



Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**NOTICE OF DECISION ON PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990**

PLANNING PERMISSION

Name and Address of Applicant

Shell UK Oil Products Limited
N/a

Name and Address of Agent

Jackie Ford
JMS Planning & Development Ltd
Build Studios
203 Westminster Bridge Road
Lambeth
London
SE1 7FR

Part -1 Particulars of Application

Date of Application 24 August 2023

Application No. **23/0646/FUL**

Particulars and Location of Development

Demolition of existing sales building and HGV forecourt (retention of domestic forecourt and underground fuel tanks) and the erection of a new sales building, HGV forecourt, provision of car parking and electric vehicle charging hub and associated works, including alterations to canopy (revised scheme 22/0879/FUL)

Sutton Elms Filling Stn Coventry Road Stoney Stanton Leicestershire

Part -2 Particulars of Decision


In pursuance of its powers under the Town and Country Planning Act 1990, the Blaby District Council **GRANTS** planning permission for the carrying out of the development referred to in PART -1 hereto in accordance with the application and plans submitted, subject to the following conditions;

Conditions attached to the planning permission and reasons for those conditions are :-

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The Development hereby approved shall be built in strict accordance with the following approved plans;

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Proposed Layout - Jennings Design Ltd - 10019140 PLNG-03 Rev E
Proposed Elevations - Jennings Design Ltd - 10019140 PLNG-04 Rev E
Block Plan - Jennings Design Ltd - 10019140 PLNG-6 Rev C
The Site Location Plan - Jennings Design Ltd - 10019140 PLNG-7
Proposed Building Floorplan - Jennings Design Ltd - 10019140 PLNG-8
Proposed Building Elevations - Jennings Design Ltd - 10019140 PLNG-8
EV Infrastructure - Jennings Design Ltd - 10019140 PLNG-9
Landscape Planting Plan - Squires Young Landscape Architecture - SY22-334-LPP-22-05 Rev B
Drainage Strategy and Calculations Report - Dudleys Structural & Civil Consultants - 23008-DCE-XX-XX-T-C-100-P01
Proposed Impermeable Areas - Dudleys Structural & Civil Consultants - 23008-DCE-XX-XX-D-C-103-P01
Drainage Strategy Drawing - Dudleys Structural & Civil Consultants - 23008-DCE-XX-XX-D-C-100-P02
Noise Impact Assessment - Venta Acoustics - VA4518.230209.NIA
Proposed Lighting Plan- Sutton Elms - GW Lighting Consultancy - SH79

- 3 The development hereby permitted shall be constructed using the materials specified on the drawing Proposed Layout - Jennings Design Ltd - 10019140 PLNG-03 Rev E, which is attached to and forms part of this planning permission, unless alternative materials are agreed in writing by the District Planning Authority.
- 4 The approved landscaping scheme as shown on drawing Landscape Planting Plan - Squires Young Landscape Architecture - SY22-334-LPP-22-05 Rev B shall be carried out within one year of completion of the development. The maintenance plan included on the approved landscape drawing shall be implemented as detailed and any trees, hedges, shrubs or other 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 District Planning Authority gives written consent to any variation.
- 5 All existing trees, shrubs or hedges to be retained on the site shall, whilst the development hereby permitted is being carried out, be protected by suitable fences in accordance with the details contained in the Tree Survey Report and Tree Constraints Plan and Arboricultural Impact Assessment by Squires Young Landscape Architecture SY22-334-ARB-22-01 dated July 2022, attached to and forming part of this consent. No materials shall be stored, rubbish dumped, fires lit or buildings erected within these fences. Within the areas so fenced off the existing ground level shall be neither raised or lowered, (except as may be agreed in writing by the District Planning Authority as part of this development). If any trenches or services are required in the fenced off areas, they shall be excavated and back filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.


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- 6 Prior to the first use of the development hereby permitted the foul and surface water drainage strategy for the site shall be fully implemented and capable of use in accordance with Dudleys Structural & Civil Consultants drainage strategy drawing 23008-DCE-XX-XX-D-C-100-P02. Once operational, the drainage infrastructure shall be maintained thereafter in accordance with manufacturers' recommendations.
- 7 No development, including works of demolition, shall commence on the site until such time as a Demolition and Construction Management Plan has been submitted to and approved in writing by the District Planning Authority. Once approved the demolition works and construction of the development shall thereafter be carried out in accordance with the approved details and timetable. The plan shall provide for:
- a) The parking of vehicles of site operatives and visitors and a timetable for their provision
 - b) Loading and unloading of plant and materials
 - c) Site compound locations
 - d) Storage of plant and materials used in constructing the development
 - e) Measures to control the emissions of dust and dirt during demolition and construction, with particular emphasis in tracking onto the highway
 - f) Proposed routing of construction traffic
 - g) Measures to control the emissions of noise during demolition and construction referring to appropriate standards
 - h) Hours of construction and deliveries
- 8 No development, including demolition, approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
- a) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
 - b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

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- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.


Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

- 9 Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action as identified in the verification plan submitted in respect of condition 8. Any longer-term monitoring shall be carried out as approved.
- 10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 8 and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition 8, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition 9.

- 11 The development hereby permitted shall not be occupied until such time as the layout, parking and turning facilities have been implemented in accordance with Block plan drawing number 10019140-PLNG-6 Rev C. Thereafter the on-site parking provision shall be so maintained in perpetuity.
- 12 The substation transformer and low voltage units to be installed on the site shall be the ESD Ground Mounted Schneider Electric Transformer and PK Power Unit & Communication Unit in accordance with the details submitted on 21st November 2022 in relation to permission 22/0879/FUL unless alternative details are agreed in writing by the District Planning Authority.
- 13 Any lighting installed on the site shall be implemented fully in accordance with the GW Lighting Consultancy Proposed Lighting Plan Sutton Elms SH79 and the Lighting Assessment dated 6th September 2023 which accompany and form part of this consent.

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- 14 Any plant or machinery to be installed at the site shall be implemented fully in accordance with the specification of plant detailed in the Noise Impact Assessment VA4518.230209.NIA by Venta Acoustics which accompanies and forms part of this consent. Once installed, the plant or machinery shall be thereafter operated and maintained in accordance with manufacturers' recommendations.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent re-enactment with or without modification), no alterations or extensions shall be made to the retail store without the prior permission of the District Planning Authority granted on an application submitted in that regard.
- 16 The replacement retail unit hereby approved shall only be used in association with and ancillary to the use of the site as a petrol filling station and shall not be subdivided or converted to any other use without a further grant of planning permission.

REASONS

- 1 To prevent the unnecessary accumulation of unimplemented permissions, to encourage early implementation and to enable the District Planning Authority to review the consent if a further application is made.
- 2 For the avoidance of doubt.
- 3 In the interests of visual amenity.
- 4 In the interests of visual amenity.
- 5 To ensure that all trees, shrubs and hedges to be retained are adequately protected during the construction of the development.
- 6 To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
- 7 To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems and in the interests of amenity in the area.
- 8 To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

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- 9 To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.
- 10 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 off-site receptors.
- 11 To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users.
- 12 In the interests of the amenities of the site and surrounding area.
- 13 In the interests of the visual amenities of the area and the overall appearance of the development.
- 14 In the interests of the amenities of the site and surrounding area.
- 15 In the interests of visual amenity and to protect the character and appearance of the countryside.
- 16 To avoid inappropriate uses in the countryside and to prevent an increase in traffic visiting the site.

NOTES TO APPLICANT

1. This grant of planning permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
2. The development hereby permitted must be carried out in complete accordance with the approved plans. If changes are made to the approved scheme, whether INTERNALLY or EXTERNALLY, the development will not be in accordance with this grant of planning permission, it therefore would not benefit from planning permission and may result in enforcement action.
3. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the

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Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

4. This consent does not give permission for any advertisements for which separate advertisement consent may be required under the Town and Country (Control of Advertisements) (England) Regulations 2007.

SUMMARY OF REASONS FOR RECOMMENDATION AND RELEVANT DEVELOPMENT PLAN POLICIES

- 1 The District Planning Authority has reached its decision taking into account the advice contained within paragraph 38 of the National Planning Policy Framework and, where possible, has worked proactively with the applicants to seek solutions to problems arising in relation to dealing with the planning application.



Shell UK Oil Products Limited

Date: 12 October 2023
My Ref: Development Monitoring
Contact: Planning Enforcement Team
Tel No: 0116 272 7521
Email: planning.enforcement@blaby.gov.uk

Dear Sir/Madam

Development Monitoring

The enclosed planning permission has been granted and is subject to all the planning conditions attached to and forming part of the planning permission. Failure to comply with these conditions will be a breach of planning control which may result in your development being unauthorised and subject to enforcement and/or legal action.

Therefore you should ensure that you notify the Planning Enforcement Section at least 4 weeks prior to commencement of the development to ensure that all pre-commencement conditions have been discharged and complied with. Please contact me using the details at the top of this communication.

It should also be noted that the site will be monitored to ensure:-

- (a) compliance with all conditions attached to the planning permission and;
- (b) the development is carried out in accordance with the approved plans.

I look forward to your co-operation with this matter however, if you require any further information or assistance please do not hesitate to contact me.

Yours faithfully

Planning Enforcement Team