

PLANNING COMMITTEE

Minutes of a meeting held at the Council Offices, Narborough

THURSDAY, 1 SEPTEMBER 2022

Present:-

Cllr. Nick Chapman (Vice-Chairman)

Cllr. Cheryl Cashmore
Cllr. Roy Denney

Cllr. Christine Merrill
Cllr. Phil Moitt

Cllr. Mike Shirley
Cllr. Bev Welsh

Substitute:-

Cllr. Nigel Grundy (In place of Cllr. Chris Frost)
Cllr. Janet Forey (In place of Cllr. Louise Richardson)

Officers present:-

Cat Hartley	- Planning & Strategic Growth Group Manager
Ian Davies	- Development Services Team Leader
Louisa Horton	- Corporate Services Group Manager & Monitoring Officer
Sandeep Tiensa	- Senior Democratic Services & Scrutiny Officer
Nicole Cramp	- Democratic & Scrutiny Services Officer

Apologies:-

Cllr. Trevor Matthews and Cllr. Sam Maxwell

1. **DISCLOSURES OF INTEREST**

No disclosures were received.

2. **MINUTES**

The minutes of the meeting held on 28th July 2022, as circulated were approved and signed as correct record.

3. **APPLICATIONS FOR DETERMINATION**

22/0110/OUT

Everards Brewery Ltd.

Outline planning application (with all matters reserved except for access) for the construction of an office campus (use class E(g)(i)) with a GFA up to 9,290m² together with a hotel (use class C1) with a GFA up to 5,575m² with associated infrastructure including car parking and landscaping.

Land At Everards Meadows, Cooper Way, Enderby.

DECISION

THAT APPLICATION 22/0110/OUT BE APPROVED SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 AGREEMENT TO SECURE THE FOLLOWING PLANNING OBLIGATIONS:

A contribution of £11,337.50 for the monitoring of the Framework Travel Plan and the effects of the development using the County Council's monitoring programme payable prior to the occupation of any part of the development hereby permitted.

1. Appointment of a Travel Plan Co-ordinator from commencement of the development until five years after the occupation of the last unit. The Travel Plan Co-ordinator shall be responsible for the implementation of measures as well as monitoring and implementation of remedial measures.

2. One Travel Pack per employee from first use of the development hereby permitted to provide details of what sustainable travel choices are in the surrounding area. These can be provided through Leicestershire County Council at a cost of £52.85 per pack. If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge.
3. One six-month bus pass per employee from first use of the development hereby permitted to encourage new employees to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £360.00 per pass.
4. An index linked contribution of £10,500 towards a revised configuration of the Soar Valley Way/Grove Way signalised junction.
5. An index linked contribution of £10,500 towards a revised configuration of the Everards Gyratory signalised junction.
6. The submission of an Employment Skills and Training Strategy.
7. A contribution of £250 towards the monitoring of the Employment Skills and Training Strategy.

AND SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:

1. The development hereby permitted shall commence within five years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters for the first Phase of the development, whichever is the later.

Reason: To prevent the unnecessary accumulation of unimplemented permissions, to encourage early implementation and in accordance with s.91 of the Town and Country Planning Act 1990.

2. The submission of the first application for approval of reserved matters under condition 3 shall include a Phasing Plan to be approved by the District Planning Authority. The Phasing Plan shall show either:

- a) one Phase covering the whole of the development (Offices and Hotel);
or
- b) the sequencing of two Phases, each comprising respectively:
 - (i) the Hotel element of the development; and
 - (ii) the whole of the Office Campus element of the development.

The development shall be carried out in accordance with the approved Phasing Plan.

Reason: To ensure that the development is delivered in a way which provides the appropriate quantity, quality and mix of employment opportunities across the whole of the site, consistent with the justification provided in the application, the sequential element of policy CS6 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013, and with Strategic Objective (x) which underpins policies DM1 and SA5 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

3. Details of Reserved Matters for each of the Phases approved under condition 2 above shall be submitted to the District Planning Authority for approval in accordance with the following timetable:

- a) for the first or single Phase – all reserved matters shall be submitted within 3 years of the date of this permission
- b) for the second Phase - all reserved matters shall be submitted within 2 years of the date of approval of the reserved matters for the first Phase.

Development within any Phase shall not commence until Reserved Matters for that Phase have been approved in writing by the District Planning Authority

Reason: To encourage early delivery of the development, prevent the unnecessary accumulation of unimplemented permissions, and to enable the District Planning Authority to review the justification provided in the application for the mix of proposed uses if the development does not proceed in a timely fashion.

4.Submissions for approval of Reserved Matters for each Phase shall include details of the following:

- a) layout – including a Masterplan to show:
 - i) the overall final distribution of the different uses proposed across the entire development; and
 - ii) the mix of building types and sizes across the site
- b) scale - including a plan to show the distribution of building heights across the site
- c) appearance – including external materials and means of enclosure;
- d) landscaping.

Reason: The application has been made in outline form under Article 5(1)of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

5. Application for approval of reserved matters in accordance with condition 2 shall include details of the parking provision which shall accord with the Leicestershire Highways Design Guide or any subsequent revision or replacement. It shall provide:

- Regular, accessible car parking spaces and electric car parking spaces (including the correct dimensions);
- Secure cycle parking and motor cycle parking;
- Satisfactory swept path analysis showing the manoeuvring of service and delivery vehicles to/from the proposed hotel without the need for reversing.

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

Reason: To ensure that adequate parking is provided on site to accommodate the demand generated by the development proposed. To ensure that the proposal complies with Policies CS10 and CS24 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM8 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

6.Application for approval of reserved matters for the hotel required under condition 2 of this permission shall be accompanied by an assessment of the impacts on parking, access and sustainable transport options taking account of the full range of primary and ancillary facilities which are to be provided.

7.The development hereby permitted shall be carried out in accordance with the following approved plans, and with the principles and recommendations set out in the supporting documents submitted with the application as set out below, unless otherwise required by another condition of this permission:

- a)Site Location Plan EVM-FEA-S1-XX-SK-A-1361
- b)Revised Parameters Plan EVM -FEA-S1-XX-SK-A-1347 Rev C
- c)Revised Flood Risk Assessment – hsp consulting – Rev C – 15.03.22
- d)Arboricultural Assessment - fpcr – November 2021
- e)Transport Assessment – ADC Infrastructure - Version 3 – 09/11/22
- f)Ecological Report - fpcr – 3rd November 2021
- g)Design Code – Franklin Ellis Architects
- h) Design and Access Statement – Design and Movement Sections Franklin Ellis Architects
- i)Revised Landscape Strategy – April 2022

Reason: To define the permission, for the avoidance of doubt and to ensure that the proposal complies with Policies CS2, CS10 and CS19 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM 1of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

8.Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 2015 (both as amended and as may be varied in the future), the Office Campus hereby approved shall not be used for any purpose other than one falling within Use Classes E(g)(i) or E(g)(ii) of Schedule 2 Part A to the Town and Country Planning (Use Classes) Order 1987 (or any subsequent re-enactment with or without modification).

Reason: For the avoidance of doubt and in order that the development is carried out in accordance with the parameters against which the application was assessed. To ensure that the proposal complies with the principles of Policies CS6 and CS24 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policies DM1 and SA5 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

9.The hotel hereby approved shall not be used for any other purpose falling within Use Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any subsequent re-enactment with or without modification).

Reason: To ensure that the development accords with the details put forward and assessed as part of the submitted planning application and against which the proposal was assessed. To ensure that the proposal complies with the principles of Policies CS6 and CS24 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policies DM1 and SA5 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

10.The office campus hereby approved shall not exceed a total of 9,290m² in gross floor area or exceed 12m in height to the highest part of the roof.

Reason: To ensure that the development accords with the details put forward and assessed as part of the submitted planning application and would not create a development that would harm the character of the area. To ensure that the proposal complies with Policies CS2 and CS24 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

11.The office campus shall comprise a minimum of 4 buildings each no greater than 3 stories in height and 848m² in footprint.

Reason: To ensure that the development accords with the parameters put forward and assessed as part of the submitted planning application, would be in-keeping with the principles set out in the design code and would not be detrimental to the character and appearance of the area. To ensure that the proposal complies with Policies CS2 and CS24 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

12.The hotel hereby approved shall not exceed 5,575 m² in gross floor area, have more than 120 rooms, exceed 4 stories or 15m in height to the highest part of the roof.

Reason: To ensure that the development accords with the parameters put forward and assessed as part of the submitted planning application and would not create a development that would harm the character of the area. To ensure that the proposal complies with Policies CS2 and CS24 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

13. Prior to the commencement of development, finished floor levels for each topographical survey of the site and the finished floor levels of the buildings within phase 1.

Reason: To safeguard the appearance of the development and the character and appearance of the surrounding area. To ensure that the proposal complies with Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

14. Prior to the commencement of the development, a scheme that specifies the provisions that will be implemented for the control of noise, vibration fumes and odours emanating from the site during operation shall be submitted to and approved in writing by the local planning authority. The noise mitigation shall be implemented in accordance with the approved details and, where necessary maintained for the life of the approved development and shall not be altered without the prior written approval of the local planning authority.

Reason: To ensure the impacts of the development are properly mitigated in a way that will ensure it does not unduly impact on neighbouring uses. To ensure that the proposal complies with Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

15. Prior to the commencement of development a Construction Environmental Management Plan shall be submitted to, and approved in writing by the local planning authority The Construction Management Plan shall provide for:

- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Site compound locations
- Storage of plant and materials used in constructing the development
- Measures to control the emissions of dust and dirt during demolition and construction
- Measures to control the emissions of noise during construction referring to appropriate standards
- Hours of construction and deliveries
- Measures for the control of vibration fumes and odours emanating from the site during construction
- A Construction Traffic Management Plan (CTMP) which includes

Construction Phasing and Routing Plans, access arrangement and permitted construction traffic arrival and departure times. The CTMP shall be approved in consultation with National Highways. Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with National Highways.

The approved details shall be adhered to throughout the construction period.

Reason: To ensure the impacts of the development on the surrounding area are properly controlled and that the M1 continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 and in the interests of road safety. To ensure that the proposal complies with Policy CS10 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policies DM1, DM8 and DM13 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

16. Prior to the commencement of any phase of development, all surface water drainage details shall be submitted to and approved in writing by the local planning authority. These details shall include:

- a surface water drainage scheme for the relevant phase to be commenced. This shall include links to the wider surface water drainage scheme within Everards Meadows if necessary.
- details in relation to the management of surface water on site during construction of the development of that Phase.
- details in relation to the long-term maintenance of the surface water drainage system for that Phase.
- Infiltration testing (or suitable evidence to preclude testing), to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element. If it is found that the site does not allow for infiltration to be used as a drainage element a suitable and workable alternative shall be identified, tested if necessary, and submitted as part of the surface water drainage scheme details required above.

The development must be carried out in accordance with these details once approved and completed prior to first occupation. The scheme shall be maintained in accordance with the approved details thereafter.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, to maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase. To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy and to establish a suitable maintenance regime that may be monitored over time and will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development. To ensure that the proposal complies with Policy CS22 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

17.No above ground construction shall take place until samples of the materials to be used on all external elevations of each building have been submitted to and agreed in writing by the District Planning Authority. Above ground construction shall then be carried out in accordance with the materials approved.

Reason: To ensure that the District Planning Authority can exercise proper control over the materials used and the appearance of the building when completed, in the interest of visual amenity. To ensure that the proposal complies with Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

18.If during development works any contamination should be encountered which was not previously identified or is derived from a different source and/or of a different type to those considered under the contamination proposals; works shall cease, and the District Planning Authority notified immediately. Remediation proposals shall be formulated/amended for consideration by the District Planning Authority for written approval and submitted within 5 working days of works ceasing. Works shall only commence again once the remediation proposals have been approved in writing by the District Planning Authority.

Reason: To ensure that the risks associated with any contamination are reduced to acceptable levels. To ensure that the proposal complies with Policy CS21 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM13 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

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

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2021). To ensure that the proposal complies with Policy CS10 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM8 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

20.Prior to first occupation of the development within each Phase, an external lighting scheme for that Phase shall be submitted to and approved in writing by the District Planning Authority. The scheme shall include details of the siting, height, design, level of illumination and position of the lighting proposed. All external lighting shall be implemented in accordance with the approved scheme thereafter and no other form of external lighting shall be implemented on the application site without the prior written approval of the local planning authority.

Reason: To ensure the impacts of the development are properly controlled and the use does not impact on the surrounding area and neighbouring uses. To ensure that the proposal complies with Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

21.Access to the proposed development will be via the two vehicular accesses shown on Franklin Ellis Architects drawing number: EVM-FEA-S1-XX-SK-A-1343, 'Phase 2 - Proposed Development', Revision A.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

And subject to the following additional condition:

22. The hotel use permitted under condition 2 of this planning permission shall not include conference facilities.

And subject to Condition 6 being amended to read as follows:

6. Application for approval of reserved matters for the hotel required under condition 2 of this permission shall be accompanied by an assessment of the impacts on parking, access and sustainable transport options taking account of the full range of primary and ancillary facilities which are to be provided.”

THE MEETING CONCLUDED AT 5.00 P.M.