DEVELOPMENT CONTROL COMMITTEE

Minutes of a meeting held at the Council Offices, Narborough

THURSDAY, 1 NOVEMBER 2012

Present:-

Cllr. S. Scott (Chairman)
Cllr. D. Freer (Vice-Chairman)

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<tr>
<th>Cllr. R. J. Berrington</th>
<th>Cllr. B. Garner</th>
<th>Cllr. J. Springthorpe</th>
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<tr>
<td>Cllr. D. J. Findlay</td>
<td>Cllr. C. A. Merrill</td>
<td>Cllr. M. A. Wright</td>
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Substitute:-

Cllr. L. M. Breckon (In place of Cllr. E. Parsons)
Cllr. J. O. Hudson (In place of Cllr. J. Blackwell)
Cllr. D. Jennings (In place of Cllr. B. M. Parkins)

Officers present:-

- Mr A. Senior - Development & Conservation Manager
- Miss S. Mander - Senior Democratic Services Officer
- Mrs F Churchill - Interim Planning Group Manager
- Mr D Gould - Senior Environmental Health Officer
- Miss K Ingles - Development Control Officer
- Mr. P. Tebbitt - Senior Planning Policy Officer
- Page - Democratic Services and Governance Manager

Apologies:-

Cllr. J. Blackwell, Cllr. B. M. Parkins and Cllr. E. Parsons
176. **DISCLOSURES OF INTEREST**

No disclosures were received.

177. **LUBBESTHORPE PLANNING APPLICATION - 11/0100/1/OX**

Considered – Report of the Lubbesthorpe Planning Application Team. An addendum to the recommendation was circulated at the meeting.

**Public Speaking**

Pursuant to Part 4, Section 8 of the Council’s Constitution, in relation to public rights in participation in planning applications, the Chairman allowed each of the following to give a 5 minute presentation:

- Councillor J Dickinson - Ward Member for Enderby & St Johns.
- Councillor I Hewson - Ward Member for Stanton Flamville
- Councillor D Parsons - Ward Member for Muxloe
- Councillor S Smith - Ward Member for Forest
- Councillor R Ward - Ward Member for Winstanley

- Mr P Fox who objected to the application
- Mr R Hayward who objected to the application

The Chairman adjourned the meeting for a 10 minute comfort break.

**Public Speaking**

- Mr I Laughton on behalf of Braunstone Town Council
- Mr S Coar and Mr M Fox on behalf of Leicester Forest East Parish Council
- Mr A Hiorns on behalf of the Applicant

Members then debated the application and asked questions of the Officers.

During the debate the Chairman informed members that the Committee was approaching the 3 hour deadline and in accordance with Part 4, Section 1, Paragraph 9 of the Council’s Constitution, Members were required to cast a vote if they wanted to continue the meeting until 9.00pm.

Members voted and resolved to continue the meeting until 9.00pm.

Debate then continued.

A request for a recorded vote for application 11/0100/1/OX was made by the
required number of Members in accordance with Part 4, Section 1, Paragraph 17.5 of the Council's Constitution.

Voting on the application was recorded as follows:

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<th>Permit the Application</th>
<th>Refuse the Application</th>
<th>Abstain</th>
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<td>Cllr M Broomhead</td>
<td>Cllr J Forey</td>
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**DECISION**

That planning application 11/0100/1/OX be referred to the Secretary of State as a departure under the Town and Country Planning (Consultation) (England) Direction 2009 as the application proposal is a departure to the Blaby District Local Plan (1999).

That consequent upon the Secretary of State deciding not to intervene planning permission be granted subject to:

The applicants entering into an agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the following:

- Two Primary Schools, the provision of sites and a financial contribution to fund construction; and

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• One secondary school including provision of a site and financial contribution to fund construction; and

• Subject to negotiation community facilities and services including policing and the provision of sites and buildings to an agreed specification.

• Provision of public transport through an agreed public transport strategy to include services and infrastructure). The transport strategy shall include contributions towards public transport infrastructure within Leicester City that comprises of the provision of new infrastructure and the improvement of existing infrastructure to a City Centre bus terminus.

• Provision of a site wide travel plan.

• Highway Improvements to agreed schemes to include traffic calming, pedestrian and cycling facilities and contributions to schemes in the vicinity of Beggars Lane, Enderby Road, Junction 21 (M1), the A5460, the B4114 and Leicester outer ring – road.

• All CIL compliant capital infrastructures for Policing necessitated by the development and including officer equipment, communications, CCTV, vehicles and premises, the precise terms of this contribution to be settled by further negotiation.

  ▪ A contribution of £119,510 to improvement of civic amenities facilities; and

  ▪ Provision of a health centre including provision of a site and building to shell finish; and

  ▪ Residential accommodation for a community development worker; and

  ▪ Submit an Economy, Employment and Training Strategy to secure employment and training for local residents; and

  ▪ Local Authority monitoring costs £193,647; and

  ▪ Affordable Housing.

Subject to the imposition of conditions relating to the following matters:
1. Time limits for implementation – Within 5 years from the date of permission or before expiration of 2 years from the date of approval of the first Reserved Matters application
2. Submission of Reserved Matters – Approval of details of appearance, landscaping, layout and scale
3. Time limit for the submission of Reserved Matters
4. Development to be in accordance with parameter plans and other submitted documentation (as amended)
5. Maximum amount of development to be in accordance with the schedule of development (as amended)

PHASING

6. No development until approval of exempt infrastructure and site preparation works
7. Detailed phasing programme/plan and the timing/phasing of required infrastructure to submitted
8. Phasing statements to ensure each Reserved Matters application is in accordance with site wide phasing plan/programme to be submitted
9. Submission of a detailed phasing programme / review mechanisms / plan and timing / phasing of required infrastructure (including highways / drainage / strategic landscaping)

MASTERPLANNING AND DESIGN

10. Submission of an Area Wide Master Plan and Design Code for each geographical phase of development
11. Area Wide Master Plans – Matters to be addressed
12. Design Codes – Matters to be addressed (including character areas, block types and principles, streets, public realm, building types, hard and soft landscaping and a mechanism for review)
13. Submission of Design Briefs for specific parts of the site including District Centre, Local Centres, community buildings, education buildings, extra care facility
14. Submission of statement to demonstrate how each reserved matters application accords with the relevant Area Wide Master Plan and Design Code
15. Reserved Matters applications to include details of existing and proposed site levels and finished floor levels of buildings, hard surfaced areas and green infrastructure

ENVIRONMENTAL SUSTAINABILITY

16. Submission of an energy strategy
17. Submission of a sustainability scheme for each geographical phase
18. Submission of a site wide plan for the protection, management and implementation of Green Infrastructure and Biodiversity
19. For each geographical phase of development, details of how the proposals comply with the site wide Green Infrastructure and Biodiversity plan including updated protected species surveys and mitigation plans to be submitted
20. No trees or hedgerows to be lopped, topped, felled or removed unless previously approved

ENVIRONMENTAL MANAGEMENT AND PROTECTION

21. Submission of a Construction Environmental Management and routing plan for each phase of development
22. Scheme to deal with the risk of contamination to be submitted for each geographical phase of development
23. If during development contamination not previously identified is found, no further development to be carried out until a remediation strategy has been approved
24. Scheme to deal with the risk from migrating landfill gas within the Strategic Employment Site to be submitted
25. Submission of a strategy for waste management including an implementation plan for each phase of development
26. Submission of full details of noise mitigation and attenuation due to road traffic noise from the M1 and M69
27. Submission of noise assessments for non-residential development
28. Submission of noise attenuation/insulation scheme for residential development adjacent to a non-residential use
29. Submission of a scheme for air quality management and mitigation
30. Submission of a strategy for the protection of Enderby Warren Site of Special Scientific Interest

DRAINAGE AND INFRASTRUCTURE

31. Submission of a scheme for the disposal of Foul Drainage
32. Detailed hydrological and hydraulic assessments of all watercourses, crossing or running adjacent to each geographical phase of development
33. Submission of a scheme for the provision of Sustainable Drainage Systems infrastructure within the areas of open space with the Sustainable Urban Extension including details of the implementation, maintenance responsibility and management
34. Submission of a Design Code for the provision of Sustainable Drainage Systems infrastructure within each geographical phase of development
35. Submission of a scheme for flood mitigation within the Strategic Employment Site
36. No development within 12 metres of the top of the bank of all
watercourses within the Sustainable Urban Extension
37. All surface water from vehicle parking areas and hardstandings associated with B1, B2 and B8 uses to be passed through an oil separator
38. Submission of details of electricity substations

RETAIL AND EMPLOYMENT

39. Submission of a strategy for the delivery of Class A Uses within the District and Local Centres
40. Scale and mix of non-retail uses within the District and Local Centres to be agreed
41. No sub-division / amalgamation of units within the District and Local Centres
42. Net sales area of foodstore not to exceed 2,000 square metres

HERITAGE AND ARCHAEOLOGY

43. Programme of archaeological work to be undertaken for each geographical phase
44. Details of mitigation works to protect the setting of the Scheduled Monument and Enderby Hall

HIGHWAYS AND MOVEMENT

45. Details of the arrangements for future management and maintenance of highways land at Baines Lane
46. M1 overbridge to be constructed in accordance with the current Design Manual for Roads and Bridges and the submitted details
47. M69 overbridge to be constructed in accordance with the current Design Manual for Roads and Bridges and the submitted details
48. Prior to the construction of the bridges over the M1 and M69, submission of full details of the access roads to these bridges to be submitted
49. Submission of a scheme for the continual review of transport impacts
50. Prior to occupation of any dwelling improvement of Baines Lane to an adoptable standard and delivery of a signal-controlled access to the A47 from Baines Lane.
51. Baines Lane access to serve a maximum of 150 dwellings only. After which time access restricted to pedestrians, cyclists and public transport
52. Prior to occupation of any dwelling accessed from Beggars Lane implementation of capacity improvements to the junctions on the A47 Hinckley Road with Beggars Lane and Kirby Lane, and pedestrian/cycle improvements along Beggars Lane.
53. Prior to occupation of any dwelling accessed from Beggars Lane the
implementation of an adoptable standard public transport, walking and cycling access route between the eastern and western areas of Phase 1

54. Prior to occupation of any dwelling accessed from Beggars Lane the installation of an bus-only control on the route between the eastern and western areas of Phase 1

55. Submission of details of the delivery of development to achieve frontage development between the eastern and western areas of Phase 1

56. Prior to the occupation of the 50th dwelling the provision of a daily public transport service between the development and the city centre

57. Prior to the occupation of the 50th dwelling the provision of a 4 metre wide eastbound bus lane along the A47 between Baines Lane and Braunstone Lane

58. Prior to the occupation of the 50th dwelling, the provision of capacity improvements and bus priority measures at the junction of the A47 Hinckley Road and Ratby Lane / Braunstone Lane

59. Prior to the occupation of the 50th dwelling, amendments to the exit radii of the A594 / Causeway Lane

60. Prior to the occupation of the 301st dwelling, delivery of a new access bridge over the M1 and improvements to Meridian Way.

61. Prior to the occupation of the Strategic Employment Site, provision of vehicular access to serve this development from the south

62. Prior to the occupation of the Strategic Employment Site, addition of a right turn facility from Leicester Lane at the junction of B4114 St Johns and Leicester Lane

63. Prior to the occupation of the Strategic Employment Site, delivery of a public transport service between the Sustainable Urban Extension and the Strategic Employment Site

64. Subject to the approved phasing plan, the delivery of a new bridge over the M69

65. Subject to the approved phasing plan, the provision of a vehicular access from Beggars Lane to the north of the B582

66. Subject to the approved phasing plan, the conversion of the current A47 / A563 roundabout to a signalised crossroads, to include bus priority measures and lane associated lane adjustments to the A563 on the northern and southern arms of the junction.

67. Subject to the approved phasing plan, the delivery of a scheme of signalisation at the junction of the A563 / Meridian South / A5460 off-slip road

68. All existing vehicular accesses that become redundant as a result of the development to be closed permanently

69. Submission of a residential travel plan for approval to include clauses for implementation

70. Submission of an employment travel plan for approval to include clauses for implementation
71. Submission of a school travel plan for approval to include clauses for implementation
72. No single B1 office use shall exceed 1000 square metres in net floor area
73. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, there shall be no change of use from premises falling within classes B1 (b), B1 (c) and B2 and B8 to use class B1 (a).

THE MEETING CONCLUDED AT 7.47 P.M.