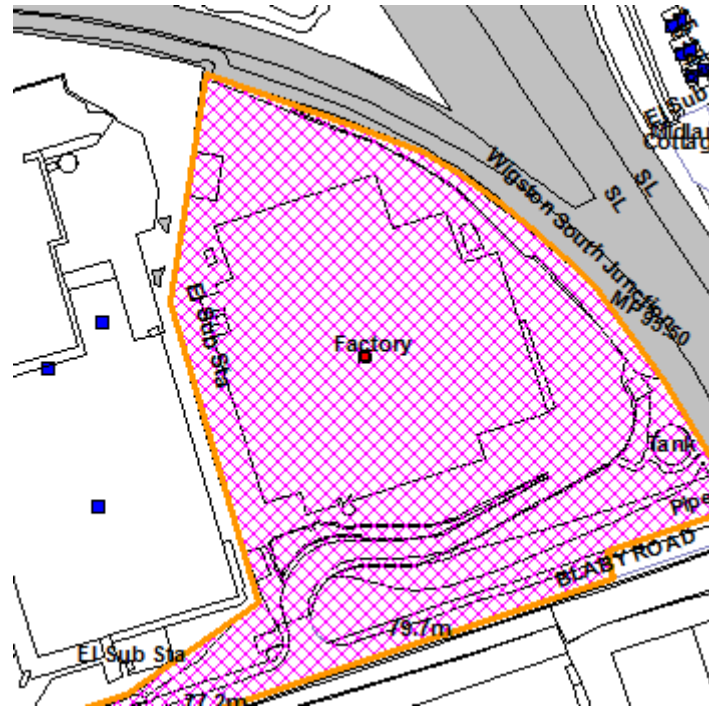


Application Number	Address
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Report Items

1. 16/00395/FUL
Former Premier Drum Site
Blaby Road
Wigston
Leicestershire
LE18 4DF

1.	16/00395/FUL	Former Premier Drum Site Blaby Road Wigston Leicestershire LE18 4DF
	2 September 2016	Demolition of existing buildings and erection of proposed foodstore (class A1), mixed warehouse/retail unit (class B8/A1), mobile catering unit (class A5) in car park, amendments to existing access, car parking, landscaping and associated.
	CASE OFFICER	Tony Boswell



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Published 2014

Site and Location

The site comprises the site of the former Premier Drum factory (vacated in circa 2007), on the north side of Blaby Road, immediately to the east of the adjacent Tesco Extra store. It has an area of some 2.42 hectares and is broadly triangular in shape. It is bounded by the railway on its eastern and northern side – with “Railway Cottages” beyond.

The southern boundary of the site fronts Blaby Road. This is currently marked by an ill kempt fence, behind which is an area of grassed embankment leading down to a vehicular ramp that leads from the Blaby Road carriageway to the central and lower part of the site. There is a limited amount of existing tree cover, notably within the railway boundary.

Description of proposal

The proposal is to reuse the location of the existing entrance but enlarged. A new right turning lane would be constructed within the carriageway to facilitate access by vehicle from the east. The existing vehicular ramp would continue down the banked frontage, leading to a roundabout that enables access to an all new car park with 189 car spaces and, a vehicular servicing area to the rear (north) of the two main buildings.

Those two buildings would be located adjacent to each other along the northern side of the site. That adjacent to the existing Tesco building would be a new Wickes store, with external display area to its rear. This would have a gross floor area of some 2350 sq metres. It would be of conventional “retail shed” portal framed construction. The second building to the east would be a new Lidl store of generic “brand specific” appearance, with a floor area of circa 2637 sq metres.

The existing rather poor appearance of the Blaby Road frontage would be entirely re-landscaped, behind an all new timber “knee rail” fence to the front boundary. Adjacent to the reconstructed vehicular entrance would be a new brick enclosed electricity sub station and a proposed brand specific pole sign to either side of that entrance.

Relevant Planning History

The site has no planning history of relevance to this proposal.

Consultations

Oadby and Wigston Planning Policy – Reluctant to see the loss of this site from employment use without appropriate mitigation. Suggest the possibility of encouraging new small “starter units” within the proposed development (see below). Draw attention to the recently published “Retail Capacity Study” completed as part of the evidence basis for the emerging Local Plan.

Leicestershire County Council (Highways) – Initially submitted a “holding” objection to the proposals as originally submitted. Via a series of meetings, discussions and correspondence with the applicant’s consultants those initial proposals have now been improved. The County Council finally withdrew their objections on the 24th of January 2017 (Their reasoning is largely set out within the report below). That now absence of objection is subject to compliance with a number of planning conditions recommended below. It is also subject to a number of S106 obligations, which following further discussions between the County Council and the applicant include the following agreed contributions:

S106 Contributions

1. *MOVA validation/ installation of SCOOT, Puffin, Retrofit at Saffron Lane, Pullman Road and Bullhead Street (B582) at a total cost of £155,235.00.*

Justification: to ensure that alterations to the junction can be made by the highway authority to address the cumulative impact of traffic from development in the vicinity of the junction in line with the agreed mitigation strategy.

2. *6 month bus pass per 10% of full time employees (application form to be included in Travel Pack and funded by the developer); to encourage new employees to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average)*

£350.00 per pass (cost to be confirmed at implementation) – **NOTE** – Members should note that a total contribution of £1,050 towards bus pass provision has been agreed between the County Council and applicant

Justification: To encourage employees to use bus services as an alternative to the private car.

3. *Appointment of a Framework Travel Plan Co-ordinator from commencement of development until 5 years after the occupation of the last unit.*

Justification: To ensure effective implementation and monitoring of the Framework Travel Plan submitted in support of the Planning Application.

4. *A Framework Travel Plan monitoring fee of £6,000*

Justification: To enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement.

5. *A Construction Traffic Routeing Agreement to be submitted to and approved in writing by the Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.*

Justification: To ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site.

In addition a sum of £25,000 is offered to assist in funding the restoration of shopfronts within the South Wigston District Centre.

Please note that at the time of drafting this report the final S106 Unilateral Undertaking agreement is not finalised and signed but is being progressed by all parties. The obligations have been agreed and are set out above.

Wigston Civic Society – Raises concerns regarding the loss of the current and iconic Premier Drum Building. The glazed lantern entrance of which used to form something of a local landmark.

Network Rail – No reply received to consultation at the time of drafting this report.

Representations

68 neighbours and near neighbours have been informed by direct mail and three public site notices placed adjacent to the site. The date for the receipt of comments expired on the 26th October 2016.

Three comments were received from members of the public – two of which were broadly in support of the proposals. In fair summary of the material planning considerations the reasons for objection are:

- Impacts of additional road traffic
- Loss of the existing “iconic” building,
- Competition for existing local shops

Relevant Planning Policies

National Planning Policy Framework (and Planning Policy Guidance)

In particular Sections 2 - “Ensuring the Vitality of Town Centres” and related Planning Policy Guidance relating to the Sequential Test and Retail Impacts.

Oadby & Wigston Core Strategy

Core Strategy Policy 1: Spatial Strategy

Core Strategy Policy 4: Sustainable Transport & Accessibility

Core Strategy Policy 8: Climate Change and Renewable Energy

Oadby and Wigston Local Plan

Landscape Proposal 1: Design of new development subject to criteria.

Supplementary Planning Document/Other Guidance

Employment Sites and Brownfield Land Study (2010)

Planning Considerations

The key issues to consider in the determination of this application are as follows:

- The “loss” of employment land, and its proposed use for retail etc purposes.
- Any adverse road traffic impacts on Blaby Road and the wider road network.
- Any adverse impacts upon local air quality.
- Any adverse impacts upon local town centres, notably Wigston TC and South Wigston.
- The scale, design and layout of the proposals.

The “Loss” of Employment Land

The application site is broadly triangular, with an overall area of some 2.42 hectares – although due to the severe incline along its frontage to Blaby Road, the “developable” area is circa 2 ha. That is currently occupied by the former “Premier Drum” factory/warehouse, which has a floor area of 8,900 sq metres. That building was apparently vacated in approximately 2007, and has more recently been used for the storage and distribution of books (employing six persons) although this use ended in December 2016 leaving the site currently vacant. Those historical uses were clearly within Use Classes B1 and B8.

The use as proposed would be a composite comprising retail (Use class A1); Mixed warehouse/retail (Use class B8/A1), and a mobile catering unit within the car park (Use Class A5).

The existing large former factory has clearly stood empty for a number of years and has not been used for any beneficial “primary” employment purpose during that period. As a matter of National Planning Policy, the NPPF gives the following relevant advice:

*“22. Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. **Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities**”. (Planning Officer’s emboldening).*

Any aspiration to retain the site in its former employment use should clearly be guided by these principles. One of the merits of the current proposals is that it would employ circa 80 full and part time employees. So, probably rather less than the number of employees who might be employed by a re-occupation or redevelopment to uses within Use Class B1/B2, but nevertheless a significant gain over the existing situation.

Officers have discussed the possibility of including some small “starter” business units within the proposed scheme in mitigation for the loss of an allocated employment site. The applicants responded to the request and highlighted in correspondence that such an option was not feasible as it would inevitably entail a loss or reduction in car parking capacity which is at the required level which has been agreed with the County Council as appropriate for the proposed development. The applicant also indicated that the operators would be unable to convert say an upper floor to be used for such purposes. Information provided highlights that each retail store is carefully planned out in terms of the internal layout and use of floor space such that there is no spare floor space in either store. At a later point this was the subject of a further discussion with the applicants who were unable to vary their original view for reasons previously expressed.

In and of itself, the “loss” of existing employment land (that has been under utilised for employment uses for 10 years) does not therefore comprise grounds for objection to the proposal.

Any adverse road traffic impacts on Blaby Road and the wider road network

As the Local Planning Authority, OWBC have been heavily reliant on the Highways Dept of Leicestershire County Council to apprise and advise on this proposal (LCC are the relevant Highway Authority). At the outset LCC submitted a “holding” objection to the proposal in its original form. A number of meetings and discussions took place and essentially two subsequently amended sets of highway proposals emerged. Following approximately 5 months post validation of the Planning Application, the Applicants traffic consultants undertook additional modelling analysis and refinement of traffic impact analysis. The consultant produced a technical response and review of the impact of development traffic at the following key junctions:

- Saffron Road junction;
- Welford Road junction; and
- Pullman Road junction.

The applicant refined the traffic models submitted, testing the capacity of the junctions listed above. The work has been prepared on the basis of identifying where the impact would be greatest (on a Saturday) and where mitigation can be put forward, which will cost effectively limit the impact of this development, over and above the existing situation. As a result of those deliberations, on the 24th of January 2017 the County Highway withdrew their former objection – subject to compliance with a number of planning conditions and related S106 obligations. For the sake of clarity the full text of their conclusion is quoted below (with emboldening by the Planning Officer).

“Summary of Proposals and B582 (Blaby Road)

The CHA have responded to the applicant with regards to the proposals and advise that, whilst the principle of the mitigation has some merits additional considerations needed to be deliberated. The applicant has put forwarded further technical work with regards to the mitigation proposals and whilst a process of further refinement is required, the CHA is of the opinion that the impact of development traffic has now been sufficiently tested.

During the pre-application discussions the CHA advised the transport consultant that Blaby Road (B582) currently suffers from a relatively high level of congestion for such a suburban distributor road, serving as it does as an important through transport link. The consequence is subsequent queuing and delays at junctions along much of this link. The B582 is a local distributor road and is of strategic importance facilitating substantial traffic movements, up to 1800 weekday peak time two-way movements (as indicated on the 2016 Base Traffic Flow Diagram TA), providing a vital east/west connection to Welford Road – connecting north to the A563 towards the A6, and west towards the A426 connecting to M1 Junction 21.

In addition to the strategic function of the road, the B582 also provides an underpinning service which is essential to facilitate local traffic movements in Wigston. The road carries a mix of transport modes and it is fronted by side roads, major accesses for commercial areas, local amenities including commercial, residential and educational facilities and has a considerable number of bus-stops and at-grade pedestrian facilities. All of these functions are entirely in keeping with the character of the road which it is important to preserve.

The local “street” function, as described in the preceding paragraph, limits the theoretical capacity of the road. These constraints are particularly relevant to driver behaviour, which in this case, requires drivers on the B582 to anticipate the turning movements at the numerous access junctions along the link for the variety of different uses, as well as clearly being an environment in which pedestrian and cycle use on the road and adjacent footways is encouraged.

It is a general rule in transportation that a high number of accesses and similar features impact both traffic throughput and also safety considerations. This is not to say that further development needs to be resisted in all cases but it highlights the degree of attention that is needed to maintain flow and safety.

The mitigation proposals will not lead to free-flowing conditions on the B582 however the proposals are considered to provide a betterment to the worst case impact situation; Saturday peak time.

Network and lane constraints on the B582 are visibly self-evident and any proposals to introduce additional lanes along the link, within the area of interest for this application, are significantly reduced by the presence of the rail over-bridge. It is considered that by way of the transference of existing trips on the network by the proposed land use, i.e. the site not generating new trips per se rather rerouting existing traffic from similar land-uses in the local area, and the potential to reinstate the extant use of site, the mitigation proposals are on-balance suitable for this development”.

In simple terms, Blaby Road with its various road junctions, is an exceedingly busy route which is of nearby local and even sub-regional significance. Traffic is prone to become stationary at fairly frequent intervals – notably at the beginning and end of the working day, when the local Schools empty (generally at around 15:00 within term time) and, also when traffic is halted on the main carriageway by a paused bus or buses. Given that the projected peak hour traffic for the uses as proposed would be Saturday pm, rather than any of the existing peak traffic hours, the Highway Authority concluded – ***“The mitigation proposals will not lead to free-flowing conditions on the B582 however the proposals are considered to provide a betterment to the worst case impact situation; Saturday peak time”.*** Furthermore, ANY redevelopment of the site is likely to entail traffic impacts onto Blaby Road which are at least as bad – either in terms of traffic volumes or potential to clash with existing peak traffic hours.

In short, and subject to compliance with the planning conditions and mitigation(s) proposed by LCC any traffic based objection is unlikely to be sustainable and apt to be demonstrably unreasonable. Traffic conditions in the locality of the application site are already poor – and the proposed uses would not make those conditions worse. At the margin, conditions might be marginally improved.

Any adverse impacts upon local air quality

OWBC Environmental Health Officers have recently been reviewing the measures air quality at a number of locations within the Borough. One of those locations is the short length of Blaby Road adjacent to the proposed site. In that location a number of “exceedences” have been measured, notably in the level of Nitrous Oxides over that short stretch of road. Such exceedences are above levels set by the WHO, relevant EU Directives, (and others) and have the potential to be harmful to human health.

Excess levels of Nitrous Oxides and other pollutants are primarily the result of stationary or slow moving road traffic. These are particularly present over this short length of Blaby Road for reasons set out under the previous sub heading. OWBC has no specific planning policies relating to air quality, largely due to the historic absence of any such local problems. However, were it the case that a proposal were unavoidably the cause of a relevant air quality problem then that would in itself be compelling grounds for refusal of planning permission.

In this particular case, the measured air quality problem due to slow or stationary or slow moving road traffic already exists. There is no ground to suppose that the current proposal, with its various traffic mitigation measures would aggravate that pre-existing problem and, at the margin, might actually prove to be beneficial.

Any adverse impacts upon local town centres, notably Wigston TC and South Wigston

In dealing with the question of retail impact and under the NPPF (paragraph 26) this issue essentially hangs on the answer to two questions. First of all would there be a significant adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and secondly, would the proposed additional floor space result in significant adverse impact on town centre vitality and viability, including local consumer choice and trade in existing town centres up to five years from the time the application is made.

The proposed location is beyond the defined boundary of South Wigston Centre and, in view of its location adjacent to the Tesco store is in an “edge of centre” location. It is nevertheless in an accessible location from the centre of South Wigston (and Wigston to the east).

As part of the evidence base for this Council's forthcoming Local Plan, rather than an aid to decision making on any specific planning application, the Council have recently published a "Retail Capacity Study" supplied by Nathaniel Litchfield and Partners (NLP). Demonstration of need is not a development management test albeit the retail capacity study is informative of the degree of local "need" in the borough:

Paras 3.122 suggests that *'there is no capacity for additional convenience goods floorspace in Oadby or South Wigston'*.

Para 3.127 suggests that Borough wide, there is capacity for an additional 2,100 sqm net additional comparison floorspace to 2026, or 5,500 sqm net additional floorspace in 2036.

However, in Chapter 6, Table 6.1 (Summary of Floorspace Capacity Projections to 2036 sqm **net**) suggests that the additional scale of comparison floorspace capacity will not be needed in South Wigston:

Area	Convenience	Comparison	Total
Wigston	637	2,866	3,503
Oadby	-	1,959	1,959
South Wigston	-	540	540
Local Centres	38	117	155
Total	675	5,482	6,157

Paras 5.33 to 5.63 considers appropriate size thresholds for each centre in the Borough, above which applications would need to be accompanied by an impact assessment. Notwithstanding these emerging thresholds which would be exceeded by the proposed development, the applicant has in any event provided an impact assessment given the proposal exceeds the impact threshold identified in the NPPF of 2,500 square metres. NLP also comment at paragraph 5.55 their study that:

'It is for retail impact assessments submitted as part of any planning application to define an appropriate catchment area, or other submission material in the absence of a retail impact assessment. The catchment area will dictate the centres that should be considered in the context of the sequential approach and impact tests. Where a catchment area extends across a number of centres the need or otherwise for an impact assessment must have regard to the thresholds for each centre'.

The NLP study goes on to consider 'Additional Sites' and in paras 5.82 and 5.83 it states:

5.62: *'South Wigston is a small district centre and there are no sites within this centre that could be brought forward, without the re-development of existing retail units. South Wigston is clearly a secondary retail centre in the Borough and will not attract large scale investment; however, South Wigston district centre rather than edge or out-of-centre sites should be the main focus for future town centre uses'*.

5.63: *This assessment is based on the town centre first approach as set out in the NPPF. Any edge or out-of-centre proposed retail developments should be subject to the sequential and impact tests as set out in Paras 24 and 26 of the NPPF. **If Wigston, Oadby and South Wigston cannot accommodate their floorspace projections, then the Council could seek to allocate sites elsewhere within the Borough to accommodate the long term projections'**. (Planning Officer's emboldening).*

From this study it follows that there is no projected element of "need" for the proposed new retail floorspace. However, as indicated above demonstration of need is not a development management test and the applicants have provided a detailed retail impact assessment in support of the application. It should also be noted that there is no discount food store provision in the local area of South Wigston or modern larger format DIY stores. Both are currently represented in Wigston to the east (Aldi / B&Q) but not in South Wigston. NLP commented in the retail study (paragraph 3.28) their surprise that the Borough contains just one deep discount food store.

In addition to the above there are demonstrably no available sites within Wigston Centre or the smaller South Wigston centre that might accommodate uses of the scale or character now proposed. However, if there was such need then an edge of centre location such as the application site would be potentially favoured over other uses. The applicant's Planning & Retail Study (PRS) includes a full sequential assessment and demonstrates there are no sequentially preferable alternative sites that are suitable and available for the proposed development.

Retail Impact

A significant amount of guidance is given by DCLG on operation of the "Impact Test" when assessing any adverse impacts of retail proposals. The overall purpose is set out below:

"The purpose of the (impact) test is to ensure that the impact over time (up to 5 years (10 for major schemes)) of certain out of centre and edge of centre proposals on existing town centres is not significantly adverse. The test relates to retail, office and leisure development (not all main town centre uses) which are not in accordance with an up to date Local Plan and outside of existing town centres. It is important that the impact is assessed in relation to all town centres that may be affected, which are not necessarily just those closest to the proposal and may be in neighbouring authority areas".

Given that the Lidl store has a size of some 2637 sq metres (convenience shopping) and regarding the Wickes store of 2350 sq metres as entirely retail in character, what amount of trade diversion might arise from their presence on the application site? Furthermore, would any current projects or proposals be prejudiced by their presence? There has been considerable documentation and correspondence on these issues between the applicants and consultants acting for Tesco as objectors. What follows is thus a simplification or summary of those issues by Planning Officers.

- There are no current proposals or redevelopment proposals within Wigston or South Wigston that would appear to be prejudiced by these proposals.
- Although South Wigston includes a number of "hardware" and DIY outlets, as a largely road based establishment the proposed Wickes store is unlikely to have any adverse effect upon South Wigston centre as a whole.
- The proposed Lidl store would draw very approximately 28% of its projected turnover from the adjacent Tesco store. In and of itself that diversion of trade would not threaten the continued viability of the Tesco store, or its contribution to the overall level of trade within or adjacent to South Wigston Centre.
- There are few "deep discount" Lidl stores in proximity and the nearest comparisons are with the Aldi store in Wigston (adjacent to Wigston Centre), and the similar Aldi store in Blaby.
- The major competitive impact would very probably be between the proposed Lidl store and the Aldi adjacent to Wigston TC, where it has an important role as an "anchor" for other shops – encouraging linked shopping trips. That Aldi store has a current turnover of circa £22.4 million pa. Based on the average turnover for Lidl stores elsewhere the applicants project that around £3.93 million pa would be diverted from that Aldi store. Tesco as objectors suggest that – *"In reality, we would expect the Lidl and Aldi stores to have similar turnovers (i.e approximately £13 million each). This would equate to a circa £9 million impact on the Aldi store"*. The Wigston Aldi does appear to have an exceptionally high turnover for its size. In some measure that probably reflects the absence of nearby competing "deep discount" convenience stores. The real impact would probably lie at some point between these two outcomes. (Officers observe that the deep discount convenience store sector as a whole has grown rapidly in recent years and will probably continue to do so).

To conclude on this point, although assessing retail impacts is something of a black art, there is no compelling and persuasive evidence to suggest that the retail impacts of these proposals would do tangible harm to the retail vitality and viability of the adjacent South Wigston centre or the nearby Wigston Town Centre. That is not to say that certain existing stores would suffer some degree of loss of trade due to competition from the proposed Lidl and Wickes. However, mere commercial competition is not in itself reason for objection – the relevant test under the NPPF is whether the proposed development would give rise to significant adverse impact on any centre as a whole and that is not the case here.

Furthermore and based on the evidence provided it is considered the proposed development would not give rise to significant adverse impact on any existing, committed and planned public or private investment in any centres in the catchment area of the proposal.

The scale, design and layout of the proposals

The proposals entail the removal of the existing building, and its replacement with two entirely new buildings of generic modern appearance. Across their frontage would be the proposed car parking with a total of 189 spaces. The Wickes building adjacent to the rear of the existing Tesco building (next door) would also include an outdoor “garden centre” enclosure – adjacent to the boundary with the railway adjacent. The remainder of that area to the rear of the two buildings would act as a service area for the loading and unloading of delivery vehicles. The existing 1.8 metre chain link fence to the railway boundary is to be retained. The area within is to be landscaped, with a number of retained trees.

The site’s frontage to Blaby Road would be largely unchanged in its layout. That area of embankment is to be landscaped (subject to planning condition) and the front boundary marked by a new timber “knee rail” fence. The existing road entrance would remain, but with a central island to ease pedestrian safely while crossing that new and slightly enlarged entrance. A new right turning lane would be inserted to the Blaby Road carriageway. What amounts to the existing vehicular “ramp” would remain in place, serving the proposed car park and servicing area, via a roundabout at its lower end. To either side of the new road entrance would be “pole signs” identifying the two traders concerned. Also adjacent would be a brick enclosed electricity substation. Footways, ramps and stairways would connect the development with Blaby Road for access by pedestrians.

Although the proposals are not of high quality or “iconic” architecture, they are of visually coherent modern design. In that respect they are comparable with the adjacent Tesco building, and are clearly “fit for purpose” and unobjectionable.

Conclusion

These proposals have proved to be controversial – more specially in terms of properly evaluating their traffic impacts on the adjacent Blaby Road. The County Council’s final conclusions have only recently been arrived at, following an initial holding objection. Their decision is based upon a number of mitigating measures to be contained within a suitable Unilateral S106 Obligation, and several planning conditions set out below.

With regard to the loss of the employment site the original occupier vacated the site in 2007 and since then the site has been partly occupied by a use employing six people which ceased in December 2016. The NPPF states that where there is no reasonable prospect of site being used for the allocated employment use, applications for alternative uses should be treated in their merits. One of the merits of the current proposals is that it would employ circa 80 full and part time employees. In and of itself, the loss of the existing employment land does not comprise grounds for objection to the proposal.

In terms of retail planning policy, the required “sequential test” and “retail impact” test are satisfied, in that there would be little or no adverse impact over time upon the retail vitality and viability of either South Wigston Centre or Wigston Town Centre and there are no suitable or available sequentially preferable sites which could accommodate the proposed development.

The proposed development is in an accessible location and would deliver regeneration benefits achieving sustainable development in line with national guidance. Having had regard to all other material planning considerations, in the view of officers there are no compelling or persuasive grounds for objection – subject to compliance with the conditions as recommended below.

Implications Statement

Health	No Significant implications
Environment	No Significant implications
Community Safety	No Significant implications
Human Rights	The rights of the applicant to develop his property has to be balanced against the rights of neighbours.
Equal Opportunities	No Significant implications
Risk Assessment	No Significant implications

Value for Money	No Significant implications
Equalities	No Significant implications
Legal	No Significant implications

RECOMMENDATION: GRANTS

Subject to the following condition(s):

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Prior to the commencement of development details of all materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials.
Reason: To safeguard the character and appearance of the building and its surroundings and in accordance with the aims and objectives of the National Planning Policy Framework, Core Strategy Policy 14, and Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 3 Prior to the commencement of development a detailed scheme of landscaping and measures for the protection of trees to be retained during the course of development shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that a landscaping scheme is provided to enhance the development and in accordance with the aims and objectives of the National Planning Policy Framework, Core Strategy Policy 14, and Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and the occupiers of adjacent buildings and in accordance with the aims and objectives of the National Planning Policy Framework, Core Strategy Policy 14, and Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 5 Prior to the first occupation of the building hereby granted permission the access and parking areas shown on the approved plan shall be provided in a bound material and thereafter made available at all times for their designated purposes.
Reason: As recommended by Leicestershire County Council (Highways) in the interests of highway safety and in accordance with the aims and objectives of the National Planning Policy Framework and Core Strategy Policy 4.
- 6 Prior to the commencement of development details of secure cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to the first occupation of the building and unless otherwise first agreed in writing by the Local Planning Authority maintained as such for the life of the development.
Reason: As recommended by Leicestershire County Council (Highways) and to encourage sustainable alternatives to the motor car and in accordance with the aims and objectives of the National Planning Policy Framework and Core Strategy Policy 4.
- 7 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or the provision of the Town and Country Planning (General Permitted

Development) Order 1995 (as amended) or any orders revoking and re-enacting those Orders, this permission shall relate to the use of the premises as retail premises and ancillary uses as described in your application and for no other purpose.

Reason: To ensure any future use of the premises does not adversely affect the amenities of the locality, its air quality or traffic generation.

- 8 Notwithstanding the submitted details and prior to commencement of development full details of the proposed site access drawing SK_01 C shall be submitted to, and approved in writing by, the Local Planning Authority. It shall incorporate further two-dimensional and three dimensional revisions as recommended by a Stage 2 Safety Audit and in accordance with engineering details. Such details to include construction, surface, water drainage and street lighting. The approved access then be implemented in accordance with the approved details and be completed prior to first occupation.

Reason: To ensure a satisfactory form of development and in the interests of highway safety. The site access and associated works would be subject to separate technical approval under section 38/278 of the Highways Act 1980.

- 9 No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.

Note(s) to Applicant:

- 1 You are advised that any amendments to the approved plans will require either a Non-Material amendment application, a Minor Material Amendment application or a new planning application. If this is the case then you should allow at least 8 weeks before the intended start date to gain approval for such amendments. Further advice can be obtained by contacting the Planning Section of the Council on any amendments (internal or external).
- 2 This decision is also conditional upon the terms of the planning agreement which has been entered into by the developer and the Council under Section 106 of the Town and Country Planning Act 1990 (as amended). The Agreement runs with the land and not to any particular person having an interest therein.
- 3 For the avoidance of doubt this permission relates to the following plans and particulars:-
Drawing Numbers 1897-P-23 Proposed GA Ground Floor plan
1897-P-24 Proposed mezzanine GA plan
1897-P-25 Proposed GA Roof plan
1897-P-26 Proposed elevations and sections
1897-P-27 Proposed Unit B Ground floor plan
1897-P-28 Proposed Unit B Mezzanine Plan
1897-P-29 Proposed Unit B Roof plan
1897-P-30 Proposed Unit B Elevations and sections

BACKGROUND PAPERS

16/00395/FUL