



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: WEDNESDAY, 14 SEPTEMBER 2022 at 5:30 pm

P R E S E N T:

Councillor Riyait (Chair)
Councillor Aldred (Vice Chair)

Councillor Chamund
Councillor Joshi

Councillor Dr Moore
Councillor Thalukdar

Councillor Valand

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21. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Westley.

22. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Planning and Development Control Committee held on 24 August 2022 be confirmed as a correct record.

23. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

Councillor Chamund declared that she had received email correspondence from the Chief Executive of Leicester City Football Club in respect of application 20212673 - Filbert Way, land at and adjacent to the King Power Football Stadium.

Councillor Chamund declared she had an open mind on the application.

Councillor Valand declared that he had received email correspondence from the Chief Executive of Leicester City Football Club in respect of application 20212673 - Filbert Way, land at and adjacent to the King Power Football Stadium.

Councillor Valand declared he had an open mind on the application.

Councillor Joshi declared that he had received email correspondence from the Chief Executive of Leicester City Football Club in respect of application 20212673 - Filbert Way, land at and adjacent to the King Power Football Stadium.

Councillor Joshi declared he had an open mind on the application.

Councillor Thalukdar declared that he had received email correspondence from the Chief Executive of Leicester City Football Club in respect of application 20212673 - Filbert Way, land at and adjacent to the King Power Football Stadium.

Councillor Thalukdar declared he had an open mind on the application.

Councillor Dr Moore declared that she had received email correspondence from the Chief Executive of Leicester City Football Club in respect of application 20212673 - Filbert Way, land at and adjacent to the King Power Football Stadium.

Councillor Dr Moore declared she had an open mind on the application.

The Vice-Chair, Councillor Aldred, declared that she had received email correspondence from the Chief Executive of Leicester City Football Club in respect of application 20212673 - Filbert Way, land at and adjacent to the King Power Football Stadium.

Councillor Aldred declared she had an open mind on the application.

The Chair, Councillor Riyait declared that he had received email correspondence from the Chief Executive of Leicester City Football Club in respect of application 20212673 - Filbert Way, land at and adjacent to the King Power Football Stadium.

He also declared that he was a season ticket holder at the football club and had declined invitations to attend briefings organised by the club.

Councillor Riyait declared he had an open mind on the application.

24. PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair commented that items would be taken out of the order listed in the agenda.

25. 20212673 - FILBERT WAY, LAND AT AND ADJACENT TO THE KING POWER FOOTBALL STADIUM

20212673 - Filbert Way, Land at and adjacent to the King Power Football Stadium

Ward: Saffron

Proposal: Hybrid application comprising: FULL application for the extension of the East Stand of the King Power Stadium to provide

additional seating capacity with ancillary facilities; associated works to the North and South Stands and public realm / hard landscaping works; and OUTLINE application for new club retail store, hotel, commercial office space and food & beverage uses, residential block, multi-purpose arena, multi-storey car park and energy centre; with associated public realm / hard landscaping works (with all matters reserved except for site access).

Applicant: Leicester City Football Club.

The Planning Officer presented the application and drew Members' attention to the addendum report.

Susan Whelan, Chief Executive of LCFC and Sam Ryan, Consultant Planning Director, addressed the Committee and spoke in support of the application.

Keith Webster and David Morton addressed the Committee and spoke in objection to the application.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and speakers, and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report and the addendum, and the signing of a S106 Agreement. This was seconded by Councillor Aldred and upon being put to the vote, the motion was CARRIED.

RESOLVED:

That the application be APPROVED subject to the conditions set out below and the signing of a Section 106 Agreement:

CONDITIONS RELATING TO THE FULL PERMISSION ONLY

1. That part of the development hereby approved in full, as defined on drawing 18845-KSS-SW-ZZ-DR-A-0010 Rev P07 (hereby referred to as the King Power Stadium expansion (KPSe)) shall be carried out in accordance with the approved plans.
(For the avoidance of doubt and to ensure a satisfactory standard of development).
2. The KPSe shall be begun before the expiration of five years from the date of this planning permission. (Required to be imposed pursuant to Section 91 of the Town and Country Planning Act).
3. Prior to the commencement of any hard or soft landscaping works relating to the KPSe and associated public realm, full details of such works shall first be submitted to and approved in writing by the Local Planning Authority.
 - a) The landscaping scheme shall include details of:

i. Hard landscaping details: hard surface materials, proposed finished levels or contours;, vehicle and pedestrian circulation areas, minor structures (e.g. benches, other street furniture, lighting, CCTV, works of art etc);, the position and depth of service and/or drainage runs (which may affect tree roots);, walls, gates, fences and boundary treatments. All hard landscape works shall be carried out in accordance with the approved details prior to occupation of the extended East Stand and retained and maintained thereafter.

ii. Soft landscaping details: proposed finished levels or contours;, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment);, locations, plant schedules (including species, plant sizes and proposed numbers/densities), means of planting (including tree pits), staking, and tying of trees, including tree guards; the position and spread of all existing trees, shrubs and hedges to be retained or removed.; The approved soft landscaping scheme shall be carried out within one year of completion of the extended East Stand. For a period of not less than ten years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme.

b) A landscape Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas, shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the first occupation of the extended East Stand. The maintenance schedule shall be for a minimum period of ten years and include arrangements for its implementation. The Landscape Management Plan shall be carried out as approved.

(In the interests of amenity, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03).

4. Before the additional seats in the expanded East Stand are first occupied and the new Fan Zone is capable of public access a continuous and unbroken defensive perimeter line of tested and accredited vehicle security barriers (VSBs) to protect the entire East Stand and Fan Zone development encompassing the access from Raw Dykes Road, Burnmoor Street, the site service road and Aylestone Road perimeters, shall be installed. The exact position and specification of the VSBs shall be determined by the completion of a Vehicle Dynamics Assessment (VDA) by a suitably qualified Hostile Vehicle Mitigation (HVM) specialist listed on the Register of Security Engineers and Specialists (RSES); and details submitted to and approved in writing by the Local Planning Authority in consultation with the Counter Terrorism Security Advisor (CTSA). A Copy of the VDA should be provided to the CTSA upon completion for verification purposes.

(In the interests of public and highway safety and to secure the satisfactory development of the site in accordance with saved policy

AM02 of the City of Leicester Local Plan and Core Strategy Policy CS03 and in accordance with NPPF sections 8 and 12).

5. Prior to the installation of the external cladding of the KPSe, a Structural Blast Engineer (SBE) shall be appointed to carry out a blast mitigation impact assessment (BMIA) to provide the following information for the proposal:
 - Evaluation of the building's envelope to the effects of blast (including, but not limited to interior and exterior glazing, exterior wall systems and roof system).
 - Provide performance specifications for pre-manufactured systems subject to the identified blast loading (including, but not limited to precast panels and windows.
 - Information to the structural engineer and other design team members on how to incorporate the blast analysis results into the building design.
 - A copy of the report should be provided to the Counter Terrorism Security Advisor (CTSA) upon completion of the BMIA for verification purposes and submitted to and approved in writing by the Local Planning Authority in consultation with the CTSA.
 - Any measures required as part of the BMIA shall be provided prior to the first occupation of the additional seats in the expanded East Stand and the new Fan Zone being brought into use.

(In the interests of public and highway safety and to secure the satisfactory development of the site in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy Policy CS03 and in accordance with NPPF Sections 8 and 12).
6. The playing pitch of the stadium shall be used for sports events and for no other purpose except for:
 - a) Non-sports events with up to 10,000 participants which shall include the audience.
 - b) Non-sports events with over 10,000 and no more than 48,950 participants which shall include the audience; provided that such events to occur on no more than 10 days in any calendar year. Non-sports shall only include outdoor events incorporating amplified music and/or voice where a noise management plan for that event has first been submitted to and approved in writing by the Local Planning Authority. The event shall operate in accordance with the approved noise management plan.

(To protect the living conditions of nearby residents in accordance with saved Policy PS10 of the City of Leicester Local Plan)
7. Prior to the installation of building services of the KPSe full design details of on-site energy efficiency measures and low carbon technologies shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and no part of the development shall be occupied until evidence demonstrating satisfactory operation of the approved scheme including on-site installation has been submitted to and approved in writing by the Local Planning Authority.

(In the interests of securing energy efficiency in accordance with Core Strategy Policy CS02).

8. Prior to the commencement of the KPSe protected species surveys shall be carried out of all appropriate areas and features by a suitably qualified ecologist. The survey results and any revised mitigation measures (the Report) shall be submitted to and agreed in writing with the Local Planning Authority and any identified mitigation measures carried out in accordance with the approved Report.
(In accordance with Core Strategy Policy CS17 AND to comply with the Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000), the Habitat & Species Regulations 2017. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

CONDITIONS RELATING TO THE OUTLINE PERMISSION ONLY

9. Applications for the approval of all reserved matters, comprising the external appearance, layout, landscaping and scale, shall be submitted to the Local Planning Authority no later than five years from the date of this permission. The development of any phase must be commenced within 3 years of the date of the approval of the final reserved matter approval in respect of that phase. (To comply with Section 92 of the Town and Country Planning Act 199).
10. The outline part of the development shall be carried out in accordance with the approved plans and documents:
(For the avoidance of doubt).
11. Prior to the submission of any reserved matters application a phasing scheme for the outline permission, as defined on drawing 18845-KSS-SW-ZZ-DR-A-0010 Rev P07, shall be submitted to and approved in writing by the Local Planning Authority. The phasing scheme shall identify the proposed phasing of this part of the development, relating to the Development Plots defined in drawing no. 18845- KSS-SW-ZZ-DR-A-0011 Rev P07 (Parameter Plan-Development Plots) and phases of public realm. The development shall thereafter be carried out in accordance with the approved phasing scheme.
(To allow phased implementation).
12. Prior to the submission of any reserved matters application a scheme for offsetting of biodiversity impacts at the site shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Improvement Plan ("the BIP") shall set out the actions required to achieve and maintain the biodiversity value of the site for a period of 30 years. All habitats whose value is contributing to the overall biodiversity value of the site must be detailed in the BIP. The BIP must include:
 - a) a plan of the areas of habitat to be maintained, enhanced and/or created;
 - b) a schedule of actions to create or enhance and maintain each

habitat at the required quality for a period of 30 years;
c) a schedule of ecological monitoring for the 30 year period identifying when key indicators of habitat maturity should be achieved; and
d) a schedule of actions to be undertaken should the habitat show signs of failing to reach standards set.

The schedules must include:

i) details of techniques and equipment used;
ii) personnel/organisations involved in carrying out the schedule;
timings of actions including submission of monitoring reports to the Local Planning Authority.

The approved measures relating to each respective phase of the development scheme shall be implemented prior to occupation of that phase of development.

(To comply with the Environment Act 2021, NPPF 2021 and Core Strategy policy CS17.)

13. Prior to the submission of any reserved matters application a protected species surveys shall be carried out of all appropriate areas and features by a suitably qualified ecologist. The survey results and any revised mitigation measures (the Report) shall be submitted with the respective reserved matters application and any identified mitigation measures carried out in accordance with the approved Report.
(In accordance with Core Strategy Policy CS17 AND to comply with the Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000), the Habitat & Species Regulations 2017).
14. No phase of the development hereby approved, shall be begun until details of all reserved matters for that phase (appearance, landscaping, layout and scale - the Reserved Matters) have been submitted to and approved in writing by the Local Planning Authority.
Any application for Reserved Matters shall include:
 - a) a Completed Design Code checklist(s) applicable to the development plot(s) for which the reserved matters approval is sought.
 - b) Detailed drawings including road and plot layouts.
 - c) Detailed drawings to a scale of not less than 1:100 showing the siting, design and external appearances of the building(s), including particulars of the materials to be used for all elevations and roofs.
 - d) Detailed drawings to a scale not less than 1:500 of a landscaping scheme.

(To ensure a satisfactory appearance and development of the site in accordance with Core Strategy policy CS03).
15. Details of the stadium, landscaping, infrastructure and public realm, and reserved matters, shall be consistent with the approved Design Code document Leicester City Football Club- Masterplan C3/4 Design Code 20th October 2021 – P08 with the exception of details of the Hotel contained within this document which are not approved and for which an addendum must be submitted to include the resubmission of the part of the Design Code entitled 'Plot 2 & Plot 3 – Hotel & Residential Tower (pages 73 to 88), including updated parameter plans

and further details in relation to the built form of the Hotel as secured through the S106 Agreement.

(To guide the detailed design of the development and ensure the quality of design and protection of townscape and heritage assets in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy Policies CS03 and CS18).

16. The outline development hereby granted approval and any subsequent reserved matters shall not exceed the maximum parameters with regard to footprint, height, floorspace and volume, as shown on the approved plans with the exception of the hotel where the parameters will be agreed through the submission of the addendum to the Design Code as set out in condition 15.
(To ensure the protection of townscape and heritage assets in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy Policies CS03 and CS18).
17. Applications for the approval of reserved matters for any phase of the development hereby approved shall include details of all external materials for that phase, including a sample panel(s) drawing (at a scale of 1:20) and a materials schedule, which shall be approved by the LPA. Prior to any work above ground level a material sample panel(s) shall be constructed on site for that phase showing (but not necessarily limited to) construction techniques, brick, bonding & mortar, window frames, reveals, ventilation panels/louvres and cladding. The development shall be constructed in accordance with the approved details.
(In the interests of visual amenity and to secure design quality. In accordance with Core Strategy policy CS03 and NPPF 2021 Chapter 12 Achieving Well-Designed Places).
18. Applications for the approval of reserved matters for any phase of development hereby approved shall include further details of low carbon options for heating those phases that are proposed to be served by gas boiler systems. Further details of use of low carbon technologies, in addition to the considerations of decarbonisation, WSHPs and connections to District Heating systems shall be submitted to and agreed in writing with the Local Planning Authority. The system shall thereafter be implemented as approved and retained as such.
(In the interests of securing energy efficiency in accordance with Core Strategy Policy CS02).
19. Applications for the approval of reserved matters for any phase of the development hereby approved shall include full details of any hard or soft landscaping works within that phase. Each application shall include details of:
 - i) Hard landscaping details: hard surface materials, proposed finished levels or contours, vehicle and pedestrian and circulation areas, minor structures (e.g. benches, other street furniture, lighting, CCTV, works of art etc), the position and depth of service and/or drainage runs (which

may affect tree roots), walls, gates, fences and boundary treatments. All hard landscape works shall be carried out in accordance with the approved details prior to occupation of the respective phase of development and retained and maintained thereafter.

ii) Soft landscaping details shall include proposed finished levels or contours, planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), locations, plant schedules (including species, plant sizes and proposed numbers/densities), means of planting (including tree pits), staking, and tying of trees, including tree guards; the position and spread of all existing trees, shrubs and hedges to be retained or removed. The approved soft landscaping scheme shall be carried out within one year of completion of that phase of development. For a period of not less than ten years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme.

iii) A landscape Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas, shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the first occupation of each phase of development. The maintenance schedule shall be for a minimum period of ten years and include arrangements for its implementation. The Landscape Management Plan shall be carried out as approved.

(In the interests of amenity, and in accordance with saved policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03).

20. No intrusive ground works within Plots 5 (MSCP), or 6 (Pavilion), or in Plot 8 (Service Road, where within 10 metres of the boundary with land owned / controlled by Network Rail) defined on drawing no. 18845-KSS-SW-ZZ-DR-A-0011 Rev P07 (Parameter Plan – Development Plots) shall take place until a construction methodology has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall evidence consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology.

(To ensure that the development will not harm the structural stability of the adjacent railway.)

21. No intrusive ground works shall take place within any phase of the outline permission until the applicant has secured the implementation of an appropriate programme of archaeological work for that phase to be undertaken by a competent and experienced organisation in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an assessment of significance, research questions, and:

- 1) The programme and methodology of site investigation and recording (with contingency for further excavation if required);
- 2) The programme for post-investigation assessment;
- 3) The provision to be made for analysis of the site investigation and recording;
- 4) provision to be made for publication and dissemination of the analysis and records of the site investigation;
- 5) Provision to be made for archive deposition of the analysis and records of the site investigation.

(To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced and in accordance with Core Strategy policy CS18.)

22. No intrusive works shall take place within that part of the site which is part of the outline planning permission other than in accordance with the Written Scheme of Investigation approved under condition 21. (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced and in accordance with Core Strategy policy CS18).

23. No building in any phase of the development to which this outline permission relates shall be occupied until the site investigation and post-investigation assessment and updated project design has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 21 for that phase, and provision made for analysis, publication and dissemination of results and archive deposition has been secured. (To ensure that any heritage assets that will be wholly or partly lost as a result of the development are recorded and that the understanding of their significance is advanced and in accordance with Core Strategy policy CS18).

24. No intrusive ground works shall take place on Plot 6 (Pavilion) until a Method Statement detailing the design and means of construction of the foundations of the building, together with any other proposed earthmoving and excavation works required in connection with its construction has first been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall identify and incorporate any measures required to avoid the risk of adversely affecting the stability of the bank of the adjacent Grand Union Canal (such as vibration monitoring during any piling operations or establishment of stand-off distances from the canal for operating plant or machinery) during construction operations. The development shall thereafter only be carried out in accordance with the agreed Method Statement. (In the interests of avoiding the risk of creating land instability arising from foundation construction, earthmoving, excavations or other construction operations which could affect the stability of the adjacent

Grand Union Canal bank in accordance with the advice and guidance on land stability contained in paragraphs 174 and 183 of the National Planning Policy Framework and National Planning Practice Guidance).

25. Unless developed as purpose-built student accommodation, all dwellings within the residential building (Plot 3) and the associated parking and approaches shall be constructed in accordance with Category 2: accessible and adaptable dwellings M4(2) Optional Requirement. On completion of the scheme and prior to the occupation of any dwelling a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the Local Planning Authority certifying compliance with the above standard. (To ensure the dwellings are adaptable enough to match lifetime's changing needs in accordance with Core Strategy policy CS06).
26. Prior to the above ground construction of any building within each phase of the part of the development for which outline planning permission is granted, details of security measures to be installed within that building shall be submitted to and approved in writing by the Local Planning Authority in consultation with Leicestershire Police. The scheme shall have regard to the recommendations of the Leicestershire Police Designing out Crime Officer set out by letter dated 18/11/21. The approved measures shall be installed prior to first occupation of that building and shall be retained thereafter. (To ensure opportunities to minimise crime are incorporated into the development in accordance with Core Strategy Policy CS03).
27. The Multi Storey Car park (Plot 5) shall be designed in accordance with an accredited Safe Car Parking Scheme such as Park Mark, Safer Car Parks or other appropriate scheme. Confirmation of accreditation shall be submitted to the Local Planning Authority prior to the first use of the Multi-Storey Car Park and the car park shall be operated in accordance with the requirements of the scheme thereafter. (To ensure opportunities to minimise crime are incorporated into the development in accordance with Core Strategy Policy CS03).
28. On submission of any reserved matters application for Plot 4, the arena, details of an insulation scheme must be submitted. The insulation scheme shall ensure that noise levels from any event within the arena shall not exceed a level equal to baseline background sound level expressed as a 5 minute LAeq measured 1m from any residential façade (including that of the proposed residential block, plot 3). The insulation scheme shall ensure that the Noise Rating level within the development does not exceed Noise Rating curve NR25 1m from any residential façade (including that of the proposed residential block, plot 3). The development shall be carried out in accordance with the approved details. (To safeguard the amenity of the adjoining properties, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan).

29. The rated noise level from all plant and machinery within the development shall not cause noise levels 1m from any on-site and off-site residential façade to exceed 5dB(A) below background level, expressed as 15-minute LAeq.
(To safeguard the amenity of the adjoining properties, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)
30. The development within those parts of the site for which outline planning permission is granted shall only be open to the general public in accordance with the following hours of use:
- Arena: 0800 – 0200
- Hotel: 24 hours
- Offices 24 hours
- Club retails: 0800 – 0200 Monday to Sunday
(To safeguard the amenity of the proposed and nearby residential properties and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)
31. There shall be no changes to the fuel type, specification or operation of the Energy Compound, and associated contained gas-fired boilers shall comply with the specification and parameters outlined within Air Quality data, Table 3-3 and Table 3-4 of the Air Quality Chapter Technical Appendix 11.1. Any deviations shall be submitted to and be approved in writing by the Local Planning Authority.
(In the interests of the amenities of nearby occupiers, and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan.)
32. The proposed outline elements of the scheme shall be built out in accordance with the proposed Parameter Plan Development Plots plan reference 18845-KSS-SW-ZZ-DR-A-0011 rev P07 as set out below:
Plot 1 – proposed club shop, Class E(a)
Plot 2 – proposed hotel and business centre under Classes C1, E(b) and E(g)
Plot 3 – residential building under Classes C3, E(b) and E(g), sui generis (residential)
Plot 4 – arena building (sui generis)
Plot 5 – multi-storey car park and energy centre (sui generis)
Plot 6 – south west pavilion under Class E(g)
(For the avoidance of doubt)
33. The quantum of Class E floorspace permitted within the buildings on Plots 1, 2, 3 and 6 shall not exceed the following Gross Internal Areas:
Plot 1 – 2,083sq.m (GIA)
Plot 2 – 4,329sq.m (GIA)
Plot 3 – 4,075sq.m (GIA)
Plot 6 – 2,135sq.m (GIA)

To ensure that the development does not have any adverse impacts on the vitality and viability of existing centres in accordance with Core Strategy policy CS11 and for the avoidance of doubt).

34. The proposed Class E floorspace accommodated across the masterplan (outline) area shall not exceed 10,262sqm NIA in total and the following maximum parameters for the sub-divisions of Class E:
Class E(a) (display or retail sale of goods other than hot food) – 5,131sq.m (NIA)
Class E(b) (sale of food and drink for consumption (mostly) on the premises) – 5,131 sq.m (NIA) (excluding ancillary accommodation in the stadium and arena)
Class E(g)(i) (offices) and E(g)(ii) research and development of products or processes – 9,399 (GIA)
(For the avoidance of doubt)

CONDITIONS RELATING TO ALL PARTS OF THE DEVELOPMENT

35. No intrusive ground works shall take place within Plot 7 (as defined by Parameter Plan – Development Plots 18845-KSS-SW-ZZ-DR-A-0011-SP-P07 Rev 07) and the National Grid Building (planning application 20212527) site until the further investigations identified through the Buro Happold Geotechnical and Geo-Environmental Interpretative Report (LCFC-BHE-XX-XX-RP-CG-0004 Rev P03) for these parts of the site have been completed and a report of findings submitted to and approved in writing by the Local Planning Authority.
The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s).
The recommended remediation scheme for each phase and any further necessary remediation shall be implemented and a completion report shall be submitted to and approved in writing by the Local Planning Authority before that respective phase of the development is occupied.
(To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy PS11 of the City of Leicester Local Plan).
36. If, during development, contamination not previously identified or that would not reasonably be expected to be identified is found to be present at the site then no further development shall be carried out until an updated remediation strategy detailing how this contamination will

be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

(To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site and in accordance with saved policy PS11 of the City of Leicester Local Plan.)

37. Prior to the installation of any permanent drainage within any phase of development full details of the Sustainable Drainage System (SuDS) within that phase together with implementation, long term maintenance and management of that system shall be submitted to and approved in writing by the local planning authority. No part of that phase shall be brought into use until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include:
 - (i) full design details,
 - (ii) a timetable for its implementation, and
 - (iii) a management and maintenance plan for the lifetime of the phase of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime.(To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy).
38. Prior to the installation of any permanent drainage within any phase of development details of drainage shall be submitted to and approved in writing by the Local Planning Authority. No part of that phase of development shall be occupied until drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter in accordance with the approved details.
(To ensure appropriate drainage is installed in accordance with Core Strategy policy CS02).
39. Prior to the installation of any drainage within any phase, an assessment of water quality for the proposed use (completed in accordance with CIRIA C753 The SuDS Manual [Section 26: Water Quality Management, p560 – 595. See tables 26.1, 26.2 and 26.3], and details of water quality control measures (informed by the assessment of water quality) for that phase, shall be submitted to and approved in writing by the Local Planning Authority. No part of that phase of development shall be occupied until the water quality control measures have been installed in accordance with the approved details. They shall be retained and maintained thereafter in accordance with the approved details.
(To ensure appropriate drainage is installed in accordance with Core Strategy policy CS02).
40. The development shall be carried out in accordance with the submitted

flood risk assessment (Ref 410.07824.00005, dated October 2021 and compiled by SLR Consulting Limited) and the following mitigation measures detailed therein:

- Finished floor levels shall be set no lower than 56.75 metres above Ordnance Datum (AOD).
- Compensatory storage shall be provided as detailed within Appendix G of the report. This includes ground levels within the Fan Zone area to be set to 56.25 metres AOD.
- Flood resilience measures as detailed within Sections 5.1 and 5.2 of the report.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

(To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided. To ensure the development is appropriately flood resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment. In accordance with Core Strategy policy CS02).

41. Prior to the first occupation of any phase of development, an emergency flood plan incorporating the measures set out at Section 5.6 of the FRA shall be submitted to and approved in writing by the Local Planning Authority. That phase of development shall be carried out and operated in accordance with the approved details.
(To ensure the safety of occupiers in the event of a flood event and in accordance with Core Strategy policy CS02).
42. Prior to the commencement of development in any phase that would result in the temporary or permanent loss of parking for cars, cycles or service vehicles, a temporary car, cycle and service vehicle parking management strategy for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall detail how suitable alternative parking provision for staff and visitors will be provided and the timetable for implementation. Development of each phase shall take place in full accordance with the approved strategy for that phase.
(To ensure adequate parking during the construction phases in accordance with saved Policy AM11 of the City of Leicester Local Plan).
43. Prior to the commencement of development in any phase, a Construction Method Statement for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The statement shall also include those measures outlined within section 9.66 (p9.14) of the Environmental Statement and the Construction Environmental Management Plan and shall also include the following:
 - (i) the vehicle and pedestrian temporary access arrangements

including the parking of vehicles of site operatives and visitors;

- (ii) the loading and unloading of plant and materials;
- (iii) the storage of plant and materials used in the construction of the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) a scheme for the storage, recycling, and disposing of waste resulting from the demolition and construction works
- (viii) the proposed phasing of development and a detailed description of the works in each phase
- (ix) the temporary access arrangement to the construction site;
- (x) procedures to ensure flood risk is managed on site during the period of works for personnel, plant and members of the public
- (xi) the procedures to ensure flood risk is not increased anywhere outside of the site for the duration of the works;
- (xii) the procedures to ensure pollution and sedimentation is minimised to any adjacent watercourse and the procedure to be used in case of a pollution incident;
- (xiii) the measures that will be undertaken to ensure the structure of any adjacent watercourse is not impacted by the proposed development.
- (xiv) measures shall also include details of hours of operation with a provision for circumstances where extended hours may be needed.
- (xv) details of parking/service areas to be provided, retained and kept available at each stage of construction of the development.

(To ensure the satisfactory development of the site, and in accordance with saved policies AM01, PS10, PS11 and UD06 of the City of Leicester Local Plan and Core Strategy policy CS02 and CS03.)

44. Unless otherwise agreed through the Construction Method Statement pursuant to condition 44, construction operations utilising site equipment and/or plant and machinery generating noise that exceeds 65(dBA) Laeq (over a 1 hour period) at the façade of residential or noise sensitive premises shall only be carried out between the hours of 0700 to 1900 Mondays to Fridays, 0800 to 1300 on Saturdays and at no time on Sundays and Bank Holidays.
(In the interests of neighbouring amenity and in accordance with saved policies PS10 and PS11 of the City of Leicester Local Plan).
45. Prior to the installation of any external lighting within any phase of development, a detailed design plan of lighting to be installed within that phase which shows the locations of lights, their type of light emittance and wavelength, together with a lux contour map showing the variation in light, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be designed to cause minimum disturbance to protected species that may inhabit the site with appropriate areas remaining dark and a maximum of 1 lux on

vegetated/water where considered necessary. The approved scheme shall be implemented and retained thereafter.

(In the interests of protecting wildlife habitats and in accordance with saved policy BE22 of the City of Leicester Local Plan and Core Strategy policy CS17).

46. Applications for the approval of reserved matters for any phase of the development hereby approved shall include details of waste management provision for that building. Details shall include:
1. The proposed storage for external non-recyclable waste and recycling containers.
 2. The calculations made to determine the overall storage allowance for a maximum of once a week collection.
 3. The proposed access and collection routes for collection vehicles.
 4. Reversing distances (if reversing cannot be avoided).
 5. Distances between vehicle collection points and storage areas.
 6. A turning assessment that has been made using the appropriate software (e.g. Auto Track) and taking into account the vehicle dimensions.
 7. A statement detailing how the containers will be transported that to the waste collection point at ground level (in developments where the storage is proposed underground).
 8. A safety assessment of the location where the collection vehicle will stop to undertake collections.
- Each phase of development shall be carried out in accordance with the approved details which shall be retained in perpetuity.
(In accordance with saved policy H07 of the City of Leicester Local plan and Core Strategy policy CS03).
47. No publicly accessible building within the development, including the additional seats in the extended East Stand, shall be occupied until a scheme comprising measures to quickly restrict access and egress to that building, by the installation of appropriate physical and/or management measures in response to a threat, either external or internal and a Public Address (PA) system, has been submitted to and approved in writing by the Local Planning Authority. The measures included within the scheme shall be implemented within each building prior to its first occupation.
(In the interests of public and highway safety and to secure the satisfactory development of the site in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy Policy CS03 and in accordance with NPPF Sections 8 and 12).
48. No part of the development shall be occupied until a detailed Travel Plan covering the whole development has been submitted to and agreed in writing with the Local Planning Authority. This should accord with the principles of the submitted Framework Travel Plan and may take the form of a single unified Plan or alternatively a parent Plan with subsidiary Plans for individual phases of the development. In the case of the latter, no phase of development shall be occupied until the

respective subsidiary Plan for that phase has been submitted to and agreed in writing with the Local Planning Authority. The Plan for each respective phase of development shall be implemented in accordance with a timetable to be contained with the Travel Plan. The Plan shall contain, and be based on, headline targets agreed with the Local Planning Authority. The Plan shall:

- (a) assess the site in terms of transport choice for attendees of matches and other events, staff, users of services, other visitors, deliveries and servicing;
- (b) consider pre-trip mode choice, measures to promote and facilitate more sustainable modes of transport such as walking, cycling, car share and public transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site as single occupancy vehicle users, so that all users have awareness of sustainable travel options;
- (c) identify marketing, promotion and reward schemes to promote sustainable travel;
- (d) incorporate a parking management strategy to address the impacts of parking both on and off-site;
- (e) (in respect of the stadium and arena) outline the required parameters for Event Management Plans to be produced for Super-Events deploying both the stadium and proposed arena simultaneously;
- (f) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 10 years from the first occupation of the development brought into use. (The Plan(s) shall be maintained and operated thereafter in accordance with saved policies AM01, AM02, AM11 and AM11 of the City of Leicester Local Plan).

- 49. An Event Management Travel Plan shall be submitted to and approved in writing by the Local Planning Authority for each Super-Event (defined as non-sporting events permitted pursuant to condition 6), with a combined number of events between 40,000 and 48,950 participants (including the audience) deploying both the stadium and the proposed arena simultaneously. The required parameters for Event Management Plans shall be set out in the approved Travel Plan pursuant to condition 49 including the lead time for their submission and approval ahead of the associated Super-Event.
(To promote sustainable transport and in accordance with saved policies AM01, AM02 and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).
- 50. All street works shall be constructed in accordance with the Leicester Street Design Guide (1st Edition) or any subsequent document that supersedes that guidance.
(To achieve a satisfactory form of development, and in accordance with

saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03).

51. No part of the development shall be occupied until a scheme for the provision of dropped kerbs and ramps, suitable for wheelchairs and prams, over the Burnmoor Street / Raw Dykes roundabout and the Raw Dykes Road / service road priority junction, together with a timetable for implementation has been submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved scheme prior to the occupation of the development.
(For the safety and convenience of pedestrians including disabled people and pram and wheelchair users; and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03).
52. No part of the development shall be occupied until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated in accordance with guidance in the Leicester Street Design Guide (1st Edition).
(For the safety and convenience of pedestrians and other road users, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03).
53. At least 20 car parking spaces for use of disabled people shall be provided before any part of the extended East Stand is occupied in accordance with guidance in the Leicester Street Design Guide (1st Edition) and shall be retained and kept available for use by disabled people. Prior to occupation of any other phase of development, additional car parking spaces for use by disabled people shall be provided in accordance with details provided and approved with any reserved matters application.
(To ensure adequate provision for the needs of disabled people, and in accordance with saved policy AM11 of the City of Leicester Local Plan and Core Strategy policy CS03).
54. No phase of the development shall be occupied until secure and covered cycle parking relating to that phase of development has been provided, in accordance with written details previously approved by the Local Planning Authority. The cycle parking shall be retained and kept available for that use thereafter.
(In the interests of the satisfactory development of the site and in accordance with policies AM02 and H07 of the City of Leicester Local Plan).
55. No phase of the development shall be occupied until charging points relating to that phase of development have been provided, in accordance with written details previously approved by the Local Planning Authority. The charging points shall be retained and kept available for that use thereafter.

(In the interests of the satisfactory development of the site and in accordance with policies AM02 and H07 of the City of Leicester Local Plan).

56. All external lighting submitted pursuant to conditions 3, 19 and 45 shall include details to demonstrate that light fixtures will have no adverse impact on users of the highway.
(To prevent glare in the interests of highway safety and in accordance with saved policy PS11 of the City of Leicester Local Plan).
57. Prior to any piling taking place within any phase of the development, a ground water risk assessment for that phase of development which demonstrates that there is no resultant unacceptable risk to groundwater shall be submitted to and approved in writing by the Local Planning Authority. That phase of development shall be carried out in accordance with the approved details.
(To ensure that any proposed piling will not result in contamination of groundwater. In accordance with saved policy PS11 of the City of Leicester Local Plan).
58. The tree protection measures within each phase, as detailed in the approved Arboricultural Impact Assessment shall be in place prior to the commencement of development within that phase, and shall be retained in place until the external works within that phase are complete.
(In the interests of amenity, and in accordance with saved policy UD06 of the Leicester Local Plan and Core Strategy policy CS03.)
59. No intrusive ground works on 'The Avenue' (defined as Plot 7a and that part of Plot 7 not shown as soft landscaping) linking the site to A426 Aylestone Road, shall commence unless the local planning authority has been provided with either:
 - i. An agreed mitigation plan and license issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 / Protection of Badgers Act 1992, authorizing the specified activity/development to go ahead, subject to appropriate mitigation and to be carried out in accordance with requirements stipulated in the licence; or
 - ii. Where a license is no longer deemed to be required a non-licensed statement is provided by a suitably qualified ecologist detailing the methods for the protection of badgers to be employed during construction.
(To comply with the Wildlife and Countryside Act 1981 (as amended by the CROW At 2000), the Habitat and Species Regulations 2017 and in accordance with Core Strategy policy CS17).
60. Prior to the commencement of any phase (full or outline) of the development including demolition, a draft training and employment method statement for construction of that phase of the development shall be submitted to and approved in writing by the Local Planning

Authority. Prior to the first occupation of each phase of development, a Statement for the operational phase shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall contain measures designed to maximise local job opportunities. The developer shall work with the City Council to establish measures to provide collaboration with local job centres, training agencies and other employment based initiatives within the City of Leicester to further the objective of maximising local job opportunities resulting from the development. Within 28 days of a written request from the City Council the developer shall provide details of all steps taken under the approved method statement. (To promote local employment opportunities and the local economy in accordance with Policy CS10 of the Core Strategy). To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

61. This consent shall relate solely to the submitted plans received 27th October 2021

Proposed Site Plan 17792-KSS-SG-ZZ-DR-A-9012-SP-P05
Ground Floor Proposed Plan 17792-KSS-SG-00-DR-A-9102-SP-P06
First Floor Proposed Plan 17792-KSS-SG-01-DR-A-9102-SP-P05
Second Floor Proposed Plan 17792-KSS-SG-02-DR-A-9101-SP-P06
Third Floor Proposed Plan 17792-KSS-SG-03-DR-A-9101-SP-P05
Fourth Floor Proposed Plan 17792-KSS-SG-04-DR-A-9101-SP-P05
Roof Proposed Plan 17792-KSS-SG-RF-DR-A-9102-SP-P06
Upper Tier Proposed Plan 17792-KSS-SG-UT-DR-A-9101-SP-P03
Sections AA Proposed 17792-KSS-SG-ZZ-DR-A-9202-SP-P03
Section DD Existing & Proposed 17792-KSS-SG-ZZ-DR-A-9206-SP-P03
Section EE Existing & Proposed 17792-KSS-SG-ZZ-DR-A-9207-SP-P03
East Elevation Existing & Proposed 17792-KSS-SG-ZZ-DR-A-9320-SP-P05
North Elevation Existing & Proposed 17792-KSS-SG-ZZ-DR-A-9322-SP-P04
South Elevation Existing & Proposed 17792-KSS-SG-ZZ-DR-A-9323-SP-P05
West Elevation Existing & Proposed 17792-KSS-SG-ZZ-DR-A-9323-SP-P05
Detailed Elevation 1 17792-KSS-SG-ZZ-DR-A-9350-SP-P01
Detailed Elevation 2 17792-KSS-SG-ZZ-DR-A-9351-SP-P01
Detailed Elevation 3 17792-KSS-SG-ZZ-DR-A-9352-SP-P01
Parameter Plan Outline & Detailed Scope 18845-KSS-SW-ZZ-DR-A-0010-SP-P07
Parameter Plan Development Plots 18845-KSS-SW-ZZ-DR-A-0011-SP-P07
Parameter Plan Access & Movement 18845-KSS-SW-ZZ-DR-A-0012-SP-P08
Parameter Plan Ground & Mezzanine Uses 18845-KSS-SW-ZZ-DR-A-

0016-SP-P07

Parameter Plan Upper Level Uses 18845-KSS-SW-ZZ-DR-A-0017-SP-P07

Parameter Plan Public Realm & Interfaces 18845-KSS-SW-ZZ-DR-A-0018-SP-P05

Parameter Plan Maximum Heights & Plot Extents 18845-KSS-SW-ZZ-DR-A-0014-SP-P07

Illustrative Ground Plane Plan 18845-KSS-SW-ZZ-DR-A-0015-SP-P07

Public Realm Masterplan P11412-00-001-GIL-001

Phase 1 Landscape General Arrangement P11412-00-001-GIL-101-19

Feature Paving Detail P11412-00-001-GIL-302-01

Fan Zone Paving Detail P11412-00-001-GIL-309-01

Phase 1 Tree Planting Plan P11412-00-001-GIL-401-00

(For the avoidance of doubt)

NOTES FOR APPLICANT

1. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at: <https://www.leicester.gov.uk/media/186708/leicester-street-design-guide-first-edition.pdf>
As this is a new document it will be kept under review. We therefore invite comments from users to assist us in the ongoing development of the guide.

The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for any works on or in the highway. For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.

2. Development on the site shall avoid the bird nesting season (March to September), but if this is not possible, a re-check for nests should be made by an ecologist (or an appointed competent person) not more than 48 hours prior to the commencement of works and evidence provided to the LPA. If any nests or birds in the process of building a nest are found, these areas will be retained (left undisturbed) until the nest is no longer in use and all the young have fledged. An appropriate standoff zone will also be marked out to avoid disturbance to the nest whilst it is in use.
All wild birds are protected under the Wildlife and Countryside Act (1981) as amended making it an offence to kill, injure or disturb a wild

bird and during the nesting season to damage or destroy an active nest or eggs during that time.

3. Network Rail Standard Informatives

Please note, not all of these requirements may be applicable to this development. Document attached.

4. Network Rail Drainage Informatives. We ask that all surface and foul water drainage from the development area be directed away from Network Rail's retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail before construction starts on site.

Water must not be caused to pond on or near railway land either during or after any construction-related activity.

The construction of soakaways for storm or surface water drainage should not take place within 20m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.

The construction of soakaways within any lease area is not permitted.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 20m of the Network Rail boundary where these systems are proposed to be below existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be above existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land.

Wayleaves and or easements for underline drainage assets

The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area
There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.

No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.

There must be no interfering with existing drainage assets/systems

without Network Rail's written permission.

The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Asset Protection (assetprotectioneastern@networkrail.co.uk) for further information and assistance.

5. Waste on site:

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental regulations page on GOV.UK

6. EA. Model procedures and good practice.

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.

4. Refer to the contaminated land pages on GOV.UK for more information.

7. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed

works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus.

The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.lineearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise.

This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

26. 20221014 - 53 FRANCIS STREET LAND TO REAR OF

20221014 - 53 Francis Street, land to rear of

Ward: Knighton

Proposal: Construction of two storey building to provide two flats (1 x 1 bed & 1 x 2 bed) (Class C3); installation of boundary fence, bin store and cycle stores (AMENDED PLANS RECEIVED 26/08/2022)

Applicant: Ms P Thaker

The Planning Officer presented the application and drew Members' attention to the addendum report.

Anish Tailor and Poonam Thaker addressed the Committee and spoke in support of the application.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and speakers, and moved that in accordance with the Officers

recommendation, the application be approved subject to the conditions set out in the report and the addendum. This was seconded by Councillor Dr Moore and upon being put to the vote, the motion was CARRIED.

RESOLVED:

That the application be APPROVED subject to the conditions set out below:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. Construction of the building hereby approved shall not progress beyond damp proof course level until the materials to be used in the finish of the external walls (including the window arches and sills), roof and window frames, and details of the reveal of the windows (including the blind windows), have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the details so approved. (To ensure that the finished development makes a positive contribution to the character and visual quality of the area, in accordance with Policy CS03 of the Leicester Core Strategy (2014)).
3. The height of the fence separating the amenity space of Flat 1 (the ground floor flat) from the rain garden shall not exceed 1 metre, unless otherwise approved in writing by the local planning authority. (To ensure an acceptable quality of outlook from the principal room windows of Flat 1, in the interests of the amenity of the occupiers of the development and in accordance with Policy CS03 of the Leicester Core Strategy (2014) and saved Policy PS10 of the City of Leicester Local Plan (2006)).
4. The development shall be constructed in accordance with Category 2: Accessible and adaptable dwellings M4 (2) Optional Requirement. On completion of the scheme and prior to the occupation of the dwelling a completion certificate signed by the relevant inspecting Building Control Body shall be submitted to the local planning authority certifying compliance with the above standard. (To ensure the dwelling is adaptable enough to match lifetime's changing needs in accordance with Policy CS06 of the Leicester Core Strategy (2014)).
5. The waste and recycling bins shall be retained on the site in the position marked for this purpose on the approved plans except on the day of collection and on the day prior to collection. (To ensure that the visual quality of the area is not diminished by indiscriminate storage of bins and to prevent avoidable obstruction to pedestrians, in accordance with Policy CS03 of the Leicester Core Strategy (2014) and saved Policy PS10 of the City of Leicester Local Plan (2006)).

6. No part of the development shall be occupied until the cycle parking has been provided in accordance with the approved details. The cycle parking so provided shall thereafter be retained. (To ensure that the development meets the needs of cyclists and encourages more sustainable travel choices, in accordance with Policies CS14 and CS15 of the Leicester Core Strategy (2014) and saved Policy AM02 of the City of Leicester Local Plan (2006)).
7. The development shall not be occupied until a Travel Pack for new residents has been submitted to, and approved in writing by, the local planning authority. The Travel Pack shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. The occupiers of each of the flats shall be provided with a copy of the approved Travel Pack upon their first occupation. (To ensure that the development encourages more sustainable travel choices, in accordance with Policies CS14 and CS15 of the Leicester Core Strategy (2014)).
8. The development shall be constructed to incorporate bird and bat bricks, bee hives and hedgehog holes in accordance with the details shown on the approved plans. The bird and bat bricks, bee hives and hedgehog holes shall thereafter be retained and kept free of obstruction. (To ensure that connections for wildlife on the site are maintained, and in the interest of biodiversity enhancement, in accordance with Policy CS17 of the Leicester Core Strategy (2014)).
9. The development hereby approved shall not commence until a detailed landscape and ecological management plan (LEMP) showing the treatment and maintenance of all parts of the site which will remain unbuilt upon has been submitted to and approved in writing by the local planning authority. This scheme shall include details of: (i) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means of planting, staking, and tying of trees, including tree guards; (iv) other surface treatments; (v) fencing and boundary treatments, including details of the entrance gates; (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots), (viii) a detailed plan of the biodiversity enhancements on the site such as the rainwater garden including a management scheme to protect habitat during site preparation and post-construction. The approved LEMP shall contain details on the after-care and maintenance of all soft landscaped areas and be carried out within one year of completion of the development. For a period of not less than 10 years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme and a written assessment of the landscaped/habitat areas and use by wildlife/species

present shall be submitted annually to the local planning authority. (In the interests of the visual quality and biodiversity of the area, in accordance with Policies CS03 and CS17 of the Leicester Core Strategy (2014). To ensure that the details are approved in time to inform the construction phase of the development hereby approved, this is a PRE COMMENCEMENT condition).

10. The development hereby approved shall not commence until full details of the Sustainable Drainage System (SuDS) including implementation, long term maintenance and management of the system, has been submitted to and approved in writing by the local planning authority. No flat shall be occupied until the approved system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with Policy CS02 of the Leicester Core Strategy (2014). To ensure that the details are approved in time to inform the construction phase of the development hereby approved, this is a PRE COMMENCEMENT condition).
11. The development hereby approved shall not commence until details of drainage have been submitted to and approved in writing by the local planning authority. No flat shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with Policy CS02 of the Leicester Core Strategy (2014). To ensure that the details are approved in time to inform the construction phase of the development hereby approved, this is a PRE COMMENCEMENT condition).
12. Development shall be carried out in accordance with the following approved plans: 2022/02/28/E Page 1 of 8 (Ground Floor Plan (1:200)); 2022/02/28/E Page 2 of 8 (Ground Floor Plan (1:100)); 2022/02/28/E Page 3 of 8 (First Floor Plan and Roof Plan); 2022/02/28/E Page 4 of 8 (Elevations B & D); 2022/02/28/E Page 5 of 8 (Elevations A & C); 2022/02/28/E Page 6 of 8 (Fence, Bat Brick, Bird Brick and Beehive Details); 2022/02/28/E Page 7 of 8 (Bin and Cycle Store Details); 2022/02/28/E Page 8 of 8 (Site Location Plan and Proposed Site Plan) - all rec'd 26/08/2022. (For the avoidance of doubt).

NOTES FOR APPLICANT

1. Leicester Street Design Guide (First Edition) has now replaced the 6Cs Design Guide (v2017) for street design and new development in Leicester. It provides design guidance on a wide range of highway related matters including access, parking, cycle storage. It also applies

to Highways Act S38/278 applications and technical approval for the Leicester City highway authority area. The guide can be found at: <https://www.leicester.gov.uk/your-council/city-mayor-peter-soulsby/key-strategy-documents/>

As this is a new document it will be kept under review. We therefore invite comments from users to assist us in the ongoing development of the guide.

2. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway.
For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.
3. With regards to the Travel Pack the contents of the pack are intended to raise the awareness and promote sustainable travel, in particularly for trips covering local amenities. The applicant should contact highwaysdc@leicester.gov.uk for advice.
4. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2021 is considered to be a positive outcome of these discussions.

27. CLOSE OF MEETING

The meeting closed at 7.20pm.