



**TO COUNCILLOR:**

L A Bentley (Chair)  
G A Boulter  
Mrs L M Broadley (Vice-Chair)  
F S Broadley

D M Carter  
B Dave  
R E Fahey  
D A Gamble

J Kaufman  
Dr T K Khong  
Mrs H E Loydall  
R E R Morris

Dear Councillor *et al*

I hereby **SUMMON** you to attend a meeting of the **DEVELOPMENT CONTROL COMMITTEE** to be held at the **COUNCIL OFFICES, STATION ROAD, WIGSTON** on **THURSDAY, 24 AUGUST 2017** at **7.00 PM** for the transaction of the business set out in the Agenda below.

Yours faithfully

Council Offices  
Wigston  
**16 August 2017**

**Mark Hall**  
Chief Executive

| <u>ITEM NO.</u> | <u>AGENDA</u>   | <u>PAGE NO'S</u> |
|-----------------|---|------------------|
| <b>1.</b>       | <b>Apologies for Absence</b>  |                  |
| <b>2.</b>       | <b>Declarations of Interest</b>   |                  |
|                 | Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'. |                  |
| <b>3.</b>       | <b>Reading, Confirmation and Signing of Minutes</b>   |                  |
|                 | To read, confirm and sign the minutes of the previous meetings in accordance with Rule 17 of Part 4 of the Constitution.  |                  |
| <b>a)</b>       | <b>Minutes of the Previous Meeting held on 15 June 2017</b>   | <b>1 - 9</b>     |
| <b>b)</b>       | <b>Minutes of the Previous Meeting held on 20 July 2017</b>   | <b>10 - 13</b>   |
| <b>5.</b>       | <b>Action List Arising from the Meeting held on 20 July 2017</b>  | <b>14</b>        |
|                 | To read, confirm and note the Action List arising from the previous meeting.  |                  |
| <b>6.</b>       | <b>Petitions and Deputations</b>  |                  |
|                 | To receive any Petitions and, or, Deputations in accordance with Rule 24 of   |                  |



**7. Report of the Planning Control Team Leader**

**15 - 31**

Report(s) of the Planning Control Team Leader and the relevant Planning Control Officer(s).

- a) **Application No. 17/00285/FUL - 16 Wellhouse Close, Wigston, Leicestershire, LE18 2RQ**
- b) **Application No. 17/00343/FUL - 126 Aylestone Lane, Wigston, Leicestershire, LE18 1BA**

**For more information, please contact:**

**Planning Control**

Oadby and Wigston Borough Council  
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Leicestershire  
LE18 2DR

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**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD AT THE  
COUNCIL OFFICES, STATION ROAD, WIGSTON ON THURSDAY, 15 JUNE 2017  
COMMENCING AT 7.00 PM**

**PRESENT**

Councillor L A Bentley (Chair)  
Councillor Mrs L M Broadley (Vice Chair)

**COUNCILLORS**

G A Boulter  
F S Broadley  
D M Carter  
B Dave  
R E Fahey  
J Kaufman  
Mrs H E Loydall  
R E R Morris

**OFFICERS IN ATTENDANCE**

S J Ball (Senior Democratic Services Officer / Legal Officer)  
T Boswell (Senior Planning Control Officer)  
D Gill (Legal Advisor)  
Ms S Lane (Democratic Services Officer / Compliance Officer)  
R Redford (Planning Control Team Leader)  
A Thorpe (Planning, Development and Regeneration Manager)

**OTHERS IN ATTENDANCE**

L Burgess (Public Speaker)  
Cllr M H Charlesworth (Ward Councillor, Speaker)  
Mrs P Dunckley (Public Speaker)  
A Endall (Public Speaker)  
N Hardy (Applicant/Agent, Speaker)  
R Moore (Public Speaker)  
J Pugh (Public Speaker)  
Mrs C Sutton (Public Speaker)

**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor D A Gamble.

The Senior Democratic Services Officer / Legal Officer declared Councillors Gurbal S Atwal and Dr Teck K Khong absent from the meeting as neither Member was eligible to take their seat on the Committee until such time that they had undergone basic training on the law and procedure relating to the functions of the same.

**2. APPOINTMENT OF SUBSTITUTES**

None.

**3. DECLARATIONS OF INTEREST**

In respect of planning application number 16/00575/OUT, Councillors G A Boulter and R E

R Morris declared a non-pecuniary interest insofar as they had been contacted by local residents and objectors regarding the same in their respective capacities as County and Ward Councillor(s).

In respect of planning application number 17/00084/FUL:

- (i) Councillor Mrs H E Loydall declared a non-pecuniary interest insofar as her residential property was deemed to be within the application area of the site and that she had been contacted by objectors regarding the application; and
- (ii) Councillor G A Boulter declared a non-pecuniary interest insofar as the applicant was personally known to him.

In respect of planning application number 17/000109/COU:

- (i) Councillor G A Boulter declared a non-pecuniary interest as Chair of the Services Delivery Committee insofar as the proposed use of the building in question fell under the remit of the said Committee;
- (ii) The Chair and Councillor R E R Morris declared a non-pecuniary interest insofar as they had attended a public consultation meeting held regarding the same.

In respect of planning application number 17/00115/FUL, Councillor Mrs H E Loydall declared a non-pecuniary interest insofar she had been contacted by objectors regarding the same.

All Members' confirmed that they attended the meeting without prejudice and with an open-mind.

#### **4. MINUTES OF THE PREVIOUS MEETING HELD ON 13 APRIL 2017**

The minutes of the Committee held on Tuesday, 13 April 2017 shall stand as an item to be received at the next meeting of the Committee due to be held on Thursday, 20 July 2017.

#### **5. PETITIONS AND DEPUTATIONS**

None.

#### **6. HOUSING WHITE PAPER: INCREASE IN PLANNING FEES IN THE BOROUGH**

The Committee gave consideration to the report (at pages 1- 2) as delivered and summarised by the Planning, Development and Regeneration Manager which should be read together with these minutes as a composite document.

The Committee welcomed the report yet emphasised the need for the Council's Chief Finance Officer / Section 151 Officer and Planning Officers to continue to work and to seek new ways to improve the Borough's housing market, particularly in view of the government's misguided ambition to build new homes at the cost of compromised dwelling living standards and, ultimately, to the detriment of residents.

#### **RESOLVED THAT:**

**A 20% increase in planning fees in the Borough with effect from July 2017 in order to invest this additional fee income in the planning department be noted.**

#### **7. CONFIRMATION OF THE BOROUGH COUNCIL OF OADBY & WIGSTON TREE PRESERVATION ORDER(S) (TPO'S)**

The Committee gave consideration to the three foregoing reports and appendices (at pages 3 - 31) as delivered and summarised by the Planning Control Team Leader which should be read together with these minutes as a composite document.

**7a. LAND AT BRIAR WALK, OADBY, LEICESTERSHIRE**

It was moved by the Chair, seconded by Councillor Mrs H E Loydall and

**UNANIMOUSLY RESOLVED THAT:**

**The Borough Council of Oadby & Wigston (Land at Briar Walk, Oadby, Leicestershire) Tree Preservation Order 2016 be confirmed with modifications.**

**7b. LAND AT GARTREE ROAD, OADBY, LEICESTERSHIRE**

It was moved by the Chair, seconded by Councillor Mrs H E Loydall and

**UNANIMOUSLY RESOLVED THAT:**

The Borough Council of Oadby & Wigston (Land at Gartree Road, Oadby, Leicestershire) Tree Preservation Order 2016 be confirmed with modifications.

**7c. THE GRANGE, HIGHFIELD DRIVE, WIGSTON, LEICESTERSHIRE, LE18 1PP**

Mr Liam Burgess of 159 Leicester Road, Wigston (an adjacent landowner) spoke upon the TPO in question objecting to its confirmation citing concerns in relation to the tree marked T1 that included falling debris, lack of sunlight, bird faeces, root damage, poor maintenance and issues of liability potentially arising therefrom.

A debate thereon was had by Members whereby it was generally agreed that any perceived issues concerning TPO's ought to be carefully and properly assessed and that in this instance, and although previous assessments were reported to have deemed T1 to be in a safe condition, further investigations should be undertaken to gather certain evidence to confirm, or otherwise, Mr Burgess' said concerns.

In reaching this decision, the Committee was advised that local authorities are (in certain circumstances and subject to strict criteria and limitations) liable to pay compensation for loss or damage caused or incurred in consequence of it refusing consent for works to trees protected under a TPO. It was reiterated that owners of both un/protected trees were responsible for the proper maintenance thereof.

It was moved by the Vice-Chair, seconded by the Chair and

**UNANIMOUSLY RESOLVED THAT:**

The Borough Council of Oadby & Wigston (The Grange, Highfield Drive, Wigston, Leicestershire, LE18 1PP) Tree Preservation Order 2016 be confirmed with the exception of the tree marked T1 at the present time.

**8. REPORT OF THE PLANNING CONTROL TEAM LEADER**

**1. Application No. 16/00575/OUT - HM Young Offenders Institute Glen Parva, Tigers Road, Wigston, Leicestershire, LE18 4TN**

Mrs Caroline Sutton spoke upon the application on behalf of those residents living in the immediate (unadopted) private-estate adjacent to the application site as an objector. Mrs Sutton raised concerns as to the removal of the courtesy fence and its relocation nearer to the estate stating that space was needed for replanting and to avoid tree root damage to closeby drains, roads and houses. She insisted that the existing fence be repaired and remain in situ and that additional screening was essential to lessen noise and light pollution. Mrs Sutton also stated that any vehicular parking and access to/from the site should be via Tigers Road only.

Mr Nick Hardy, Ministry of Justice (MoJ) spokesperson, spoke upon the application on behalf of the applicant. He explained that the application formed part of a £1.3bn programme aimed to transform the estate to support prisoner rehabilitation, to modernise and make prisons safer and more efficient and to create jobs. Acknowledging residents' concerns, he said that full details of the boundary treatment were to be worked up and agreed at the next stage of the planning process. He stated that the Transport Assessment prepared by Atkins ("the Atkins TA") concluded less traffic generation, that no vehicular access from Crete Avenue would be permitted and that ample parking provision for staff and visitors was to be provided on-site. It was said that the old buildings were to be demolished and new buildings set further back from the boundary to improve residential amenity.

In response to questions put to Mr Hardy by Members, he advised that the Atkins TA was carried week commencing 25 October during school term-time, that in discussion with Blaby District Council ("the lead authority") the preferred access route was Tigers Road to protect and preserve green public open-space land and that the choice of consultation venue (within the city's boundary) was taken upon considerations of suitability, capacity and convenience to all affected stakeholders.

The Committee gave consideration to the application (at pages 33 - 58), the agenda update (at pages 1 - 4) and a further e-mail dated 14 June from Leicestershire County Council as Highways Authority (HA) (a transcript of which is filed at the end of these minutes) as delivered and summarised by the Planning Control Team Leader ("the Team Leader") which should be read together with these minutes as a composite document. It was added for clarity by the Team Leader that proposed conditions 6, 9 and 15 operated prior to demolition and conditions 11, 17 and 21 operated after demolition but for information thereon was to be received thereafter.

A debate thereon was had whereby although it was acknowledged that the scope for consideration was duly limited to access and scale, the Committee sitting as a panel of elected Members considered it their collective duty to best protect the interests of the Borough and its residents as far as reasonably practicable. In doing so, the Committee believed that, on balance, not enough information on material aspects of the application had been provided which possibly justified a deferral and, or, a tightening up of the proposed conditions was essential for residents' protection.

In relation matters regarding access, the Committee raised concerns in respect to possible increased traffic generation to/from the application site and the wider impacts on the highway network. Members were also somewhat sceptical of the conclusions drawn by the Aktins TA and critical of the HA's dismissal of traffic data collected by residents due to the alleged and invalid methodology used.

Members also felt that the structural integrity of the sole access route via Tigers Road was not fully established over alternative access options and that, if it was to be used, additional safeguards were required to ensure that construction traffic did not enter or exit the site via the private-estate's roads. The Committee too emphasised the need for

appropriate hours of construction. The Team Leader advised that little information as to the road's structural integrity had been received from the HA but could be addressed as part of the traffic management plan (condition 9). A new condition could be added to prohibit construction traffic from the using private-estates' road and construction hours were limited (condition 19).

In relation to matters regarding scale, the Committee agreed that a continuous solid boundary with adequate planting or other screening was required along the eastern site boundary to preserve security and residential amenity. In providing so, Members insisted that the existing boundary structure was to remain in situ until, and replaced at, the latter end of construction. In particular, this was said to deter inconsiderate parking and improper access to the application site from the private-estate. The Team Leader so advised that such requests were possible (conditions 2, 6 and 7).

In reaching a decision, Team Leader offered assurances that with robust conditions, as set out and to be added and amended as above, both residents' and Members' concerns could be allayed. The Legal Advisor reassured Members' that planning permission would fall if the planning authority was not satisfied by the information, or lack thereof, received by way of condition. The Committee was further reminded of a prospective appeal directly to the Planning Inspectorate by the applicant for a decision should it be minded to defer the application without substantive reason(s).

It was moved by the Chair, seconded by the Vice Chair and

**RESOLVED THAT:**

**The application be GRANTED planning permission in accordance with the submitted documents and plans and subject to the prescribed conditions as to be added to and, or, amended under delegated authority accordingly.**

|                      |   |
|----------------------|---|
| <b>Votes For</b>     | 8 |
| <b>Votes Against</b> | 2 |
| <b>Abstentions</b>   | 0 |

**2. Application No. 17/00084/FUL – Nautical William, Aylestone Lane, Wigston, Leicestershire, LE18 1BA**

Mr Andrew Endall spoke upon the application as an objector. Mr Endall stated that although he did not object to the development of the site in principle, he did object to the height and size of the proposed building. He said it was not in-keeping with the street scene, it would dominant the corner of the junction and invade adjacent residents' privacy with views from the proposed balconies and large glass installations. He further raised concerns as to ratio of car parking spaces to proposed dwelling-flats and therefore the potential for overspill onto the busy junction.

Having declared a non-pecuniary interest and having been cautioned by the Legal Advisor, Councillor Mrs H E Loydall voluntarily left the Chamber at 8:58 pm and took no part in the debate on the item of business and voting thereon save as to reiterating similar concerns as a public speaker before leaving the Chamber.

The Committee gave consideration to the application (at pages 59 - 64) and the agenda update (at pages 4 - 7) as delivered and summarised by the Senior Planning Control Officer which should be read together with these minutes as a composite document.

A debate thereon was had by Members whereby it was agreed that the application

represented an overdevelopment of the site. The Committee shared concerns in respect of the dominate scale of the three-storey proposed building and, consequently, the detrimental impact on the existing street scene and skyline. The proposed building was said to present opportunities of overlooking onto the north side of Aylestone Lane impacting on residents' privacy and residential amenity and, particularly, an unacceptable loss of light and outlook to 67 Rolleston Road. Complications arising from the potential re-location of the nearby bus stop and insufficient parking provision were also cited as additional concerns.

It was moved by the Chair, seconded by the Vice Chair and

**UNANIMOUSLY DEFEATED THAT:**

The application be granted planning permission in accordance with the submitted documents and plans and subject to the prescribed conditions.

It was moved by the Chair, seconded by the Vice Chair and

**UNANIMOUSLY RESOLVED THAT:**

**The application be REFUSED planning permission for the foregoing reasons.**

Councillor Mrs H E Loydall returned to the Chamber at 9:23 pm.

**3. Application No. 17/00109/COU - 134 Station Road, Wigston, Leicestershire, LE18 2DL**

Councillor M H Charlesworth spoke upon the application as Ward Councillor for the Wigston All Saints Ward who relayed concerns raised by local residents as to the perceived demeanour of those occupants likely to be housed in the hostel.

The Committee gave consideration to the application (at pages 65 - 69) as delivered and summarised by the Senior Planning Control Officer which should be read together with these minutes as a composite document.

A debate thereon was had whereby Members acknowledged the importance of homelessness provision within the Borough and the statutory duty of care owed to those people who were increasing and more often than not unintentionally finding themselves homeless. Acknowledging the legitimate concerns of residents, Members offered assurances that given the location of the proposed hostel, the Council was best placed to closely monitor and deal with any incidents promptly. In reaching a decision, the Committee was advised that prospective occupants would be housed under a licence, as opposed to a tenancy, agreement which could be terminated at any point upon immediate relief sought by a mandatory order from the courts.

It was moved by the Chair, seconded by Councillor J Kaufman and

**UNANIMOUSLY RESOLVED THAT:**

**The application be GRANTED planning permission in accordance with the submitted documents and plans and subject to the prescribed conditions.**

**4. Application No. 17/00115/FUL – 17 Granville Road, Wigston, Leicestershire, LE18 1JQ**



Mrs P Dunckley and Mr J Pugh each spoke upon the application as objectors who raised similar concerns regarding the close proximity of the proposed extension to their respective property boundaries and the resultant loss of privacy, light and amenity. They further objected to the size, layout and density of the extension.

The Committee gave consideration to the application (at pages 70 - 75) as delivered and summarised by the Senior Planning Control Officer which should be read together with these minutes as a composite document.

A debate thereon was had by Members whereby it was agreed that the application represented an overdevelopment of the site and would impact significantly on neighbours' privacy, residential amenity and access to light. As such, it was requested that further conditions to be added to restrict any permitted development rights in relation to the dwelling and to insist that the gap between the proposed extension wall and the boundary of 19 Granville Road be at least one metre.

Some Members were of the opinion that the added conditions were not sufficient to allay their or the neighbours' concerns, that the proposed extension was not in-keeping with the main dwelling and, therefore, could not support the application.

It was moved by the Chair, seconded by the Councillor B Dave and

**RESOLVED THAT:**

**The application be GRANTED planning permission in accordance with the submitted documents and plans and subject to the prescribed conditions as to be added to and, or, amended under delegated authority accordingly.**

|                      |   |
|----------------------|---|
| <b>Votes For</b>     | 5 |
| <b>Votes Against</b> | 3 |
| <b>Abstentions</b>   | 2 |

It was moved by the Chair, seconded by the Vice Chair and

**UNANIMOUSLY RESOLVED THAT:**

**In accordance with Rule 21.1 of Part 4 of the Constitution, Rule 9 of the same Part be suspended to allow the meeting to continue beyond three hours for the purposes of disposing of the remaining item of business at this meeting.**

**5. Application No. 17/00151/FUL – 253 Aylestone Lane, Wigston, Leicestershire, LE18 1BE**

Mr R Moore spoke upon the application as an objector. Mr Moore stated that the footprint of the two ground floor flats provided inadequate levels of amenity to future occupants, that the development was not in-keeping with the existing street scene and there were insufficient parking spaces to effectively service three additional dwellings thus impacting on the adjacent properties and small slip-road.

The Committee gave consideration to the application (at pages 76 - 78) as delivered and summarised by the Planning Control Team Leader ("the Team Leader") which should be read together with these minutes as a composite document.

A debate thereon was had whereby Members felt that the applicant had not gone far enough to revise the size, layout, quality and density of the (previously refused)

application to render it acceptable at the present time. In particular, there were shared concerns that the proposed internal layouts of the dwelling-flats provided for inadequate levels of living-space and amenity. The reported poor brickwork of the extension was also said to not match the existing building which, as advised, could not be rectified nor enforced by condition. There was also a general consensus that a serious need existed for family homes to be retained and built within the Borough.

It was moved by the Chair, seconded by Councillor F S Broadley and

**DEFEATED THAT:**

The application be granted planning permission in accordance with the submitted documents and plans and subject to the prescribed conditions.

|                      |   |
|----------------------|---|
| <b>Votes For</b>     | 2 |
| <b>Votes Against</b> | 7 |
| <b>Abstentions</b>   | 1 |

It was moved by the Councillor G A Boulter, seconded by the Vice Chair and

**RESOLVED THAT:**

**The application be DEFERRED.**

|                      |   |
|----------------------|---|
| <b>Votes For</b>     | 9 |
| <b>Votes Against</b> | 1 |
| <b>Abstentions</b>   | 0 |

**THE MEETING CLOSED AT 10.31 PM**



.....  
**Chair**  
.....

**Thursday, 24 August 2017**  
.....

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Council Offices, Station Road, Wigston, Leicestershire, LE18 2DR*

**E-mail dated 14 June from Leicestershire County Council as Highways Authority**  
(Minute Ref. 8 at para. 4)

**From:** George Nock [mailto:George.Nock@leics.gov.uk]  
**Sent:** 14 June 2017 14:49  
**To:** Richard Redford  
**Subject:** Re: F.A.O. Mr G Nock - 16/00575/OUT - Glen Parva YOI Application –  
Additional Traffic Information  
**Importance:** High

Dear Richard

Thank you for the email.

Leicestershire County Council, as Highway Authority, endeavours to respond to consultations within 14 days. All supporting submissions and supplementary documentation must follow due process and be publically available.

I have had a brief look at the document reference. My first comment relates to the data verification. All supporting data, when considered as part of any application, must accord with industry standard data collection techniques. I am unsure at this stage where this data has been collected, by what means (tubes? ATC? counters?) and how it has been presented (PCUs or vehicles) etc. Full verification of the data is at this stage not possible and therefore the Highway Authority is unable to provide full response in absence of this information. I also note that the data is unidirectional. A Transport Assessment/ Scope/ Specification typically accompanies a data submission.

For information, as part the Highway Authority's analysis of the submission of the planning application supporting documentation the CTC data collected at the Saffron Road/ Tigers Road Junction was compared against a verified LCC permanent automated traffic-counter. This counter is positioned between the Namur Road and Dorset Avenue junctions on the B582. This data indicates that the CTC, contained within the Transport Assessment, is representative of daily traffic movements on the B582. This does however have to allow for some variation due to conversion to PCUs.

Should Members require LCC to be formally consulted, the Highway Authority request additional information with regards to the verification of data presented .

Kind Regards

George Nock  
Senior Transportation Engineer  
Highways Development Management

Leicestershire County Council  
County Hall  
Glenfield  
Leicestershire  
LE3 8RJ

# Agenda Item 4b

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD AT THE COUNCIL OFFICES, STATION ROAD, WIGSTON ON THURSDAY, 20 JULY 2017 COMMENCING AT 7.00 PM**

**PRESENT**

Councillor Mrs L M Broadley (Vice Chair, in the Chair)

**COUNCILLORS**

G A Boulter  
F S Broadley  
B Dave  
Mrs H E Loydall

**OFFICERS IN ATTENDANCE**

S J Ball (Senior Democratic Services Officer / Legal Officer)  
T Boswell (Senior Planning Control Officer)  
D Gill (Legal Advisor)  
R Redford (Planning Control Team Leader)

**OTHERS IN ATTENDANCE**

L Moore (Public Speaker)  
M Roe (Applicant/Agent, Speaker)  
C Towell (Public Speaker)

**9. APOLOGIES FOR ABSENCE**

An apology for absence was received from the Chair, Councillor L A Bentley, and Councillors D M Carter, R Fahey, J Kaufman, Dr T K Khong and R E R Morris.

**10. DECLARATIONS OF INTEREST**

None.

**11. READING, CONFIRMATION AND SIGNING OF MINUTES**

**11a. MINUTES OF THE PREVIOUS MEETING HELD ON 13 APRIL 2017**

**RESOLVED THAT:**

**The minutes of the previous meeting of the Committee held on 13 April 2017 be taken as read, confirmed and signed.**

**11b. MINUTES OF THE PREVIOUS MEETING HELD ON 15 JUNE 2017**

The minutes of the Committee held on Thursday, 15 June 2017 shall stand as an item to be received at the next meeting of the Committee due to be held on Thursday, 24 August 2017.

**12. PETITIONS AND DEPUTATIONS**

None.

**13. REPORT OF THE PLANNING CONTROL TEAM LEADER**

**1. Application No. 17/00070/OUT – Merano, 52 Stoughton Road, Oadby, Leicestershire, LE2 4FL**

The Committee was advised that application no. 17/00070/OUT had been withdrawn.

**2. Application No. 17/00122/FUL – 1-80 Elizabeth Court, Wigston, Leicestershire, LE18 2AE**

The Committee gave consideration to the application (at pages 17 - 20) as delivered and summarised by the Senior Planning Control Officer which should be read together with these minutes as a composite document.

In reaching a decision, the Committee were given express assurances that the new external cladding was a British Board of Agrément (BBA) certified "non-combustible" material that was fully tested to and complaint with all fire safety standards and regulations and that the fire-stop was to apply to all storeys of the building. These assurances were to be read in conjunction with the verbal statement delivered by the Interim Head of Community Services made in respect of fire safety in the Borough as minuted at a meeting of the Service Delivery Committee on 27 June (at min. ref. 9).

It was moved by the Chair, seconded by Councillor G A Boulter and

**UNANIMOUSLY RESOLVED THAT:**

**The application be GRANTED planning permission in accordance with the submitted documents and plans and subject to the prescribed conditions.**

**3. Application No. 17/00151/FUL - 253 Aylestone Lane, Wigston, Leicestershire, LE18 1BE**

Mr L Moore spoke upon the application as an objector who reiterated the same concerns raised at a previous meeting of the Committee on 15 June. Mr Moore stated that the footprint of the two ground floor flats provided inadequate levels of amenity to future occupants, that the development was not in-keeping with the existing street scene and there were insufficient parking spaces to effectively service three additional dwellings thus impacting on the adjacent properties and small slip-road. He further opined that the applicant had manipulated due planning process.

The Committee gave consideration to the application (at pages 21 - 29) as delivered and summarised by the Planning Control Team Leader which should be read together with these minutes as a composite document.

A debate thereon was had whereby it was agreed that there was no difference of opinion to that expressed at its previous meeting. It was agreed that the proposed development would, due to the number of units proposed and the confined space for parking provision, limited storage area for bins required by the dwelling-flats and the materials used in the construction of the two-storey side extension, represented an overintensification of the built form and site and the development, as a whole, was out of keeping with the visual character and amenities of the area.

The Committee requested that the Technical Housing Standards (Nationally Described Space Standard) published by the Department for Communities and Local Government

(DCLG) on 27 March 2015 - including but not limited to introducing minimum floor area dimensions for dwellings - be adopted as a technical planning standard by the Council as a planning authority as soon as reasonably practicable.

In reaching a decision, the Committee was advised that, if it was minded to refuse planning permission against recommendations, the applicant enjoyed permitted development rights to convert the existing building into a house of multiple occupation (HMO) with upto six occupants and vehicles and, or, upon any successful appeal lodged by the applicant, the costs thereof may be awarded against the Council.

It was moved by the Chair, seconded by Councillor F S Broadley and

**UNANIMOUSLY RESOLVED THAT:**

**The application be REFUSED planning permission for the foregoing reasons.**

**4. Application No. 17/00192/FUL - Horse & Trumpet, Bull Head Street, Wigston, Leicestershire, LE18 1PB**

Mr M Roe, Planner at Marrons Planning, spoke upon the application on behalf of the applicant. Mr Roe stated that the revised scheme had reduced the distance of pedestrian travel, retained and improved levels of access and safety to the site and proposed barriers between the diverted footpath and car park. It was reported that the walled area and decking incorporated a considerate palette of materials respecting local character and patterns of development. Mr Roe opined that the revised scheme addressed all concerns relating to visual amenity, pedestrian safety and accessibility and traffic impacts.

Mr C Towell spoke upon the application on behalf of the Wigston Civic Society (WCS) as an objector. Mr Towell stated that the walled area and decking would have an adverse effect on the street scene and visual amenity, intimidate pedestrians passing-by, distract road users and cause a nuisance to adjacent residents. It was said that it did not respect the Borough's distinctive landscape of historical character particularly given site's close proximity to conservation areas and a listed dwelling located nearby. Most notably, it was opined that the diversion of historic footpath Z17 would be detrimental to Wigston's rich antecedents and heritage.

The Committee gave consideration to the application (at pages 30 - 39) and the agenda update (at pages 1 - 3) as delivered and summarised by the Planning Control Team Leader which should be read together with these minutes as a composite document.

A debate thereon was had whereby the majority of Members did not object to the application however expressed some provisional concerns regarding the height of the decking and its proposed hours of use insofar as it could potentially cause a nuisance to pedestrians passing-by and residents. In reaching a decision, the Committee was advised that the height of the decking from ground level to patrons' feet was two feet and that, in addition to condition 4, other robust enforcement regimes were available to the Council to regulate any unauthorised and, or, nuisance activities.

Councillor G A Boulter stated he shared the concerns of the WCS and, for those reasons, could not support the application. Citing from 'The Midland Peasant' by historian W G Hoskins, the footpath Z17 was said to be of significant historical importance forming part of the ancient highway of the former road to London.

It was moved by the Chair, seconded by Councillor B Dave and

**RESOLVED THAT:**

**The application be GRANTED planning permission in accordance with the submitted documents and plans and subject to the prescribed conditions.**

|                      |   |
|----------------------|---|
| <b>Votes For</b>     | 4 |
| <b>Votes Against</b> | 1 |
| <b>Abstentions</b>   | 0 |

**THE MEETING CLOSED AT 8.10 PM**



.....  
**Chair**  
.....

**Thursday, 24 August 2017**  
.....

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Council Offices, Station Road, Wigston, Leicestershire, LE18 2DR*

# Agenda Item 5

## DEVELOPMENT CONTROL COMMITTEE

### **ACTION LIST**

Arising from the Meeting held on Thursday, 20 July 2017

| <b>Min. Ref.</b> | <b>Item of Business</b>                           | <b>*Details of Action<br/><i>Action Due Date</i></b>  | <b>Responsible Officer(s)' Initials</b> | <b>Status / Update</b> |
|------------------|---|---|---|------------------------|
| <b>13.</b>       | <b>Report of the Planning Control Team Leader</b> | The Technical Housing Standards (Nationally Described Space Standard) published by the DCLG on 27-Mar-15 be adopted as soon as reasonably practicable.<br><br><b><i>Due by ASAP</i></b> | <b>AT<br/>RR</b>                        | Verbal Update          |

\* | All actions listed are those which are informally raised by Members during the course of debate upon a given item of business which do not otherwise form part of - but may be additional, incidental or ancillary to - any motion(s) carried. These actions are for the attention of the responsible Officer(s) so-named.



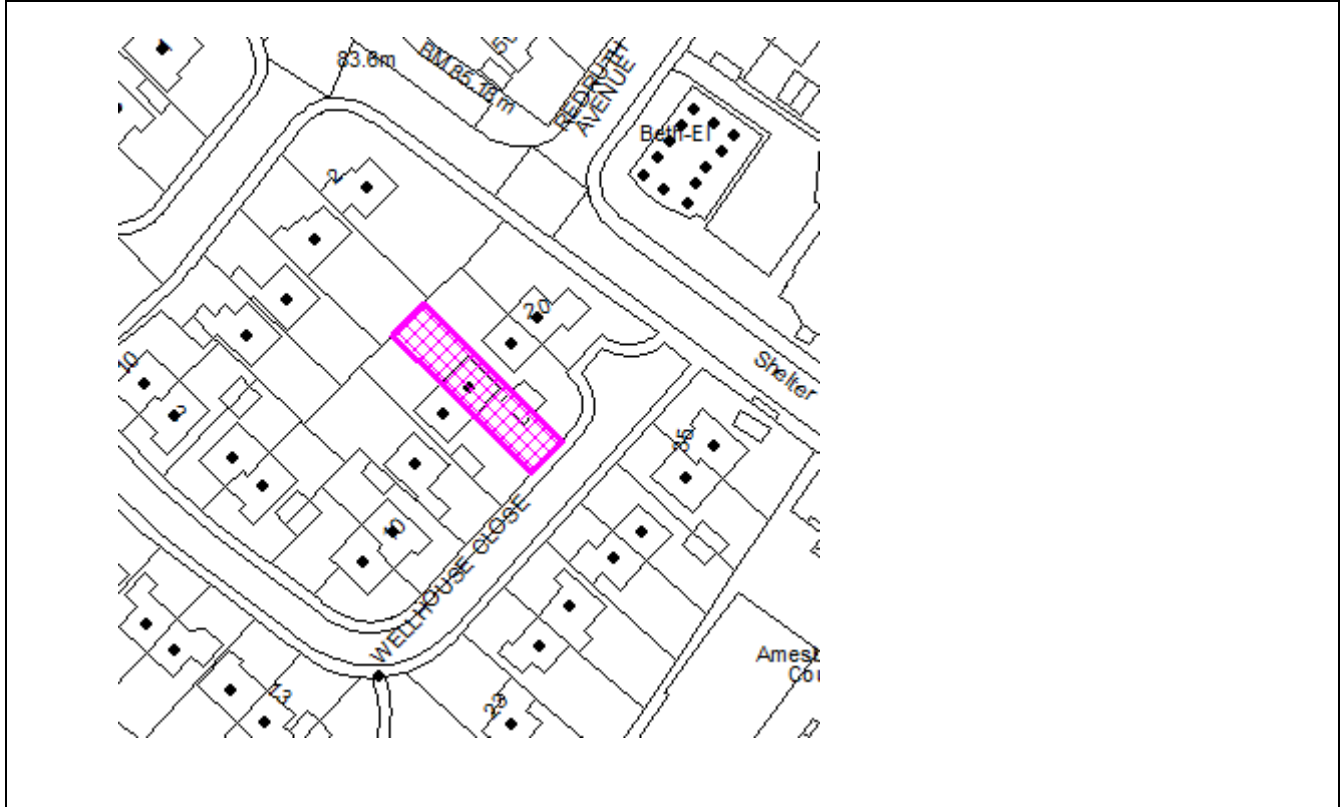
**Application Number**

**Address**

**Report Items**

- a. 17/00285/FUL      16 Wellhouse Close  
Wigston  
Leicestershire  
LE18 2RQ
  
- b. 17/00343/FUL      126 Aylestone Lane  
Wigston  
Leicestershire  
LE18 1BA

|    |              |   |
|----|--------------|---|
| a. | 17/00285/FUL | 16 Wellhouse Close<br>Wigston<br>Leicestershire<br>LE18 2RQ                   |
|    | 15 June 2017 | Demolish the existing conservatory and erect new single storey rear extension |
|    | CASE OFFICER | Stephen Robshaw   |



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Published 2014

**This application is before the Development Control Committee at the request of Cllr Charlesworth**

**Site and Location**

The property in question is a modern brick built two storey semi detached house in a quiet residential Cul-de-Sac. There have been no previous extensions or external alterations to the property either approved or otherwise.

**Description of Proposal**

The extension now applied for will provide ground floor shower and toilet facilities together with a small utility room. The materials being used match those of the original dwelling.

**Relevant Planning History**

None relevant

**Consultations**

Leicestershire County Council (Highways) – “The Local Highway Authority advice is that, ‘The local Highways Authority refers the LPA to current standing advice provided in September 2011. Consider Parking Provision’

**Representations**

Neighbours have been consulted and at the time of writing this report only one letter of objection has been received with the grounds for objection being;

- \* Lack of consideration to neighbours re access to their property. Unable to get down the side of conservatory to clean windows and maintain boundary fence.
- \* Loss of light.
- \* Poor standards of workmanship

**Relevant Planning Policies**

In addition to the National Planning Policy Framework, the Oadby & Wigston Borough Council Policies to be considered here are;

Oadby & Wigston Core Strategy

Core Strategy Policy 14 : Design and Construction  
Core Strategy Policy 15 : Landscape and Character

Oadby and Wigston Local Plan

Landscape Proposal 1 : Design of new development subject to criteria  
Housing Policy 17 : Amenity

**Planning Considerations**

This application is a retrospective application in respect of works that have been commenced but not yet completed and which have been found to require planning permission solely because of the depth it protrudes from the original rear wall of the dwelling.

CLlr Charlesworth has called in the application on the following grounds:

- \* Impact on the neighbour
- \* Not built to correct standard
- \* Unauthorised build

Dealing with those grounds in the order above Officers can respond as follows;

If the development currently under construction were 0.5 (Half) of a metre shorter from front to back no planning permission would be required as the development would be "Permitted Development" and the impact on the neighbour would be no different. If the application were to be refused the only action the Council could reasonably take would be to require the extension to be shortened by 0.5 (half) of a metre. It would still be a brick wall of the same height facing the neighbour.

The applicant has employed the services of a Private Building Inspector to oversee the works, as is her right, and his/her word has to be accepted in respect of building standards. This is not a material consideration in determining this application.

The current application seeks to rectify the unauthorised build situation.

The existence of this development came to light as a result of a complaint being received from the owners of the adjoining property. Having visited the property Officers became aware of the need for planning permission to be applied for solely because the depth of the development is half a metre outside the parameters set for it to be "Permitted Development."

The extension now applied for will provide ground floor shower and toilet facilities together with a small utility room. The materials being used match those of the original dwelling.

Dealing with the neighbours objections in order Officers can respond as follows;

- \* The owner of any property has the right, subject to obtaining any permissions needed, to build right up to the boundary line of their property. If there were any encroachment issues these are not a material planning consideration and are a Civil Law matter.
- \* At the time of making one of several site visits the author of this report did access the side of the conservatory.
- \* The loss of light is not a material planning consideration as there is no legal "Right to Light." There will be no loss of light to the rear garden area of the neighbour as the host dwelling and the extension are aligned roughly East West and will not interrupt the natural passage of sunlight.
- \* As reported earlier the standards of workmanship are not a material planning consideration and the technical aspects are being overseen/signed off by a private Building Inspector. As a result the Local Authority has no authority to intervene.

The application, as submitted, meets with the criteria of the Councils Core Strategy Policies 14 & 15 and also Local Plan Policies H17 & L1 and the Residential Development Supplementary Planning Document in terms of design and sustainability.

As reported earlier if the committee were minded to refuse the application as submitted the most that could be required by the Council is that the depth of the development be reduced by half a metre. It would then be "Permitted Development" for which no planning permission would be required. The net difference to the amenity of the neighbour being minimal.

### **Policy considerations**

In addition to the National Planning Policy Framework, the Oadby & Wigston Borough Council Policies to be considered here are;

#### Oadby & Wigston Core Strategy

Core Strategy Policy 14 : Design and Construction

Core Strategy Policy 15 : Landscape and Character

#### Oadby and Wigston Local Plan

Landscape Proposal 1 : Design of new development subject to criteria

Housing Policy 17 : Amenity

### **Core Strategy Policy 14**

#### Design and Construction

The Council will require high quality inclusive design for all new development and major refurbishment in Oadby and Wigston.

Proposals for new development and major refurbishment will need to demonstrate how the proposed development:

- \* respects local character, patterns of development, is sympathetic to its surroundings and should contribute to creating buildings and places that are attractive with their own distinct identity;
- \* promotes safe and inclusive communities able to be accessible to all members of the community regardless of any disability or background and to encourage sustainable means of travel;
- \* will provide opportunities to promote biodiversity;
- \* will create, enhance or improve accessibility, legibility, permeability and connectivity;
- \* will provide opportunities for well designed and integrated public art;
- \* incorporates measures to minimise waste and energy consumption, conserve water resources and provide for renewable energy generation, in accordance with Core Strategy Policies 8 and 9;
- \* utilises inclusive design principles including layout, orientation, landscape, streetscape, scale, materials, natural surveillance and sustainable construction; and
- \* achieves layout and design that is safe, secure and enhances community safety.

Compliance with the above criteria will need to be expressed through submission of a Design and Access Statement.

Major development including large-scale refurbishment will require preparation of a Masterplan, Development Brief, Concept Statement and/or Design Code where appropriate.

Proposals for innovative design or construction that contributes to the aims of sustainable development and reducing the impacts of climate change will be considered favourably by the Council.

## **Core Strategy Policy 15**

### Landscape and Character

All development proposals will be considered against the need to protect and enhance the distinctive landscape and historic character of the Borough. They should reflect the prevailing quality, character and features such as settlement pattern, views, biodiversity and local distinctiveness.

The Borough Council will take into account any potential impacts on the character and quality of the landscape and built environment, particularly where this relates to nationally designated areas or features of landscape and cultural significance. Landscape Character Assessments, Conservation Area Appraisals and Management Plans will be prepared and used to improve the quality of development, to assess potential impacts and support the enhancement of landscape as part of site restoration.

The Leicestershire Historic Landscape Characterisation will be taken into account when proposals are being considered.

The Borough Council will encourage the preservation and enhancement of the distinctive character and appearance of archaeological sites, listed buildings and buildings of local importance, Conservation Areas and other cultural assets that are of significant value.

The preservation and enhancement of local distinctiveness will be enabled by the publication of a list which identifies key local buildings, structures and features which are not eligible for listing under the statutory regime but contribute to the local character. Special consideration should be given to development or works which would likely prejudice known sites of archaeological interest.

The historic character and ecological value of the Grand Union Canal Conservation Area will be protected.

### **Local Plan Policy**

Landscape Proposal 1:

Development will be permitted provided:

- 1) existing landscape features, such as walls, hedges and trees, will be retained and additional well designed landscaping and open space that is well related in scale and location to the proposed development will be provided in the layout of larger developments;
- 2) the building design, scale, form and materials will contribute positively to the overall quality of the environment and be carefully related to existing and proposed development;
- 3) the layout, design and landscaping features will discourage crime;
- 4) it will not harm the amenities of occupiers of adjacent properties or cause a juxtaposition of incompatible uses; and
- 5) it will not prejudice the development of adjoining land.

## Housing Proposal 17:

The Local Planning Authority will not grant planning permission for the erection of extensions, outbuildings and garages within the curtilage of residential properties, unless the following criteria are met:

- 1) the extension or new building is subordinate to the main building and of harmonious design, form and materials;
- 2) the development does not have an unacceptably adverse effect on the visual amenities of the area;
- 3) the development does not have an unduly detrimental effect on the amenities of neighbouring residents;
- 4) the development does not result in an unacceptable reduction in open space around the dwelling.

### 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 All external materials used in the development shall match those of the existing building in colour, size, coursing and texture unless otherwise first agreed in writing with the Local Planning Authority.  
**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 Unless otherwise first approved in writing (by means of a Non-material Amendment/Minor Material Amendment or a new Planning Permission) by the Local Planning Authority the development hereby permitted shall be carried out in accordance with the approved plans and particulars listed in the schedule below.  
**Reason:** For the avoidance of doubt as to what is permitted by this permission and in the interests of proper planning.

### Note(s) to Applicant :

- 1 The development shall be carried out in accordance with the following:  
  
K.M.C. Consultancy Services drawings numbered KMC-3046 dated 15.06.2017 and received by the Council on 15 June 2017
- 2 You are advised that this proposal may require separate consent under the Building Regulations and that no works should be undertaken until all necessary consents have been obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section.
- 3 **Appeals to the Secretary of State**

If you are aggrieved by the decision of your local planning authority for the proposed development then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Telephone 0303 444 5000) or online at [www.gov.uk/appeal-planning-inspectorate](http://www.gov.uk/appeal-planning-inspectorate)

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

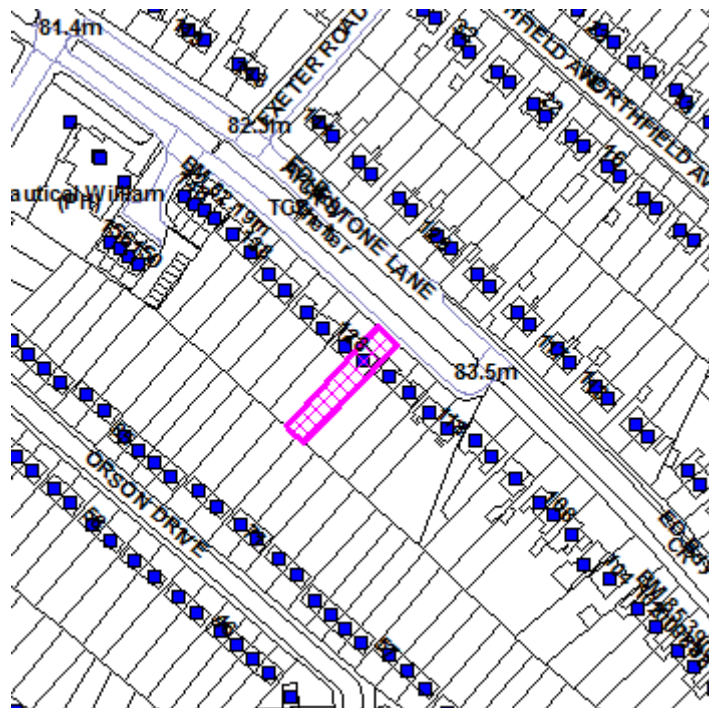
### **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



|           |              |  |
|-----------|--------------|--|
| <b>b.</b> | 17/00343/FUL | 126 Aylestone Lane<br>Wigston<br>Leicestershire<br>LE18 1BA  |
|           | 13 July 2017 | Proposed change of use from dwellinghouse (Class C3) to x2 self contained flats (Class C3). Including the erection of a proposed single storey rear extension and associated alterations [Resubmission of 16/00558/FUL]. |
|           | CASE OFFICER | Alex Matthews  |



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## **Site & Location**

The application site is a semi-detached dwellinghouse situated on the south-west side of an accommodation road of Aylestone Lane, Wigston. The property is situated amongst other residential properties of a similar age and design style. The existing dwellinghouse is set back from the roadside, with an open fronted driveway which currently provides a provision for x1 off-street car parking space. The existing property is constructed from brickwork, concrete roof tiles, and UPVC D/G windows and doors.

## **Description of Proposal**

The applicant is seeking planning permission for the erection of a proposed single storey rear extension and associated alterations at the address of No.126 Aylestone Lane, Wigston. The applicant is also seeking permission to convert and reconfigure the existing single dwellinghouse to form x2 self contained flats. Both a single dwellinghouse and x2 self contained flats fall under the same planning Use Class of C3. This planning application is the resubmission of application reference 16/00558/FUL.

The proposed single storey rear addition will extend approximately 3.0m beyond the rear elevation of the existing property. Like the existing property a width approximately 7.1m is proposed and such will incorporate a pitched roof sloping away from the existing property. A height of approximately 3.3m will be incorporate at the highest point, and a height of approximately 2.6m will be provided at the eaves. The proposed development will be constructed from brickwork, concrete roof tiles, and UPVC D/G windows and doors to match the existing property as closely as possible.

The layout of the existing dwellinghouse will be reconfigured to facilitate the proposed x2 self contained flats. The first flat would be provided wholly on the ground floor of the property. Such would provide x2 bedrooms and the flat would be accessed from the proposed doorway on the south-east facing side elevation. This flat would also facilitate a kitchen & living area, as well as a bathroom.

The second flat would facilitate x2 bedrooms and would incorporate the first floor and part of the ground floor for access. In addition to the bedrooms such would also facilitate a kitchen, living & dining area, and a bathroom. This flat would be accessed from the existing front door which would lead straight to a staircase.

It is also proposed by the applicant to increase the parking provision at the front of the property to form x3 off-street car parking spaces.

The statutory determination period for this application expires after Friday, 7 September 2017. This application will be taken to the planning committee on Thursday, 24 August 2017 and it is intended to issue a decision as soon as practicably possible after the Committee meeting.

## **Relevant Planning History**

16/00558/FUL - Proposed change of use from dwellinghouse (Class C3) to x2 self contained flats (Class C3). Including the erection of; a proposed single storey rear extension; a loft conversion with rear dormer and hip to gable roof enlargement; a detached store/ gym at rear; and associated alterations - Application Refused: 01/02/2017

## **Consultations**

Consultations have been carried out with Oadby & Wigston Borough Council's Planning Policy team as well as the Transport Development Group at Leicestershire County Council. At the time of writing this report no representations have been received.

The date for the receipt of comments expires on the 14/08/2017

## **Representations**

Neighbours have been informed and a site notice placed in front of the application site. At the time of writing this report no representations have been received.

The date for the receipt of comments expires on the 14/08/2017

Councillor Mrs Helen E Loydall has requested that this planning application gets taken to Planning Committee.

## **Relevant Planning Policies**

### National Planning Policy Framework

#### Oadby & Wigston Core Strategy

Core Strategy Policy 4 - Sustainable Transport & Accessibility

Core Strategy Policy 14 - Design & Sustainable Construction

Core Strategy Policy 15 - Landscape & Character

#### Oadby & Wigston Local Plan

Landscape Proposal 1 - Design of new development subject to criteria

Housing Proposal 17 - Criteria for assessing the suitability of domestic extensions

#### Supplementary Planning Document/ Other Guidance

Residential Development Supplementary Planning Document

## **Planning Considerations**

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

- \* Design, Character & Appearance
- \* Amenity
- \* Impact on Neighbour Amenity
- \* Highways/ Access Issues

### Design, Character & Appearance:

The Local Planning Authority considers the proposed scheme to be reasonable in terms of design, size and bulk. The proposed scheme is considered not to be out of character with regards to the design and character of the existing building or in relation to that of the surrounding locality.

The development will incorporate brickwork, concrete roof tiles, and UPVC D/G windows and doors to match the existing property as closely as possible. The Local Planning Authority considers these materials appropriate for this type of development.

### Amenity:

With regard to the sizes of the proposed x2 self contained flats each of which will provide x2 bedrooms the proposed conversion is considered to be reasonable with regards to size and layout of the proposed accommodation. Such is considered to meet the minimum space standards for flats as set out in the Department for Communities and Local Government Technical Housing Standards - nationally described space standard (un-adopted). The Local Planning Authority therefore does not have any objection to the proposed with regards to the space and size of the proposed accommodation units.

### Impact on Neighbour Amenity:

The Local Planning Authority considers this proposal to be acceptable on neighbouring amenity grounds. Analysis of the site together with the plans submitted has been undertaken by the Local Planning Authority. Assessment has been undertaken with specific regards to design and appearance, and also the impact on the neighbouring properties with regards to loss of sunlight/ daylight, overlooking, and overbearing. The scheme as provided is considered to not to significantly detract from neighbouring amenity. The Local Planning Authority considers this proposed scheme to be acceptable on the grounds of neighbour amenity.

### Highways/ Access Issues:

The Local Planning Authority has considered this planning application with regards to highways and access issues. A provision of x3 off-street car parking spaces has been presented which is considered to be sufficient for this type of scheme. The Local Planning Authority considers the proposed scheme not to present any major issues with regards to car parking, highways and access.

### Other Issues:

The scheme as presented shows a secure covered bicycle area and a secure covered bin area in the rear garden of the application site. No elevation drawings have been presented by the applicant to present such. A condition is therefore being attached to the decision notice for this application to protect the visual amenity of the area and the adjoining residential properties.

### **Conclusion**

In summary, the proposed development is considered not to significantly harm the character and appearance of the existing property or that of the surroundings, the amenity of neighbouring residential properties or the safe and efficient use of the highway. This planning application is therefore being recommended for approval.

### **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 All external materials used in the development shall match those of the existing building in colour, size, coursing and texture unless otherwise first agreed in writing with the Local Planning Authority.

**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 & Wigston Local Plan.

- 3 Unless otherwise first approved in writing (by means of a Non-Material Amendment/ Minor-Material Amendment or a new Planning Permission) by the Local Planning Authority the development hereby permitted shall be carried out in accordance with the approved plans and particulars listed in the schedule below:

- \* Application Form - Ref: N/A - Provided by: DT Designs Ltd. - Received by the Council: 13/07/2017
- \* Proposed Ground Floor Plan - Ref: 2017/03/073, Page 2 of 6 - Provided by: DT Designs Ltd - Dated: 12/07/2017 - Received by the Council: 13/07/2017
- \* Existing & Proposed Plans - Ref: 2017/03/073, Page 3 of 6 - Provided by: DT Designs Ltd - Dated: 12/07/2017 - Received by the Council: 13/07/2017
- \* Proposed Elevations - Ref: 2017/03/073, Page 4 of 6 - Provided by: DT Designs Ltd - Dated: 12/07/2017 - Received by the Council: 13/07/2017
- \* Site Plan, Location Plan & Section - Ref: 2017/03/073, Page 5 of 6 - Provided by: DT Designs Ltd - Dated: 12/07/2017 - Received by the Council: 13/07/2017

**Reason:** For the avoidance of doubt as to what is permitted by this permission and in the interests of proper planning.

- 4 Prior to the commencement of the development details of the proposed secure covered bicycle area and the secure covered bin area in the rear garden of the application site shall be submitted to and approved by the Local Planning Authority. Such stores shall be completed before the first occupation of the self contained flats and subsequently retained.

**Reason:** To protect the visual amenity of the area and the adjoining residential properties 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 & Wigston Local Plan.

### Note(s) to Applicant :

- 1 You are advised that this proposal may require separate consent under the Building Regulations and that no works should be undertaken until all necessary consents have been obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section.
- 2 If the proposal involves the carrying out of building work along or close to the boundary, you are advised that under the Party Wall Etc. Act 1996 you have a duty to give notice to the adjoining owner of your intentions before commencing this work.
- 3 For the avoidance of doubt this permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
- 4 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).
- 5 The Application as submitted was considered to be acceptable and therefore discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

### **6 Appeals to the Secretary of State**

If you are aggrieved by the decision of your local planning authority for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Telephone 0303 444 5000) or online at [www.gov.uk/appeal-planning-inspectorate](http://www.gov.uk/appeal-planning-inspectorate)

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

## **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

BACKGROUND PAPERS

**a.** 17/00285/FUL

**b.** 17/00343/FUL



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