

Conservation Areas Supplementary Planning Document

Public Consultation Statement 2018

1 Introduction

- 1.1 This Public Consultation Statement (Statement) has been prepared in support of the Council's revised Conservation Areas Supplementary Planning Document (SPD) that was publically consulted upon between midday Monday 8th October 2018 and midday Monday 19th November 2018.
- 1.2 In conformity with Part 5 of the 'Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, this Statement sets out;
 - The persons that the Council consulted during the abovementioned 6 week public consultation;
 - A summary of the main issues raised by those persons who submitted comments during the consultation period; and,
 - How any issues raised during the consultation period have been addressed by the Council.
- 1.3 Appendix One of this Statement sets out all of the comments that were received during the public consultation period and Council officer responses to each of these comments.

2 Public consultation period

- 2.1 A public consultation for the revised Conservation Areas SPD was undertaken by the Council during October and November 2018. The specific consultation dates are specified at paragraph 1.1 of this document.
- 2.2 The public consultation was undertaken in conformity with the relevant planning regulations (see paragraph 1.2 of this document) and the Council's Statement of Community Involvement (SCI).
- 2.3 The SCI sets out the Council's approach / requirement to involving and consulting local people and stakeholders in planning related document production, for example SPD's.
- 2.4 In line with requirements, the following persons and bodies were notified via letter, of the consultation that was taking place;
- Duty to Cooperate partners
 - Specific Consultation bodies
 - General Consultation bodies, and
 - Other stakeholders held on the Local Plan consultation database.
- 2.5 Due to the content of the Conservation Area SPD, local historic groups and civic societies were also consulted due to their specific local historic knowledge.
- 2.6 The notification letter explained;
- The purpose of the consultation
 - How to find further information
 - The consultation period
 - How to make representations, and
 - How a person or body could be added to the Council's Local Plan consultation database.
- 2.7 In addition to the notification letter, the Council; made all elected Council Members aware of the consultation; advertised the consultation on each of the digital display screens throughout the Borough; advertised the consultation on social media; advertised the consultation on the Council's website; made available for inspection hard copies of all relevant information and documentation at the Council's Customer Service Centre in Wigston and the public library in Oadby; and, made available for inspection electronic copies of all relevant information and documentation on the Council's website.

3 Summary of the main issues raised

- 3.1 A total of six persons / bodies submitted representations to the Council relating to the revised Conservation Areas SPD. Representations were received from Natural England, the Environment Agency, Severn Trent Water, the Leicestershire County Council Principal Historic Buildings Officer, Wigston Civic Society, and Montagu Evans on behalf of the University of Leicester.
- 3.2 The key topics / main issues raised were:
- Consistency in references to Locally Listed Buildings and Significant Local Buildings...the latter being out of date.
 - Consistency with new national planning policy and guidance
 - Throughout the document minor additional wording amendments / inclusions, to add clarity to the reader.
 - Set out the Technical Housing Standards within the document in relation to the conversion of existing buildings to residential.
 - Amend the wording of the paragraphs relating to demolition of buildings within a Conservation Area. The previous bulleted assessment criteria relating to demolition was suggested to be over prescriptive and not in line with current national policy and guidance.
 - Why the Council has a general presumption against the change of use and or the demolition of buildings within a Conservation Area...is this justified?
 - Within references to the subdivision of plots, the wording should be amended to include reference to proposals should be dealt with on a case by case basis.
 - Within references to trees and landscaping, specifically (at paragraph 13.2) important trees and the location / situation new development, the wording should be amended to include... *'unless it can be robustly demonstrated that the new building will not have a detrimental impact on the tree'*.
- 3.3 A full summary of the representations received and the Council's officer responses to each of the representations are attached in Appendix One.

4 How the issues raised have been addressed

- 4.1 Taking account of the comments received during the public consultation, amendments have been made to the SPD document. There were a number of minor wording amendments relating to clarity, repetition and grammar, with some more significant changes. The more significant changes are summarised below.
- 4.2 All references to Conservation Area Consent have been removed from the document, as demolition of a building, requires planning permission.
- 4.3 The bulleted criteria set out within Chapter 3 of the SPD has been removed. Having considered the comments received it was considered that the bulleted criteria was not in line with policy set out within the Council's Local Plan. Reference is now made within the SPD to the relevant Local Plan policy.
- 4.4 Reference has also been made within the SPD to the Technical Housing Standards that are set out within the Council's Local Plan in relation to conversion, sub-divisions and / or changes of use from a building other than residential, to residential.
- 4.5 Paragraph 3.1 of the SPD has been amended to be more consistent with national policy and guidance, as well as local policy and guidance. Rather than having a '*general presumption against demolition*', the wording states that there will be a '*general presumption in favour of retention and preservation*'.
- 4.6 Paragraph 13.12 has been amended to suggest that new buildings will not be permitted in close proximity to important trees unless it can be robustly demonstrated that the new building will not have a detrimental impact on the important tree in question.

Appendix One – comments received during the consultation period and officer responses

Name of person / body submitting comment	Date on which comment was received	Nature of comment received	Officer response to comment received
Leicestershire County Council Principal Historic Buildings Officer	13 / 11 / 2018	Thank you for sending me the link to your consultation document. As you are aware I consider that your supplementary guidance in respect of your several conservation areas is better than that found in other districts.	The Council welcomes Leicestershire County Council's support.
Leicestershire County Council Principal Historic Buildings Officer	13 / 11 / 2018	<p>We could see if the document ought to be amended slightly to take account of changes that have taken place since it was last reviewed or in response to current development pressures – I am aware that Oadby Hill Top is a particular 'hotspot'.</p> <p>We could also check whether the relevant legislation or National Planning Policies are correct. I noticed for example reference is made to Conservation Area Consent but I believe this was abolished and replaced with a requirement for planning permission to demolish a building in a conservation area in 2013 as part of the Enterprise and Regulatory Reform Act.</p>	<p>The Council acknowledges Leicestershire County Council's comment and will continue to liaise closely with them.</p> <p>Any references to national policy and / or legislation will be updated as appropriate. The Council is aware that the reference to Conservation Area Consent for demolition is out of date and will amend the SPD accordingly.</p>
Natural England	14 / 11 / 2018	Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character,	The Council acknowledges Natural England's comment.

		<p>green infrastructure and access to and enjoyment of nature.</p> <p>Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p>	
Natural England	14 / 11 / 2018	<p>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>	<p>The Council acknowledges Natural England's comment.</p> <p>In preparation of the Council's new Local Plan, both a Strategic Environmental Assessment and Habitats Regulations Assessment was undertaken, in consultation with Natural England. In short, the outcome of both assessments was that there would not be any significant environmental effects. As the new Local Plan is the key overarching planning policy document for the Borough and the SPD only contains supplementary guidance, it is considered that there is no requirement to undertake any additional SEA and / or HRA assessment work for this SPD.</p>
Wigston Civic Society	18 / 11 / 2018	Paragraph 6.2 – concerning the	The Council acknowledges

		<p>removal of owners permitted development rights by an Article 4 Directive:</p> <p>It should be stated that the list given is not exhaustive and each case will be considered on its merits.</p>	<p>Wigston Civic Societies comment.</p> <p>The text will be amended to say <i>'the types of development which might be controlled would include but is not limited to:'</i></p>
Wigston Civic Society	18 / 11 / 2018	<p>Paragraph 8.10 – concerning the Corner green space on Bushloe End:</p> <p>This space needs to be more clearly identified and presumable means the space on the corner of Bushloe End and Launceston Road.</p> <p>Also the following should be included:</p> <p>The development of rear gardens of properties within the conservation area fronting onto Moat Street and Newgate End will not be permitted. This is because the property at Barrack Yard was recently on the market as a development opportunity, these properties have long rear gardens.</p>	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>The text will be amended to add clarification. The text will state that the green space is on the corner of Bushloe End and Launceston Road.</p> <p>The Council acknowledges Wigston Civic Societies comment. The Council's new Local Plan (and relevant national policy) sets out a number of policies that seek to effectively manage development within the Borough. In addition to planning policy, the Council produces a number of other evidence base and guidance documents, ensuring that any development occurring is in keeping / character with the area in which it is proposed. The Council considers that the proposed amendment is not appropriate for</p>

			this SPD guidance document, as there is currently sufficient levels of protection set out within relevant planning policy which seeks to restrict inappropriate development proposals.
Wigston Civic Society	18 / 11 / 2018	<p>Paragraph 14.17 – ‘Planning permission will not be approved to remove such shop fronts’</p> <p>The shop fronts that are to be retained should be individually identified.</p>	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>In corroboration with the local civic and historic societies, the Council will consider producing a list of historical shopfronts within the Borough that are of significance and should be afforded an appropriate level of protection.</p>
Wigston Civic Society	18 / 11 / 2018	<p>Paragraph 15.4 – St Wistans Church:</p> <p>The Church and church yard are currently closed because of the danger of the collapse of the building, apart from the document encouraging improvement of the churchyard there should be a statement about the council’s position on the repair of the building which will be encouraging to the church authorities in their deliberations on its future and a reopening of the churchyard for public use.</p>	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>It is not appropriate to set out the Council’s position in relation to the church and churchyard in question within this document, however the comment made will be referred to the appropriate department within the Council.</p>
Wigston Civic Society	18 / 11 / 2018	<p>Satellite dishes:</p> <p>There is reference to the prohibition of satellite dishes but this needs to be included in the section for each</p>	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>The single reference to satellite dishes and the potential for</p>

		<p>area.</p> <p>It is noted that the Conservation area Appraisal and Development Control Guidelines were updated in 2018 for each area. The Society was not consulted about this and considers that it should have been.</p>	<p>planning permission being required should Article 4 powers be introduced is part of a list of potential restrictions. For clarity the word 'would' is to be changed to 'could'.</p> <p>All Conservation Area Appraisals and Development Control Guidance documents are being updated by the Council. As these are evidence based documents the Council can update and amend on a regular basis to ensure that they are up to date. Once these documents have been updated they will be published on the Council's website.</p>
Wigston Civic Society	19 / 11 / 2018	<p>The SPD is mainly an update to the existing SPD from 2008, with some clarifications /improvement in wording. Although noted that: 'Design Access Statement' is still used throughout as before but should be 'Design <u>and</u> Access Statement'.</p>	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>Any references to 'Design Access Statement' within the document will be amended to 'Design and Access Statement'.</p>
Wigston Civic Society	19 / 11 / 2018	<p>It is noted that the phrase 'as well as conforming to other relevant planning policy' has been added in a number of sections.</p>	<p>The Council acknowledges Wigston Civic Societies comment.</p>
Wigston Civic Society	19 / 11 / 2018	<p>There could be confusion re. 'locally listed buildings' and 'significant local building' (e.g. 13.15, 14.6, 16.22) (it is assumed that these are the same lists)– do these refer to the list of locally significant buildings in the local</p>	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>All references to 'significant local buildings' will be amended to 'locally listed buildings'. Such references refer to the list of</p>

		plan? (Appendix 3).	Locally Listed Buildings set out within the Local Plan.
Wigston Civic Society	19 / 11 / 2018	The previous SPD had a reference at the end of each conservation area section about grants and specialist advice available from Leicestershire County Council – has this reference now been withdrawn as it does not appear?	The Council acknowledges Wigston Civic Societies comment. As far as the Council is aware, the County Council no longer have grant funding for conservation projects, however expert advice is still available.
Wigston Civic Society	19 / 11 / 2018	Lack of formal notification about this consultation and others in accordance with Community Involvement Document.	The Council acknowledges Wigston Civic Societies comment. All consultations relating to planning policy documentation that the Council undertake are done so in conformity with the Council's adopted Statement of Community Involvement and relevant national legislation and regulations.
Wigston Civic Society	19 / 11 / 2018	Definition in 1.1 repeated in 1.6 Is reference to the Local Plan - the new draft Local Plan assuming it will soon be formally adopted?	The Council acknowledges Wigston Civic Societies comment. The definition set out within the two paragraphs are consistent, however relate to two different documents. The wording within the SPD, paragraph 1.6 has been amended to clarify this. In relation to any reference to 'Local Plan', it relates to the Councils adopted Local Plan at any given point in time.
Wigston Civic Society	19 / 11 / 2018	The consultation document says that the SPD must be read in conjunction with the relevant	The Council acknowledges Wigston Civic Societies comment.

		conservation area appraisals. On the website these are dated 2006-7 – are these still the relevant ones to refer to because new appraisals dated 2018 are referred to in the SPD.	The reference to the appraisals relates to the most up to date appraisals published by the Council.
Wigston Civic Society	19 / 11 / 2018	<p>Paragraph 8.17 – There is an interesting addition concerning the pavements along Newgate End. (An opportunity was lost some time ago to ensure that this ‘historic rural feel’ was enhanced by routes connecting this part, via historic rights of way to the surrounding countryside.)</p> <p>Patching of pavements is a problem in other conservation areas, eg Central Avenue, and it should be a requirement on utilities and councils to repair in similar materials to the existing.</p>	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>The Council is committed to improving pavements within the entire Borough area, but specifically Conservation Areas. Further guidance relating to any reinstatement work involving pavements, will be contained within the Council’s Public Realm Supplementary Planning Document.</p>
Wigston Civic Society	19 / 11 / 2018	Paragraph 14.6 – Development of large /sensitive sites: the previous SPD mentioned about the preparation of planning briefs for such sites – this is not now proposed. Will further guidance be provided?	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>The majority of the sites mentioned within the previous version of the Conservation Areas SPD have been developed. Some of those sites not developed have been allocated in the new Local Plan. Any other sites that are proposed for development within a Conservation Area will be considered on a case by case basis as part of the planning application process.</p>

Wigston Civic Society	19 / 11 / 2018	Paragraph 14.10 – Refers to conversion from retail to residential – and 14.14 conversion or single to multiple dwellings (as with other conservation areas) – ‘adequate standard’ and ‘satisfactory’ living accommodation. It would be helpful if these were defined in relation to minimum recommended space standards and access requirements / cross referenced to relevant planning policies.	The Council acknowledges Wigston Civic Societies comment. The SPD is a guidance document that supports the policies contained within the new Local Plan. Policy 11 in the new Local Plan states that all residential proposals for conversions, sub-division and / or changes of use must take into account the Government’s Technical Housing Standards. The SPD will be updated to reflect the wording set out within the new Local Plan.
Wigston Civic Society	19 / 11 / 2018	Paragraph 14.15 Shopfronts – the previous SPD referred to producing a shopfront design guide – presumably that didn’t happen and is it still intended to be done and if so it should be stated.	The Council acknowledges Wigston Civic Societies comment. There are currently no short term plans to produce a shopfront design guide, however alongside the potential production of a list of significant shop fronts it could well be considered appropriate to produce such.
Wigston Civic Society	19 / 11 / 2018	Paragraph 16.5.16.6 – Repetition of the vast police and fire stations taking up a large area!	The Council acknowledges Wigston Civic Societies comment. The repetition within the two paragraphs mentioned has been removed.
Wigston Civic Society	19 / 11 / 2018	Paragraph 16.8 – Protection of open space – the previous SPD at 16.7 had mentioned improvements by the local planning authority – will these happen, if not is there a lack of funding?	The Council acknowledges Wigston Civic Societies comment. The wording was amended from the previous SPD wording of ‘ <i>when funding is available</i> ’ to ‘ <i>as and</i>

			<p><i>when schemes are permitted'</i>. The change stemmed from the lack of funding options now available for such works.</p> <p>It should be noted that the Council has not changed its stance on encouraging improvements in the conservation area and will be as proactive as it can in such.</p>
Wigston Civic Society	19 / 11 / 2018	Paragraph 16.9 – Interesting addition re. the Black Pad but looks like the council is no longer considering the purchase of plots as detailed in existing guidance.	The Council acknowledges Wigston Civic Societies comment.
Wigston Civic Society	19 / 11 / 2018	Paragraph 16.10 – Maintenance should include adequate lighting – this is referred to in the new section on street furniture 16.32, hopefully maintenance of lamp posts includes the lights.	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>For clarity, the wording of paragraph 16.32 in the SPD has been amended to include lighting.</p>
Wigston Civic Society	19 / 11 / 2018	Paragraph 16.13 and 16.14 – Changes of use comments as for 14.10 above.	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>The SPD is a guidance document that supports the policies contained within the new Local Plan. Policy 11 in the new Local Plan states that all residential proposals for conversions, sub-division and / or changes of use must take into account the Government's Technical Housing Standards.</p>
Wigston Civic Society	19 / 11 / 2018	Paragraph 16.39 Reference to footpaths – could emphasise the Public rights of way and other historic routes.	<p>The Council acknowledges Wigston Civic Societies comment.</p> <p>The wording of paragraph 16.39</p>

			has been amended to reference the areas historic character.
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	<p>We understand the draft SPD seeks to build upon and provide more detailed guidance about policies contained within the Local Plan. It is being updated in line with updates to planning policy and legislation since its last respective review.</p> <p>We note that there are some places in this SPD where the guidance and requirements set out are more onerous than what is required from adopted local and national planning policies. The University seeks clarification on these parts of the guidance and its status with regards to the policy position and has commented on this where necessary.</p>	<p>The Council acknowledges Montagu Evans comment.</p> <p>The SPD adds further detail and guidance to the policies set out in the Council's new Local Plan.</p> <p>It should be noted that, although there is detail and guidance set out within the document, SPD do not form part of the development plan. SPD's however are a material consideration in the planning decision making process.</p>
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	Of particular relevance to the University is Part B of the SPD, specifically Chapter 13, which refers to the Oadby Hilltop / Meadowcourt Conservation Area, within which the Oadby Campus is located. We recognise that no changes are proposed to the boundary of the CA and there have been limited alterations to the previous version of this chapter.	The Council acknowledges Montagu Evans comment.
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	Paragraph 2.5 refers to Conservation Area Consent. This no longer exists and we request	The Council acknowledges Montagu Evans comment.

		that this sentence is removed or reworded to reflect this.	Any references to national policy and / or legislation will be updated as appropriate. The Council is aware that the reference to Conservation Area Consent for demolition is out of date and will amend the SPD accordingly.
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	<p>Paragraph 3.1 states that: <i>'Buildings situated within a Conservation Area, and / or buildings that are nationally Listed (including their outbuildings and lodges) and / or buildings that are Locally Listed have a general presumption against their demolition.'</i></p> <p>There is no 'general presumption' against the demolition of buildings in a Conservation Area nor against the demolition of locally listed buildings in planning policy or statute. The test for the effect of planning functions, including the demolition of a building, on the special interest of a Conservation Area is set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). The statutory provisions are interpreted in National Planning Policy Framework (NPPF) at Chapter 16, and which requires a balanced judgement to be applied in assessing the effects of development on the historic environment.</p>	<p>The Council acknowledges Montagu Evans comment, however, this paragraph is designed to support Policies 40 and 41 of the new Local Plan which seek the safeguarding of heritage assets.</p> <p>For clarity, the wording of set out within paragraph 3.1 of the SPD has been amended to directly reflect wording within the Council's new Local Plan, and will state <i>'Buildings situated within a Conservation Area, and / or buildings that are nationally Listed (including their outbuildings and lodges) and / or buildings that are Locally Listed have a general presumption in favour of retention and preservation'.</i></p>

		<p>Further, locally listed buildings are not protected in statue. The loss of a building of local interest should be assessed according to paragraph 197 of the NPPF which states that '<i>a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</i>'</p> <p>We therefore request that this paragraph is removed or reworded to reflect all of the above.</p>	
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	<p>Paragraph 3.2 sets out a number of bullet points which provide the circumstances in which the Council would approve the demolition of either statutorily listed, locally listed buildings or buildings in Conservation Area.</p> <p>Firstly, to make the guidance clearer, the bullet points should be separated out as to how they relate to designated and non-designated heritage assets.</p> <p>National policy required that justification for the demolition of non-designated assets should be proportionate to the significance of the asset. The bullet point requirements go beyond the requirements of national policy and the statutory provisions mentioned</p>	<p>The Council acknowledges Montagu Evans comment.</p> <p>Paragraph 3.2 has been amended to better reflect the wording set out within the Council's new Local Plan.</p>

		<p>above.</p> <p>Notwithstanding our comments on the above, in our view a consideration should be added to the list, which considers whether the contribution of the building to the Conservation Area is positive, negative or neutral, and how its removal would affect the Conservation Area.</p>	
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	<p>Within paragraph 3.4, in relation to our comments provided above on the demolition of buildings in a Conservation Area, we consider the following:</p> <p>Bullet point 1 should be removed. As set out in our representations above, provision should be made for the demolition of buildings that do make a positive contribution to the Conservation Area, provided the development as a whole meets the statutory tests and the requirements of national and local planning policy.</p> <p>Bullet point 3 should be changed to read:</p> <p><i>“the building is carefully dismantled so that the building materials can be salvaged for re-use or recycled”.</i></p>	<p>The Council acknowledges Montagu Evans comment.</p> <p>Paragraph 3.4 has been amended to better reflect the wording set out within the Council’s new Local Plan.</p>
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	<p>Within paragraph 13.5, we suggest that the end of this paragraph is amended to say “...and where it</p>	<p>The Council acknowledges Montagu Evans comment.</p>

		<i>can be demonstrated that the following have been considered”.</i>	However, it is considered that the wording addition proposed would dilute the current strength of the guidance and could increase the risk of inappropriate development in the future.
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	Within paragraph 13.6, in terms of the change of use to non-residential, in our view, the Council needs to justify why they state that there is a presumption against the change of use from residential use to other uses. There needs to be a consideration as to whether the change of use from residential to different uses in some instances might be supported in other Local Plan policies.	The Council acknowledges Montagu Evans comment. There is a general presumption against change of use from residential however any proposal for change of use would need to conform to all relevant local and national policy. The wording of paragraph 13.6 has been amended accordingly.
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	Paragraph 13.7 refers to the subdivision of plots, and in our view we consider it should be re-worded to state the following: <i>“...Any proposals for the sub-division of plots, infill, backland and / or tandem development, or loss of open space shall be considered on a case by case basis, subject to the overall effect on the Conservation Area and the public benefits or otherwise brought by the sub-division”.</i> In our view this amendment would make the statement more consistent with paragraph 13.14, which relates to open spaces and	The Council acknowledges Montagu Evans comment. The Council acknowledges Montague Evans suggested amendment and proposes to amend the wording to ‘ <i>Any proposals for the sub-division of plots, infill, backland and / or tandem development, or loss of open space will be considered on a case by case basis and must take account of all relevant local and national policy and guidance’.</i> The Council is aware that planning decisions should be made on a case by case basis, thus the

		provides for this flexibility and more balanced assessment.	wording has been amended.
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	<p>Paragraph 13.12 relates to trees and landscaping, and in our opinion should be amended to read as follows:</p> <p><i>“New buildings will not be permitted in close proximity to important trees, where the likely needs of future occupiers will lead to disfiguring pruning works to the detriment of the tree or its felling, unless it can be demonstrated that the new building will not have a detrimental impact on the tree”.</i></p>	<p>The Council acknowledges Montagu Evans comment.</p> <p>The Council proposes the following new wording <i>‘New buildings will not be permitted in close proximity to important trees, unless it can be robustly demonstrated that the new building will not have a detrimental impact on the tree’.</i></p>
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	<p>Within paragraph 13.15, the Council refers to the potential use of Article 4 Directions to control incremental changes to <i>‘Significant Local Buildings’</i>. Clarification is required on what constitutes a Significant Local Building, and whether this differs from Locally Listed Buildings.</p>	<p>The Council acknowledges Montagu Evans comment.</p> <p>All references to ‘significant local buildings’ will be amended to ‘locally listed buildings’. Such references refer to the list of Locally Listed Buildings set out within the Local Plan.</p>
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	<p>The SPD identifies a number of further ‘Enhancement Opportunities’. We would suggest that the wording of the last bullet point is amended as follows:</p> <ul style="list-style-type: none"> • Support the role that the <i>Botanic Gardens play within the local area.</i> 	<p>The Council acknowledges Montagu Evans comment.</p> <p>However, it is not considered appropriate to amend the wording of the SPD due to the important role that the Botanic Gardens play within the Borough area.</p> <p>Working with the University of Leicester, the Council will seek to</p>

			further enhance the role that the Botanic Gardens play.
Montagu Evans on behalf of the University of Leicester	19 / 11 / 2018	<p>Generally we are supportive of the new draft Conservation Areas SPD. The comments and recommendations made are highlighted to provide clarity on the status of the document but also to allow flexibility, thus ensuring the overall objectives of the SPD are achievable.</p> <p>We trust that these comments are useful at this stage. By way of this letter we reserve the right to comment on further rounds of consultation on behalf of our client. We look forward to receiving details of this in due course.</p>	<p>The Council acknowledges Montagu Evans comments and thanks them for their support.</p> <p>The Council acknowledges Montagu Evans comment.</p>