



Leicester
City Council

PLANNING PERMISSION

Applicant:

Boohoo Group PLC
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M1 2EH

Agent (if any):

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Architecture:M
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PART 1 - PARTICULARS OF APPLICATION - no: 20202560

DATE OF APPLICATION: 17 March 2021

LOCATION OF PROPOSAL: 301 Thurmaston Lane

DETAILS OF PROPOSAL: Change of use from mixed use of motor vehicle sales and display and motor vehicle repairs to General Industrial use (Class B2) and demolition of existing standalone MOT garage; extensions, alterations and installation of photo voltaic panels to existing building; construction of warehouse with offices; alterations to access and parking layout; installation of three vertical wind turbines to site frontage; landscaping. (Amended).

PART 2 - PARTICULARS OF DECISION

Town and Country Planning Act 1990

Leicester City Council grants Planning Permission for the carrying out of the development referred to in Part 1 above in accordance with the application and plans submitted subject to the following conditions:


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. The external elevations of the approved extensions to the existing building, and other alterations to that building, shall be constructed externally of materials that match those of the existing building and as detailed on the approved plans for that building. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)

Date: 8 July 2021

Head of Planning

3. Prior to the commencement of any development above ground level relating to the approved new detached warehouse building, details of the following materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 - (i) Wall and roof materials
 - (ii) Rainwater goods
 - (iii) Windows and doors including materials and colour
 - (iv) Vents, flues and louvres
 - (v) Balustrades.(In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
4. No part of the development shall be occupied until secure, weatherproof and covered cycle parking for 25 cycles has been provided in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be retained thereafter for use in connection with occupation of the approved development. (In the interests of the satisfactory development of the site and in accordance with saved policy AM02 of the City of Leicester Local Plan).
5. The development identified on plan 003 revision D as "Phase 1 Works" shall be carried out as follows:
 - (i) all construction vehicles, and vehicles of site operatives, shall be parked within the site;
 - (ii) all loading, unloading and storage of plant and materials shall take place within the site;
 - (iii) facilities shall be in place to clean the wheels of construction vehicles within the site to avoid carrying mud and debris onto the public highway.(To ensure the satisfactory development of the site, and in accordance with saved policies AM01 and UD06 of the City of Leicester Local Plan and Core Strategy policy CS03.)
6. No development shall take place relating to the works shown on plan 003 revision D as "Phase 2 Works" until a Construction Method Statement relating to those works has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - (i) the parking and turning of vehicles of site operatives and visitors and management of staff parking for Phase 1;
 - (ii) the loading and unloading of plant and materials;
 - (iii) the storage of plant and materials used in constructing 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 recycling/disposing of waste resulting from demolition and construction works.



Head of Planning

Date: 8 July 2021

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

7. The development identified on plan 003 revision D as "Phase 1 Works" shall be carried out as follows:
- (i) Gas protection shall be incorporated into the extension in accordance with British Standard 8485:2015+A1:2019. Details of the membrane and its installation shall be submitted to and approved in writing by the Local Planning Authority prior to installation, and the installation shall be carried out in accordance with the approved details.
 - (ii) The extensions to the existing building shall not be commenced until the site has been inspected for oils and tank leaks and the oil interceptor has been cleaned in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".
 - (iii) A report on the decontamination works, and a report demonstrating satisfactory installation of the gas protection membrane, shall be submitted to and approved in writing by the Local Planning Authority prior to the building being brought into use.
- (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 paragraph 178 of the National Planning Policy Framework and saved policy PS11 of the City of Leicester Local Plan.)
8. Development of the warehouse building identified on plan 003 revision D as "Phase 2 Works" shall not commence until the site of the building has been investigated for the presence of land contamination and a Site Investigation Report incorporating a risk assessment and, if required, a scheme of remedial works to render the site suitable and safe for the development, has been submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme shall be implemented and a completion report shall be submitted to and approved in writing by the Local Planning Authority before any part of the Phase 2 development is occupied. 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).
- This shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".
- (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



Date: 8 July 2021

Head of Planning

offsite receptors in accordance with paragraph 178 of the National Planning Policy Framework and saved policy PS11 of the City of Leicester Local Plan.)

9. No part of the development shall be occupied until the following works have been carried out in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority:
- (i) surfacing and marking out of all parking areas, including details of signs and surface markings to indicate 'No Exit' onto Thurmaston Lane, operation of one-way operation of car parking area and corridor between phase 1 and phase 2 buildings to be kept clear;
 - (ii) provision of loading/unloading areas;
 - (iii) provision of turning space.
- The parking, loading/unloading areas and turning space shall not be used for any other purpose and the approved signage shall be retained thereafter.
(In the interests in highway safety, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
10. There shall be no vehicular egress from the site directly to Thurmaston Land and before the development is brought into use measures to prevent such egress shall be implemented in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained thereafter. (In the interests of Highway safety, and in accordance with saved policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS03.)
11. No part of the development shall be occupied until a Travel Plan for the development has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be carried out in accordance with a timetable to be contained within the Plan. The Plan shall:
- (i) assess the site in terms of transport choice for staff, visitors and deliveries;
 - (ii) consider pre-trip mode choice, measures to promote 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;
 - (iii) identify marketing, promotion and reward schemes to promote sustainable travel and look at a parking management scheme to discourage off-site parking;
 - (iv) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use
 - (v) include details of the staff minibus service.
- The plan shall be maintained and operated thereafter.
(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).



Date: 8 July 2021

Head of Planning

12. The development shall be carried out in accordance with the standards contained within the document "Appendix B Sustainability Report Revision A July 2021", unless alterations would result in a higher level of energy efficiency. The new-build warehouse shall not be artificially heated or cooled. (In the interests of securing energy efficiency in accordance with Policy CS02 of the Core Strategy).
13. Prior to each phase of the development being brought into use, evidence of the installation and satisfactory operation of the solar photo voltaic panels and heat pumps fitted to that phase, as shown on the approved plans, shall be submitted to the Local Planning Authority for approval in writing. The solar panels and heat pumps shall be retained thereafter in an operational condition. (In the interests of securing energy efficiency and renewable energy, and minimising greenhouse gas emissions, in accordance with Policy CS02 of the Core Strategy).
14. Prior to the installation of the wind turbines details of installation including the location of foundations, the parking and offloading of vehicles transporting the turbines, the connection to the site electricity supply, and an area within the site sufficient for installation and maintenance purposes, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The turbines shall be operated and maintained following installation in accordance with the manufacturer's instructions. (In the interests of amenity, securing energy efficiency and renewable energy, and minimising greenhouse gas emissions, in accordance with policies CS02 and CS03 of the Core Strategy).
15. No part or phase of the development shall be occupied until the sustainable drainage scheme relating to that part or phase of the site has been completed in accordance with the following approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the approved maintenance strategy.
 Proposed drainage layout Phase 1 WL_1749_060 revision C1 received 21/5/21
 Proposed drainage layout Phase 2 WL_1749_065 revision P2 received 21/5/21
 Drainage details sheet 1 of 2 WL_1749_061 revision C1 received 21/5/21
 Drainage details sheet 2 WL_1749_066 revision P1 received 21/5/21
 Roof plan drawing 205 revision D received 28/6/21 (Blue SuDS system)
 Blue roof as detailed within section of the
 Exceedance flow routing WL_1749_068 revision P1 received 17/6/21
 1749_001_Maintenance_Strategy revision 002 dated 22/6/21 received 24/6/21
 Water Quality Assessment 1449-003-001 dated 16/6/21 received 17/6/21.
 (To reduce the risk of flooding and in accordance with Core Strategy policy CS02.)
16. A minimum of six car parking spaces for the use of electric vehicles, provided with operational charging points (fast type 2, 7kW), shall be provided before the development is occupied in accordance with guidance in the Leicester City Council's Air Quality Action Plan and shall be retained and kept available for use by electric vehicles. (In the interest of sustainable development and in accordance with saved policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy.)



Head of Planning

Date: 8 July 2021

17. Any parts of the site where contamination was previously unidentified and is found during the development process shall be subject to remediation works carried out in accordance with details submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. (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 paragraph 178 of the National Planning Policy Framework and saved policy PS11 of the City of Leicester Local Plan.)
18. Development shall be carried out in accordance with the following approved plans:
Proposed front elevation SW existing building drawing 210 revision D received 17/6/21
Proposed side elevation NW existing building drawing 211 revision D received 17/6/21
Proposed rear elevation NE existing building drawing 212 revision D received 17/6/21
Proposed side elevation SE existing building drawing 213 revision D received 17/6/21
Proposed side elevation NW new building drawing 214 revision C received 17/6/21
Proposed side elevation SE new building drawing 215 revision C received 17/6/21
Development Phase Plan drawing 003 revision D received 17/6/21.
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. 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 2019 is considered to be a positive outcome of these discussions.

You have been granted PLANNING PERMISSION. The decision has been reached taking into account paragraphs 186-187 of the National Planning Policy Framework. Please read these notes carefully.

Appeals to the Secretary of State. If the applicant is aggrieved by the decision of the City Council to grant approval subject to conditions, he/she may appeal to the Secretary of State for Communities and Local Government under Sections 78 and 79 of the Town and Country Planning Act 1990, using a form obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. Time limits apply. The Secretary of State may allow a longer period to



Date: 8 July 2021

Head of Planning

Please quote the application number in any correspondence, which should be sent to: Leicester City Council, Planning, City Hall, 115 Charles Street, Leicester LE1 1FZ. Email: planning@leicester.gov.uk. Telephone (0116) 454 1000.

appeal, but will normally only do so if there are special circumstances which excuse the delay in appealing. The Secretary of State need not consider an appeal if he/she believes that the Council could not have granted approval without the conditions it imposed, having regard to the statutory requirements, the provisions of a development order, or any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Council based its decision on a direction given by him/her.

Purchase notices. If either the Council or the Secretary of State grant approval subject to conditions, and the owner of the land claims that it cannot be put to a reasonably beneficial use in its existing state, nor can it be made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve a purchase notice on the City Council requiring it to purchase his/her interest in the land under the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation. In certain circumstances, compensation may be claimed from the City Council if the Secretary of State grants approval subject to conditions; these circumstances are set out in Section 114 of the Town and Country Planning Act 1990.

Other Acts and Regulations. This permission covers only consent under the acts and regulations stated on Page 1. It does not give permission to alter or demolish a listed building or demolish an unlisted building in a conservation area unless specifically authorised. Permission under other regulations may also be required: amongst other things the consent of the city council may be required under the Building Regulations; and if the proposals affect land within the limits of a highway, the separate consent of the highway authority will also be required. It is the applicant's responsibility to obtain all necessary consents before proceeding with the development.

Property Numbering. Your development may involve the formation of new properties which are required to be numbered. To enquire about or arrange for the numbering of properties, the developer should contact the council's Property Numbering service (telephone (0116) 454 4264; email: property.numbering@leicester.gov.uk) at the time of development. Please note that the Royal Mail will not issue a postcode for new properties until the property has been formally numbered.

Inclusive Access & Design. Providers of goods and/or services (including public authorities): your attention is drawn to the Equalities Act 2010, which makes it unlawful to discriminate against disabled people and others with defined "protected characteristics". The requirements of the Act should be reflected in the detailed design, fit out and management of your building or development, in addition to any specific requirements of this planning approval. More information is available on the City Council's web site: www.leicester.gov.uk/inclusivedesign or from the council's Disabled Persons Access Officer, tel. 0116 454 3027.

Fire Brigade Access to Buildings. The Building Regulations 2000 (as amended) and Section 50 of the Leicestershire Act 1985 makes provision for the Fire Brigade to gain access to buildings. Requirements may be made when the scheme is submitted for approval under the Building Regulations. Please contact the Council's Building Control Office (telephone (0116) 454 3160) for more information.



Date: 8 July 2021

Head of Planning