



Leicester
City Council

APPROVAL OF RESERVED MATTERS

Applicant:

BEAUMONT PARK SPORTS COMPLEX
1 THE LIONS
BEAUMONT LEYS
LEICESTER
LE4 1DZ

Agent (if any):

WILLIAMS-ARCHITECTS LTD
THE OLD BAKERY
2A FLEEMAN GROVE
WEST BRIDGFORD
NOTTINGHAM
NOTTINGHAMSHIRE
NG2 5BH

PART 1 - PARTICULARS OF APPLICATION - no: 20132313

DATE OF APPLICATION: 20 February 2014
LOCATION OF PROPOSAL: 1 THE LIONS, LEICESTER LIONS SPEEDWAY
DETAILS OF PROPOSAL: RETROSPECTIVE APPLICATION FOR RETENTION OF PAVILION, SPECTATOR STAND, PIT BUILDING AND ACCESS FOR SPEEDWAY (CONDITION 32 ON APPLICATION 20090571). REMOVAL OF CONDITIONS ON APPLICATION 20090571: CONDITION 7 (ACOUSTIC BOARDING), CONDITION 9 (SECURITY PROPOSALS), CONDITION 23 (CONTAMINATION), CONDITION 24 (SUSTAINABLE URBAN DRAINAGE) AND CONDITION 25 (TRAPPED GULLIES). VARIATION OF CONDITIONS ON APPLICATION 20090571: CONDITION 2 (SITE LEVELS), 5 (PHASING OF FACILITIES), 22 (ENERGY), 26 (OIL AND PETROL SEPARATORS), 27 (TREE ECOLOGY AND PLANTING), 28 (HABITATS), 29 (FURTHER BADGER SURVEY) AND 30 (ON SITE ECOLOGIST)

PART 2 - PARTICULARS OF DECISION

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2010:
Article 5

Leicester City Council approves the details referred to in Part 1 above, for the purposes of the conditions imposed on the outline planning permission referred to, in accordance with the application and plans submitted subject to the following further conditions:

CONDITIONS

Date: 15 May 2014

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Head of Planning

1. Unless otherwise agreed in writing with the City Council as Local Planning Authority, land levels shall remain as set out on the plans dated 20 February 2014. (In the interests of the satisfactory development of the site and in accordance with policy PS10 of the City of Leicester Local Plan).
2. Within three months of the date of this decision, a development programme which shall set out a programme for the bringing into use of the cycle track, the 5 A side pitches and the BMX track, shall be submitted to and agreed in writing with the City Council as local planning authority, and shall be implemented in accordance with the agreed programme. (In the interest of the satisfactory development of the site and in accordance with policies GE09 and PS10 of the City of Leicester Local Plan).
3. Prior to the completion of the car park and roadway areas, a scheme to install oil and petrol separators shall be submitted to, and approved in writing by Leicester City Council as the local planning authority. The scheme shall be implemented as such. (To prevent ground and surface water pollution and in accordance with policy BE20 of the City of Leicester Local Plan).
4. Trees to be retained should be adequately protected during the construction phase, in accordance with BS 5837:2012 `Trees in Relation to Construction`. Only those trees that can be successfully retained in the long term shall be identified for retention . Before the development re-commences, a scheme of planting to compensate for loss of any soft landscaping, including loss of trees, shall be agreed in writing with the City Council as local planning authority. (In the interest of the satisfactory development of the site and in accordance with policies GE09 and UD06 of the City of Leicester Local Plan)
5. Before the development re-commences, details of the proposed habitat creation zone shall be agreed in writing with the City Council as local planning authority and shall be implemented in accordance with the agreed details. The agreed scheme shall be implemented within 6 months of completion of the development and shall be maintained in accordance with written details approved by the city council as local planning authority. (In the interests of sustainable development and in accordance with policies GE09 and UD06 of the City of Leicester Local Plan.)
6. A further badger survey shall be carried out immediately prior to the recommencement of the development, and if badger activity is found, the appropriate mitigation procedures as detailed in the Badger Report submitted with the application shall be implemented. (To minimise harm or loss to the species and its habitat and in accordance with policy GE05 of the City of Leicester Local Plan)
7. At the re-commencement of development a qualified ecologist shall be present on site to confirm that no sett building has taken place since the survey was carried out (In the interests of species protection and in accordance with policy GE05 of the City of Leicester Local Plan)

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8. The speedway track, five a side football pitches and cycle track shall not be used outside the hours of 0800-2230 daily. The speedway stand and football facility building shall not be used outside the hours of 0800-2330 daily. (In the interests of residential amenity and in accordance with policy PS10 of the City of Leicester Local Plan)
9. The number of speedway race meetings shall not exceed 50 in any one year. (In the interest of residential amenity and in accordance with policy PS10 of the City of Leicester Local Plan).
10. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, the site and buildings thereon shall only be used for the purposes set out in the application form and hereby approved, and not for any other uses falling within Use Classes D1 or D2. (The City Council would wish to give separate consideration to other uses, having regard to the implications for traffic generation and local amenity, in accordance with policy PS10 of the City of Leicester Local Plan).
11. Within 2 months of the date of this decision, the acoustic fence shown on the plan reference 130206-100.01 shall be installed and thereafter retained to the satisfaction of the City Council as local planning authority. (In the interests of residential amenity, and in accordance with policy PS10 of the City of Leicester Local Plan).
12. Details of the lighting for the public routes shall be agreed in writing with the City Council as local planning authority before the development commences, and the lighting for all areas, including floodlighting, shall be installed in accordance with the submitted details before the development is brought into use and shall be retained as such. (To protect the amenity of nearby occupiers and in accordance with policies PS10 and BE22 of the City of Leicester Local Plan.)
13. At the same time as the remainder of the development, all parking areas shall be surfaced and marked out in accordance with details which shall first have been agreed in writing with the City Council as local planning authority, which shall include at least 11 spaces for the use of the disabled, and shall be retained and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner, and in accordance with policy AM12 of the City of Leicester Local Plan.)
14. A turning space to enable vehicles always to enter and leave the site in a forward direction, shall be kept available within the site. (In the interests of highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan.)
15. Space shall be kept available within the curtilage of the site to allow for loading and unloading always to take place within the site. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan.)

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16. Prior to the occupation of the development a secure and sheltered area for the storage of at least 27 cycles and 15 powered two-wheelers shall be provided and retained thereafter in accordance with written details previously agreed with the City Council as local planning authority. (In the interests of encouraging sustainable modes of transport and in accordance with policy AM02 of the City of Leicester Local Plan.)
17. A Travel Plan relating to the development, which shall identify modal splits, proposals, targets, objectives, time scales and monitoring techniques, for discouraging the use of private cars to and from the development and encouraging the use of alternative means of travel, including increased use of public transport, shall be submitted to and agreed by the City Council as the local planning authority before the development is commenced and implemented in accordance with the agreement. The Travel Plan shall include a separate Events Travel Plan and Car Parking Management Strategy. The Travel Plan shall deal separately with the issues relating to the Stadium, the 5-a-side Football pitches, the BMX site and the cycle track. The Travel Plan shall include provision for transport mode, measures to minimise pollution, and travel pattern surveys to be conducted every twelve months or at intervals to be agreed from the first occupation of the development until an agreed date, and shall examine the contribution that can be made by walking, cycling, use of public transport, coaches, car sharing, and the provision and control of car parking including the employment of parking attendants. The Plan shall identify a co-ordinator and point of contact for the purpose of the plan. The Travel Plan shall be carried out as agreed. (In the interest of sustainable transport system and in accordance with policy PS03 of the City of Leicester Local Plan.)
18. 2.0 metre by 2.0 metre pedestrian visibility splays shall be provided on the Highway boundary on both sides of the access in accordance with the standards in Leicester City Council's adopted guidance Leicestershire County Council Highway Requirements for Development`. (In the interest of highway safety and in accordance with policies AM01 and PS10 of the City of Leicester Local Plan)
19. The development shall not re-commence until arrangements have been agreed in writing with the City Council as local planning authority for the bringing of the access road to an adoptable standard in accordance with the Leicester City Council and Leicestershire County Council document 'Highways, Transportation and Development'. (To achieve a satisfactory form of development, and in accordance with policies AM01 and AM12 of the City of Leicester Local Plan).
20. The cycleways and footways within the site shall be built to adoptable standards, in accordance with the Leicester City Council and Leicestershire County Council document 'Highways, Transportation and Development'. (To achieve a satisfactory form of development, and in accordance with policies AM01 and AM02 of the City of Leicester Local Plan.)
21. The development shall not re-commence until arrangements have been agreed in writing with the City Council as local planning authority for the control of parking

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on the access roads to the development. (In the interest of the satisfactory development of the site and in accordance with policies AM01 and AM12 of the City of Leicester Local Plan).

22. The development shall not be occupied until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated to the satisfaction of the City Council as local planning authority. (For the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan.)
23. The development shall not re-commence until arrangements have been agreed in writing with the City Council as local planning authority for the provision of road signs for the development. (In the interest of the satisfactory development of the site and in accordance with policies AM01, AM02 and AM12 of the City of Leicester Local Plan).
24. The approved landscaping scheme, including the reinstatement of damaged areas outside the site boundaries as shown on drawing 3025 (08) 010 rev A, shall 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. (In the interests of amenity, and in accordance with policies GE09 and UD06 of the City of Leicester Local Plan.)
25. Prior to the occupation of the completed pavilion and 5-a-side football building, design details of how the development will contribute towards the Regional and Local Plans' target of 13% of the total predicted energy demand for the site to be renewable energy, and design details of how the development will contribute towards energy conservation through reducing consumption, shall be submitted to and agreed in writing with the City Council as local planning authority. Within 4 weeks of the occupation of any part of the development, evidence shall be submitted to and agreed in writing with the City Council as local planning authority which demonstrates the satisfactory operation of any on-site installation. (In the interests of sustainable development and in accordance with policies UD04 and BE16 of the City of Leicester Local Plan.)
26. This consent shall relate to the submitted plans reference 130206-115.02 received by the City Council on 27th January 2014, 28 January 2014, 6th January 2014 and 31st December 2013. The consent shall also relate to the submitted plans 3025 (08) 002, 003, 004 and 08/788/SJ/L02 received by the City Council as local planning authority on 8 May 2009; plan 3025 (08) 005 rev A and lighting details received by the City Council as local planning authority on 8 June 2009, unless otherwise agreed in writing with the City Council as local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

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1. With regards to conditions 6 and 7, development at the site may impact on protected species of wildlife. It is a criminal offence to kill, injure or disturb protected species and their habitat in accordance with the Wildlife and Countryside Act (1981) as amended and The Habitat & Species Regulations (2010) and the Protection of Badgers Act (1991). The previous ecology surveys found evidence of badgers close by and during development appropriate action is required to ensure compliance with wildlife legislation and ensure protected species are not killed, injured or disturbed and any badger sett is not disturbed or destroyed. A re-check of badger activity should be made by an ecologist prior to the re-commencement of works and evidence provided to the LPA for their approval.
2. With regard to conditions concerning control of noise, the applicant is advised to contact Robin Marston in the Noise Team (tel 0116 454 3055) for further advice on methods of installation etc.
3. With regard to condition 18, the applicant is advised to contact Andy McParland in the Pollution Control Group, tel 0116 252 6441
4. Sport England has raised an issue concerning the adequacy of the changing room provision for the Five a Side football and is concerned that competing teams may need to share changing rooms. This matter should be discussed and resolved with Sport England at the earliest opportunity.
5. If any Great Crested Newts are found during the clearance or construction phase of the development, work must stop immediately and a qualified ecologist must attend the site to confirm identification and take appropriate action in accordance with English Nature's mitigation guidelines of 2006. For further advice contact the City Council's Nature Conservation Officer Helen O'Brien tel 0116 454 2971.
6. Lighting should be designed to minimise harm or loss of bats or their habitat. Lighting should if possible avoid areas which could be used by bats and birds. For further advice contact the City Council's Nature Conservation Officer Helen O'Brien tel 0116 454 2971.
7. The vegetation on the site makes it likely that there will be breeding wild birds using the site to roost and nest. Such birds are all protected by the Wildlife and Countryside Act 1981 during the breeding season which is between March to the end of July. Site clearance should not be carried out during this period.
8. Due to the evidence of badger activity within the site, opportunities should be taken to enhance the woodland and hedgerow cover around the site to provide an improved habitat for the species which could allow them to make more use of the site boundary and beyond. Such tree and hedgerow planting would also have nature conservation value
9. The applicant will be responsible for the cost of any tree works required as a result of the development, including works required to any trees affected by the application that are not on the application site. The applicant is requested to

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arrange a meeting with Alan d'Albe (0116 454 4938) prior to the start of works to agree the detail of tree works.

10. With regard to condition 15 regarding the Travel Plan please contact Bal Minhas in the Highway Authority on 0116 454 2849.
11. With regard to condition 19, the works should include footways, a pedestrian crossing with tactile surfaces, and dropped kerbs as required. A financial contribution will be required from the developer. The applicant should contact Michael Jeeves, tel 0116 454 2846 for further details.
12. With regard to condition 21, the local highway authority is seeking to improve the flow of traffic to and from the development by the use of traffic regulation orders on the access road. The applicant should contact Michael Jeeves, tel 0116 454 2846 to discuss this.
13. Before the development re-commences, the applicant/developer will need to contact the Council's Highways Management Team (direct line (0116) 454 5031) to ascertain if any works in the highway will be required, for example for temporary accesses; and to obtain written approval of construction and contractor details.

DEVELOPMENT PLAN POLICIES CONSIDERED RELATING TO THIS DECISION

2006_GE09	Planning permission will not be granted for development which would endanger or encroach upon Green Space as shown on the Proposals Map unless it meets the criteria set out.
2006_PS10	Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
2006_PS11	Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.
2006_BE22	Planning permission for development that consists of, or includes, external lighting will be permitted where the City Council is satisfied that it meets certain criteria.
2006_UD06	New development should not impinge upon landscape features that have amenity value whether they are within or outside the site unless it can meet criteria.
2006_AM01	Planning permission will only be granted where the needs of pedestrians and people with disabilities are incorporated into the design and routes are as direct as possible to key destinations.
2006_AM02	Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.
2006_AM11	Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01.
2006_BE16	Planning permission will be granted for the development of renewable energy installations where local impacts are not outweighed by wider benefits. Major developments must realise their potential for incorporating renewable energy technologies.
2006_BE20	Developments that are likely to create flood risk onsite or elsewhere will only be permitted if adequate mitigation measures can be implemented.

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

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Government under Sections 78 and 79 of the Town and Country Planning Act 1990, within six months of the date of this notice, 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. The Secretary of State may allow a longer period to 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 2995; 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.

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