvantaged groups. | <ul style="list-style-type: none"> Proportion of new dwellings which meet Lifetime Homes standards. Publicly accessible open space within 400m of residential areas. Number of leisure and community facilities lost to other uses. | <ul style="list-style-type: none"> To meet 15% target in Local Plan. ↑ ↓ |
| 10. Meet housing need. | <ul style="list-style-type: none"> Area of land available for housing development. Housing Completions (All). Affordable housing provided in new developments. | <ul style="list-style-type: none"> ↑ ↑ To meet 30% target in Local plan. |
| CULTURAL DIVERSITY | | |
| 11. Meet different development needs. | <ul style="list-style-type: none"> % of planning applications approved from ethnic minority applicants in comparison with all applicants. (Asian origin). | |

Glossary of Terms

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| ACCMAP | A geographical information computer programme for accessibility mapping. |
| AFFORDABLE HOUSING | Social Housing provided by a Registered Social Landlord or local authority and low cost market housing for rent or sale which is accessible to people on low incomes and below the minimum cost of local market housing. (See policy H09 and paragraphs 6.36 - 6.38). |
| AMENITY | An element of a location or neighbourhood which helps to make it attractive or enjoyable for residents and visitors. |
| ANAEROBIC DIGESTION | The breakdown of organic material in the absence of air/in an enclosed vessel. |
| AREA OF SPECIAL ADVERTISEMENT CONTROL | These are usually identified where the special character of an area justifies a more restrictive approach to the regulation of advertisements. |
| BALANCED COMPETITIVENESS | European Commission term used to describe a situation where EU regions are broadly equal in terms of per capita gross domestic product (GDP). |
| BIODIVERSITY | The variety of life, encompassing all living organisms, the genetic and physical variations within them and the habitats and ecosystems in which they are found. |
| BIOMASS | Biomass is anything derived from plant or animal matter and includes agricultural, forestry wastes/ residues and energy crops. It can be used for fuel directly by burning or extraction of combustible oils. |
| BLUE BADGE HOLDER | Person with restricted mobility in possession of a 'blue badge' giving exemption from certain parking controls. |
| BRUNDTLAND COMMISSION | United Nations Commission which, in addressing sustainable development, defined it as "development which meets the needs of the present without compromising the ability of future generations to meet their own needs". |
| BUSINESS PARKS | Prestigious, well designed and landscaped industrial areas occupied predominantly by light industry and office uses. |
| CARE HOMES | Property used for accommodation and care of people where: (a) more than six residents are housed (including staff), or; (b) Where six or less residents are not living together as a single household. Care includes personal care for people by reason of old age, disability, past or present dependence on alcohol or drugs or past or present mental disorder and also includes the personal care of children, medical care and treatment. |
| CASH AND CARRY WAREHOUSE | Warehouse premises selling goods directly and in bulk to businesses/trade only. |
| CENTRAL COMMERCIAL ZONE | Area identified on Proposals Map within which facilities of City wide or greater importance are located or should be located. |
| CENTRAL OFFICE CORE | Area defined on the Proposals Map which is the first area of search for major office development. |
| CENTRAL SHOPPING CORE | Area identified on Proposals Map within which retail development of City and wider significance is located or should be concentrated. |
| CIRCULAR | Circulars are produced by Government Departments to give statutory guidance on particular issues. Local authorities are legally obliged to take account of this guidance (see also PPG & PPS). |
| CITY CENTRE | The area including the Central Shopping Core, the Central Office Core and the surrounding Central Commercial Zone, as shown on the Proposals Map. |
| CITY CENTRE FORUM | Group comprising members of Leicester City Council, the retail sector, bus companies, leisure groups and the police, the purpose of which is to promote and enhance the City Centre. |
| CITY CHALLENGE | Competitive Government regeneration funding programme, now replaced by the Single Regeneration Budget - see below. |
| CLUSTER FLAT | A self-contained dwelling used by a group of single people on a sharing basis. Each person should be able to sleep in a room of their own which should have a locking door, (only in exceptional cases should sharing be required). |

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| COMBINED HEAT AND POWER (CHP) | Power plants using waste heat from power generation to heat nearby buildings. |
| COMMUNITY PLAN | Plan developed by the Leicester Partnership for the Future which sets out challenges, priorities and goals for the City of Leicester. |
| COMMUTED SUM/ PAYMENT | Payment secured from developers by the local authority (usually as part of a Section 106 Agreement/Planning Obligation – see below) as a staged contribution toward future service provision. |
| COMPARISON GOODS | Non-food goods which consumers purchase less frequently and usually after comparing prices and the range of available alternatives. These include goods such as clothing, footwear, leather goods, furniture, floor coverings, toys, electrical goods, other household goods, books, pharmaceutical goods, recreational goods, DIY goods and jewellery. Comparison goods are sometimes referred to as Durable Goods. |
| CONDITION | Restriction placed on an approved planning application under the provisions of Government Circular 11/95. |
| CONSERVATION AREA | Areas of special architectural or historic interest, designated under the Planning (Listed Buildings and Conservation Areas) Act 1990, whose character and appearance should be preserved or enhanced. |
| DENSITY | The ratio between the scale of development and the size of the plot of land on which the development is proposed to take place. |
| DERELICT LAND | Land which is no longer in use, but still contains redundant buildings, or has been left so damaged or polluted that some form of treatment is required before any new development can take place. |
| DESIGN STATEMENT | Statement setting out design principles (as well as illustrative material in plan, section and elevation) and demonstrating how they have been taken into account in development proposals. |
| DISADVANTAGED GROUPS | These include women, ethnic minorities, disabled people, children, those on low incomes, elderly people and others with restricted mobility. |
| DISTRICT CENTRE | Groups of shops, separate from the town centre, usually containing at least one food supermarket or superstore, and non-retail services such as banks, building societies and restaurants. |
| DURABLE GOODS | See comparison goods. |
| EARTH SUMMIT | United Nations conference on sustainable development held in Rio de Janeiro (1992), Kyoto (1999) and Johannesburg (2002). |
| EAST MIDLANDS DEVELOPMENT AGENCY (EMDA) | Government funded and sponsored public body set up to lead the region's economic development. |
| EAST MIDLANDS REGION | The East Midlands Region covers the County areas of Derbyshire, Leicestershire, Lincolnshire, Northamptonshire, Nottinghamshire and Rutland, as well as the entire area of the Peak District National Park for regional planning purposes. |
| ECO MANAGEMENT AND AUDIT SCHEME (EMAS) | A management system designed to facilitate improvements in Local Authorities' environmental performance within a wider European Union framework. |
| ENGLISH PARTNERSHIPS | Government sponsored public body set up to lead the regeneration of brownfield and underutilised land and property, some of the functions of which have now been incorporated into the Regional Development Agencies (but which maintains a national presence). |

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| ENVIRONMENTAL IMPACT ASSESSMENT | A document produced as a result of the process by which the impact of a proposed development on the environment is assessed. An Environmental Impact Assessment will need to accompany a planning application where proposed development is of a type listed in Schedule 1 of the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988, as amended. |
| ENVIRONMENTAL SUSTAINABILITY | Concept relating to the ability of the environment to absorb development without compromising its longer-term well-being. |
| FACTORY SHOP | A shop within premises used mainly for manufacturing, selling goods made on the premises. |
| FLOOD PLAIN | Land adjacent to a watercourse over which water flows, or would flow but for defences in place in times of flood. |
| GENERAL INDUSTRY | Industry falling within the B2 Use Class of the Town & Country Planning Use Classes Order. |
| GENERAL PERMITTED DEVELOPMENT ORDER | Supplementary legislation to the Town and Country Planning Act 1990 - see 'Permitted Development'. |
| GREENFIELD SITES | Sites which have not been previously developed (e.g. agricultural land, parks, recreation grounds and allotments). |
| HIGH TECHNOLOGY INDUSTRIES | Industries within the fields of electronic precision engineering, pharmaceuticals and biochemistry. The term can also refer to manufacturers who use high technology systems to produce ordinary goods. |
| HOME ZONE | An initiative, initially pioneered in the Netherlands in the 1970s, to design streets for the needs of resident pedestrians and cyclists before the needs of the car. |
| HOSTEL | A building providing residential accommodation with communal facilities. It may offer board or facilities for the preparation of food, adequate to the needs of residents but with no significant element of care. |
| INCUBATOR FACILITIES | Small manufacturing or product development units provided to encourage the growth of high technology industries. Often located close to related research institutions. |
| KEY EMPLOYMENT AREA | Areas providing local employment opportunities within self-contained estates which allow a certain amount of general industry to be located away from residential areas. Close to strategic road routes, these areas have the potential to be served by public transport. |
| KEY TOWN CENTRE USE | Defined in PPG6 (paras. 1.15 and 2.18) as uses that need to be accessible to a large number of people, including employment, shopping, offices of local and central government, leisure and entertainment, hospitals and higher education. PPS6 (2005), which superseded PPG6, now refers to 'main town centre uses' a full description of which is set out in paragraph 1.8 of the guidance. These include retail; leisure; entertainment facilities, and the more intensive sport and recreation uses; offices; and arts, culture and tourism. |
| LEICESTER PARTNERSHIP | Partnership comprising the City Council and other public and private sector bodies such as Leicestershire Health Authority, Leicester Racial Equality Council, Leicester Young People's Council, Leicestershire Constabulary, De Montfort University, Leicester and Leicestershire Chamber of Commerce, Environ, Leicester African Caribbean Forum/United Caribbean Association. The Leicester Partnership oversees the preparation of the Community Plan. |
| LEICESTER REGENERATION COMPANY (LRC) | Company set up by the City Council, East Midlands Development Agency and English Partnerships to regenerate areas and sites within a given area of the City. |

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| 'LIFETIME HOMES' | 'Lifetime Homes' are dwellings designed to be fully accessible, adaptable and flexible that will meet the initial and changing needs of all types of households to include young and old, disabled and non-disabled people. The Joseph Rowntree trust publishes the Lifetime Homes standards, which go beyond Part M of the building regulations. Further details about the JRF standards can be found on their website at: http://www.jrf.org.uk/housingandcare/lifetimehomes |
| LIGHT INDUSTRY | Industry falling within the B1(C) Use Class of the Town & Country Planning Use Classes Order. |
| LIGHT RAPID TRANSIT (LRT) | A fixed rail (ground level or overhead) public transport system, eg. the London Underground or street running trams, the essential features of which are speed and fixed route. |
| LISTED BUILDING | Buildings of special architectural or historic interest which are recorded on a 'list' compiled under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. Special consent is required for development affecting Listed Buildings. |
| LOCAL AGENDA 21 | A comprehensive programme of action prepared by local authorities and designed to achieve sustainable development. |
| LOCAL AREA FOR PLAY (LAP) | Small area of unsupervised open space designated for young children's play activities close to where they live. |
| LOCAL CENTRE | A range of small shops of a local nature, serving a small catchment, typically comprising a newsagent, a small supermarket, a sub-post office and a pharmacy. Other facilities could include a hot food takeaway and launderette. |
| LOCAL EQUIPPED AREA FOR PLAY (LEAP) | An unsupervised play area equipped for children of early school age. |
| LOCAL NATURE RESERVE | Sites designated for the benefit of wildlife and public enjoyment of wildlife under the terms of the National Parks and Access to the Countryside Act 1949. |
| LOCAL TRANSPORT PLAN (LTP) | Local Transport Plans are local Highway Authorities' transport proposals and constitute a bid to Central Government for money to fund transport improvements, bridge and principal road maintenance. It is intended that they will have a five year life. The LTP for Central Leicestershire (prepared jointly by the City and County Councils) includes the whole of the City Council area. |
| LOW EMISSION ZONE | A proposed zone covering Leicester City Centre, including the Central Ring Road, where measures will be taken to address air quality problems as part of the Air Quality Action and Local Transport Plans. |
| "MAJOR" DEVELOPMENT | The Government defines major development in terms of a planning application as 10 or more dwellings or site over 0.5 ha. For all other uses floorspace over 1000 sqm or site area over 1 ha. |
| MATERIAL CONSIDERATION | Any consideration relevant to the use and development of land and which is taken into account in determining a planning application is capable of being a material consideration. |
| MEZZANINE FLOOR | Floor suspended between two other floors. |
| MICROCLIMATE | Localised climate. |
| MINERALS PLANNING GUIDANCE (MPG) | A series of documents which set out the Government's policy guidance on minerals planning issues and the operation of the minerals planning system. |
| MIXED USE | Term used to describe development which entails a number of land uses, either within a single building or in separate buildings which form part of a larger scheme. |
| MOBILITY MANAGEMENT | Activities which aim to provide better information for travellers on the transport choices available to them. |
| MODAL SPLIT | The percentage use of different modes of transport. |
| MOTORWAYS RETAIL AREA | Retail development, close to M1 Junction 21, consisting of Fosse Park, Grove Farm Triangle, Fosse Park South and Asda. |

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| NEW DEAL FOR COMMUNITIES | Government policy/funding initiative aimed at transforming the economic and social fortunes of England's most measurably deprived housing estates. |
| OBLIGATION (PLANNING) | See 'Section 106 Agreement' below. |
| OUT OF CENTRE | PPS6 defines out of centre as a location which is not in or on the edge of a centre but not necessarily outside the urban area. In this Local Plan, out of centre for retail development is defined as any location that is not either in, adjacent to or on the edge of the existing Central Shopping Core, Town Centre Shopping Cores, or other designated shopping centres. For other town centre uses, out of centre is defined as any location that is not within the City or Town Centres. |
| PASSIVE SOLAR GAIN DESIGN (PSGD) | An important part of the integrated energy-efficient design of buildings. With attention to planting, orientation and shelter, PSGD makes optimal use of the heat and light freely available from the sun, reducing the need to provide heating, lighting and ventilation by artificial means. |
| PEDESTRIAN PREFERENCE ZONE | Areas where vehicles are allowed access but only for defined limited purposes and times. Vehicles should give way to pedestrians. |
| PERMITTED DEVELOPMENT | The Town and Country Planning (Use Classes) Order 1987 defines various classes of use of buildings and land. Changes of use within a use class do not require planning permission. The Town and Country Planning (General Permitted Development) Order 1995 permits changes of use between certain classes and classes of operational development without the need for planning permission. |
| PHOTOVOLTAIC CLADDING | Panels fixed to the outside of buildings which convert the sun's rays into energy. |
| PLANNING POLICY GUIDANCE NOTE (PPG) & PLANNING POLICY STATEMENT (PPS) | A series of documents which set out the Government's national policies on planning issues and the operation of the planning system. PPGs are being replaced by Planning Policy Statements (PPS). Local Planning Authorities must take their content into account when preparing the Development Plan. The guidance may also be material to decisions on individual planning applications and appeals. |
| PREVIOUSLY DEVELOPED LAND | Land and buildings for which the previous land use was a development use other than formal open space (e.g. local parks, allotments and school playing fields); Previously developed land is also often referred to as brownfield land/ sites. |
| PRIMARILY EMPLOYMENT AREA | Areas identified on the Proposals Map within which changes from B Class to other uses will be acceptable only in certain circumstances. |
| PRIMARILY OFFICE AREA | An area within the City Centre identified on the Proposals Map in which office uses have been long established. |
| PRIMARILY RESIDENTIAL AREA | Areas identified on the Proposals Map within which residential development is predominant and where non-residential development proposals may be subject to other policies constraining or restricting the size, type and nature of development. |
| PUBLIC REALM | Publicly accessible places and buildings. |
| QUALITY BUS PARTNERSHIP | An alliance of Leicester City Council and Leicestershire County Council with the main bus operators to improve bus services. |
| QUANTITATIVE QUALITATIVE NEED | Quantitative need refers to the amount of new retail floorspace that can be supported by a town or wider area by changes in available expenditure over time. Qualitative need refers to aspects such as maintaining competitiveness, addressing shopping deficiencies, regeneration and sustainability. |
| REGIONALLY IMPORTANT GEOLOGICAL SITE (RIGS) | Geological and geomorphological sites considered worthy of protection for their educational, research, scientific, historical, aesthetic and amenity importance at a regional level. |

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| REMEDICATION NOTICE | Procedural Notice issued by the local authority to ensure that land is made good by its owners. |
| RESEARCH BUSINESS PARK | A development of high quality B1(b) Research & Development uses required by Policy E15, including ancillary & complimentary uses to the research and development and to the National Space Centre. This definition is used also when considering technology transfer activities within the Universities' areas of influence. |
| RESTRICTED ZONES (HOTELS, HOSTELS, RESIDENTIAL INSTITUTIONS, B8 INDUSTRY) | Zones identified on the Proposals Map within which restrictions on the development of certain uses will be applied. |
| RETAIL IMPACT ASSESSMENT | Assessment of the potential economic impact of larger scale retail developments on existing retail centres, submitted in support of a planning application. |
| RETAIL WAREHOUSE | Self-service operation traditionally specialising in household goods and DIY items housed in large industrial-type buildings catering mainly for car-bourne customers. |
| SCHEDULED ANCIENT MONUMENT | Archaeological sites, monuments or buried remains of national importance, designated by the Secretary of State for Culture, Media and Sport. |
| SECTION 106 AGREEMENT/PLANNING OBLIGATION | A voluntary agreement (under the Town and Country Planning Act 1990) between the local planning authority and the planning applicant regulating the development or use of land, sometimes known as 'developer contributions' to be paid to the local authority for infrastructure provision, facilities and needs arising directly as a result of the development. |
| SEQUENTIAL APPROACH | Site identification and selection procedure through which development proposals should be progressed to determine their most sustainable location. It is often referred to as a 'test'. Two specific sequential tests are set out in this Plan, one applying to major retail development (see policies SPA02 and R01), and the second to the development of major non-retail key town centre uses, such as offices and leisure (see policies SPA05, SPA08 and E05, for example). |
| SERVICE INDUSTRIES | Industries not involved in the manufacture of a product. These are often office-based, eg. bank or building society headquarters, central or local government offices. |
| SINGLE REGENERATION BUDGET (SRB) | Government funding programme providing monies for various regenerative initiatives in relatively deprived areas. |
| SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI) | Land or water designated under the Wildlife and Countryside Act 1981 which is of special interest by reason of flora, fauna, geological or physiological features. |
| SPECIES ACTION PLAN | Plan aimed specifically at conserving a particular species or its habitat, or at providing for that species to grow or expand. |
| STRATEGIC EMPLOYMENT LAND | The totality of land identified for future employment uses in the Plan (Tables 2 and 3 in Chapter 7). |
| SUPERMARKET | Single level self-service stores selling food with a trading floorspace less than 2,500 m2, often with car parking. |
| SUPERSTORE | A single-level, self-service store selling mainly food and some non-food goods with more than 2,500m2 (25,000sq ft) gross trading floorspace; with dedicated car parks at surface level. |
| SUPPLEMENTARY PLANNING GUIDANCE (SPG) | Guidance which is supplementary to the Development Plan and which provides further detail on the type and form of development that will be appropriate in a given area. SPG was prepared under the former planning system. |
| SUPPLEMENTARY PLANNING DOCUMENT (SPD) | Document which provides supplementary information in respect of policies in Development Plan documents. The new planning system requires public and stakeholder involvement and sustainability appraisal of SPDs. |

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| SUSTAINABILITY APPRAISAL | The process by which a policy or plan is assessed to determine its effect on encouraging or mitigating against sustainable development (see below). |
| SUSTAINABLE DEVELOPMENT | Development which meets the needs of the present generation, without compromising the needs of future generations to meet their own needs, encompassing economic, social and environmental well-being. |
| SUSTRANS | Charity (whose name stands for “Sustainable Transport”) dedicated to designing and building routes for cyclists and walkers. |
| SWALES | Vegetated landscape feature with smooth surfaces and a gentle downhill gradient to drain water evenly off impermeable surfaces, mimicking natural drainage patterns. |
| TECHNOLOGY TRANSFER | The application of technological research to product development. |
| TOWN CENTRE | Centres providing a broad range of facilities and services and which fulfill a function as a focus for both the community and for public transport. |
| TOWN CENTRE COMMERCIAL ZONE | Areas of Hamilton and Beaumont Leys identified on the Proposals Map within which office, cultural, arts, tourist and leisure development are located or should be located, subject to appropriate sequential testing. |
| TOWN CENTRE SHOPPING CORE | Areas of Hamilton and Beaumont Leys identified on the Proposals Map within major new retail development should be concentrated subject to appropriate sequential testing. |
| TRADE WAREHOUSE | A warehouse that sells part or all of its contents directly to trade customers. This includes cash and carry warehouses but can also include facilities where direct retailing to trade customers forms a smaller part of the operation. |
| TRANSPORT ASSESSMENT | An assessment prepared by or for a developer for consideration by the Highway and Planning Authorities that identifies how the trips to and from a proposed development might affect the highway network and public transport facilities. They will be submitted alongside applications for development proposals with significant transport implications. |
| TRANSPORT BUSINESS PARTNERSHIP FOR LEICESTER AND LEICESTERSHIRE | Partnership between the City Council and businesses to progress the development of a modern transport system which improves access and business potential in a more sustainable way. |
| TRAVEL DEMAND MANAGEMENT | Measures to reduce the growth and impact of traffic such as making more efficient use of roads space and introducing parking controls to discourage more wasteful forms of travel such as commuting by car. |
| TRAVEL PLAN | A plan provided by developers, businesses or organisations to address increased traffic resulting from proposed or existing development through appropriate measures and contributions to:- <ul style="list-style-type: none"> • Reduce car usage in favour of public transport walking and cycling • Improve road safety and personal security • Improve environmentally friendly delivery and freight movements |
| TREE PRESERVATION ORDER (TPO) | An order giving legal protection to an identified mature tree or to groups of trees. |
| URBAN HARDWARE | Street furniture, lighting fixtures, bins, signposts and similar items. Also known as hard landscaping. |

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| USE CLASSES ORDER | The Town & Country Planning (Use Classes Order) 1987 as amended specifies various classes of use for buildings or land. Within each class the use for another purpose of the same class does not require planning permission. The Classes are as follows: |
| A1 | Shops, hairdressers etc. |
| A2 | Banks, building societies, estate agents etc. |
| A3 | Restaurants and Cafés. |
| A4 | Drinking establishments – pubs and bars. |
| A5 | Hot food takeaway. |
| B1(a) | Offices not within A2. |
| B1(b) | Research and development, studios, laboratories, high tech. |
| B1(c) | Light industry. |
| B2 | General industry. |
| B8 | Warehousing & distribution. |
| C1 | Hotels and guest houses. |
| C2 | Residential institutions, elderly persons' homes, nursing homes etc. |
| C3 | Dwellings (houses, flats etc.). |
| D1 | Non-residential institutions (health centres, schools etc.). |
| D2 | Assembly & Leisure. |
| VARIABLE MESSAGE SIGNING | Electronic roadside information displays aimed at motorists. |
| WASTE ARISING | Total waste produced by domestic households, industry, commerce, construction and demolition. |
| WINDFALL SITE | Site which has not been identified for development in a local plan. |

