



TO COUNCILLOR:

S S Athwal
L A Bentley (Chair)
G A Boulter
F S Broadley
J K Ford

C S Gore
G G Hunt
P Joshi
R V Joshi
J Kaufman (Vice-Chair)

C D Kozlowski
C J R Martin
R E R Morris
I K Ridley

I summon you to attend the following meeting for the transaction of the business in the agenda below.

Meeting: Development Control Committee
Date & Time: Thursday, 15 August 2024, 7.00 pm
Venue: Civic Suite 2, Brocks Hill Council Offices, Washbrook Lane, Oadby, Leicester, LE2 5JJ
Contact: Democratic Services
t: (0116) 257 2775
e: democratic.services@oadby-wigston.gov.uk

Yours faithfully

Council Offices
Oadby
07 August 2024

Anne E Court
Chief Executive



Meeting ID: 2703

ITEM NO.

AGENDA

PAGE NO'S

Meeting Live Broadcast | Information and Link

This meeting will be broadcast live.

Press & Public Access:

A direct link to the live broadcast of the meeting's proceedings on the Council's Civico platform is below.

<https://civico.net/oadby-wigston/19139-Development-Control-Committee>

1. Apologies for Absence

To receive apologies for absence from Members to determine the quorum of the meeting in accordance with Rule 7 of Part 4 of the Constitution.



Postal Address: Brocks Hill Council Offices, Washbrook Lane, Oadby, Leicester, LE2 5JJ

Refuse & Recycling Centre: The Depot, Wigston Road, Oadby, Leicester, LE2 5JE

Telephone: (0116) 288 8961 **Email:** customer.services@oadby-wigston.gov.uk



oadby-wigston.gov.uk



OadbyWigstonBC



@Oadby_Wigston

2. **Appointment of Substitutes**

To appoint substitute Members in accordance with Rule 26 of Part 4 of the Constitution and the Substitution Procedure Rules.

3. **Declarations of Interest**

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'.

4. **Minutes of the Previous Meeting**

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To read, confirm and approve the minutes of the previous meeting in accordance with Rule 19 of Part 4 of the Constitution.

5. **Local Validations Checklist - Planning Applications (2024)**

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Report of the Planning Policy & Development Manager

6. **Planning Enforcement and Appeals Summary (2023-2024)**

23 - 27

Report of the Planning Policy & Development Manager

7. **Application No. 23/00467/FUL - Uplands Park Tennis Courts, Uplands Park, Uplands Road, Oadby, Leicestershire**

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Report of the Principal Development Control Officer

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Agenda Item 4

MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD AT CIVIC SUITE 2, BROCKS HILL COUNCIL OFFICES, WASHBROOK LANE, OADBY, LEICESTER, LE2 5JJ ON THURSDAY, 30 MAY 2024 COMMENCING AT 7.00 PM

PRESENT

L A Bentley Chair
J Kaufman Vice-Chair



Meeting ID: 2627

COUNCILLORS

G A Boulter
J K Ford
C S Gore
P Joshi
R V Joshi
C J R Martin
I K Ridley

OFFICERS IN ATTENDANCE

S J Ball Legal & Democratic Services Manager / Deputy Monitoring Officer
J Carr Planning Policy and Development Manager
D M Gill Head of Law & Democracy / Monitoring Officer
A Thorpe Head of Built Environment

1. **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor S S Athwal.

2. **APPOINTMENT OF SUBSTITUTES**

None.

3. **DECLARATIONS OF INTEREST**

None.

4. **MINUTES OF THE PREVIOUS MEETING**

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting held on 28 September 2023 be taken as read, confirmed and approved.

5. **DRAFT LOCAL VALIDATIONS CHECKLIST - PLANNING APPLICATIONS**

The Committee gave consideration to the report and appendix (as set out at pages 5-22 of the agenda reports pack), which presented the Council's new draft Local Validations Checklist and requested permission to consult on the document in line with the Government's Planning Practice Guidance.

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

UNANIMOUSLY RESOLVED THAT:

The new draft Local Validations Checklist be approved for consultation which would take place from 11 June 2024 for a 4 week period.

6. NEIGHBOUR NOTIFICATION LETTERS - PLANNING APPLICATION CONSULTATIONS

The Committee gave consideration to the report (as set out at pages 23-29 of the agenda reports pack), which notified Members that the Council would stop posting neighbour notification letters for all planning proposals that the Council assesses and determines so as to achieve a saving of over £10,000 annually and to reduce the Council's carbon footprint.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The content of the report be noted.

THE MEETING CLOSED AT 7.34 pm



Development Control Committee	Thursday, 15 August 2024	Matter for Decision
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Report Title: **Local Validations Checklist - Planning Applications (2024)**

Report Author(s): **Jamie Carr (Planning Policy & Development Manager)**

Purpose of Report:	To adopt the Council's New Local Validations Checklist.
Report Summary:	<p>The Council's previous Local Validation Checklist was published c. 2009. Regular monitoring has highlighted that more than 75% of all planning applications received by the Council are invalid on receipt.</p> <p>Such a high rate of invalid planning applications places a huge additional burden on the Planning Validations Officer as the Officer needs to undertake substantial on-going correspondence to ensure that all the information is contained within the submitted planning application so that an informed and robust decision can be made.</p> <p>On Thursday 30 May 2024, the Development Control Committee approved the draft Local Validation Checklist for public consultation.</p> <p>On Friday 7 June 2024, the draft Local Validation Checklist was sent directly, via email, to 75 planning agents and architects that the Council held on its planning application database. The consultation email sent directly to consultees explained the purpose of the consultation, attached the consultation document, set out the consultation period (4 week period), and explained how to make comments.</p> <p>No responses and / or comments were received by the Council from agents / architects in relation to the consultation. The document remains unchanged from that previously agreed by Members.</p>
Recommendation(s):	It is recommended that Members adopt the New Local Validations Checklist.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	<p>Teresa Neal (Strategic Director) (0116) 288 8961 teresa.neal@oadby-wigston.gov.uk</p> <p>Adrian Thorpe (Head of the Built Environment) adrian.thorpe@oadby-wigston.gov.uk (0116) 257 2645</p> <p>Jamie Carr (Planning Policy & Development Manager) (0116) 257 2652 jamie.carr@oadby-wigston.gov.uk</p>
Strategic Objectives:	<p>Our Council (SO1) Our Communities (SO2) Our Economy (SO3) Our Environment (SO4) Our Partners (SO5)</p>

Vision and Values:	"Our Borough - The Place To Be" (Vision) Customer & Community Focused (V1) Proud of Everything We Do (V2) Collaborative & Creative (V3) Resourceful & Resilient (V4)
Report Implications:-	
Legal:	There are no implications arising from this report.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	Regulatory Governance (CR6) Economy / Regeneration (CR9)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	None.
Appendices:	1. New Local Validations Checklist (2024)

1. Introduction

- 1.1 Validation is a process undertaken by the Council on a planning application prior to starting the formal process of determining whether to grant or refuse planning permission. The validation of applications is the process to check that the correct documents and fee (where applicable) have been submitted in order for the Council to make an informed decision based on the impact of the application proposal. **Appendix 1** to this report sets out the level of information that will be required for certain types of planning applications in order that they can be validated and determined by the Council.
- 1.2 Validation requirements for planning applications are set both nationally and locally. **Appendix 1** to this report sets out the expectations for planning applications submitted to the Council, helping to reduce unnecessary delay at the validation stage due to the omission of required information.
- 1.3 As mentioned above, there are two levels of mandatory document requirements: national and local. The national checklist sets out the essential (minimum) requirements for validating all applications. The local list is prepared by the Council and provides a list of additional local requirements which will need to be met in certain circumstances, dependent on factors such as the location or characteristics of the site and the scale and

nature of the development

2. Consideration

- 2.1 Paragraph 44 of the National Planning Policy Framework (NPPF) states that 'local planning authorities should publish a list of their information requirements for applications for planning permission'. It goes on to state that 'these requirements should be kept to the minimum needed to make decisions and should be reviewed at least every two years'. Further, paragraph 44 suggests that 'local planning authorities should only request supporting information that is relevant, necessary and material to the application in question'.
- 2.2 The Council's previous Local Validation Checklist was published circa 2009. It should be noted that the document is a completely new Local Validations Checklist that takes account of all relevant legislation and guidance.
- 2.3 In addition to the above, regular monitoring has taken place in relation to the quality of planning applications submitted to the Council. Over recent months, monitoring has highlighted that in excess of 75 per cent of all planning applications received by the Council are invalid on receipt. Such a high rate of invalid planning applications places a huge additional burden on the Council's Validations Officer as the Officer needs to undertake substantial on-going correspondence to ensure that all of the information is contained within the submitted planning application so that an informed and robust decision can be made.
- 2.4 On Thursday 30 May 2024, Members of Development Control Committee approved the draft Local Validation Checklist for public consultation. On Friday 7 June 2024, the draft Local Validation Checklist was sent directly, via email, to 75 planning agents and architects that the Council held on its planning application database. The consultation email sent directly to consultees explained the purpose of the consultation, attached the consultation document, set out the consultation period (4 week period), and explained how to make comments.
- 2.5 No responses and / or comments were received by the Council from agents / architects in relation to the consultation. Therefore the document remains unchanged from that previously agreed by Members.

3. Conclusion

- 3.1 The document be adopted as the New Local Validations Checklist 2024.

Planning Application Validation Checklist 2024

Appendix 1

Planning Department Service

August 2024

**Oadby &
Wigston** | Our borough -
the place to be

Contents

- Introduction
- Pre-application Advice
- Validation Process
- Checklists
- Development proposals made under the GPDO

Introduction

- Oadby and Wigston Borough Council (the Council) has produced this Planning Application Validation Checklist document in accordance with the relevant parts of the Planning Practice Guidance (NPPG) and paragraph 44 of the National Planning Policy Framework (NPPF).
- Validation is a process undertaken by the Council on a planning application (and associated information) prior to starting the formal process of determining whether to grant or refuse planning permission. The validation of applications is the process to check that the correct documents and fee (where applicable) have been submitted in order for the Council to make an informed decision based on the impact of the application proposal. This document sets out the level of information that will be required for certain types of planning applications in order that they can be accepted and processed by the Council.
- Validation requirements for planning applications are set both nationally and locally. This document sets out the expectations for planning applications submitted to the Council, helping to reduce unnecessary delay at the validation stage due to the omission of required information.
- As mentioned above, there are two levels of mandatory documents: national and local. The national checklist sets out the essential (minimum) requirements for validating all applications. The local list is prepared by the Council and provides a list of additional local requirements which will need to be met in certain circumstances, dependent on factors such as the location or characteristics of the site and the scale and nature of the development.
- Paragraph 44 of the NPPF states that *'local planning authorities should publish a list of their information requirements for applications for planning permission'*. It goes on to state that *'these requirements should be kept to the minimum needed to make decisions and should be reviewed at least every two years'*. Further, paragraph 44 suggests that *'local planning authorities should only request supporting information that is relevant, necessary and material to the application in question'*. This document sets out both the national requirements and the local requirements in terms of the information needed in order for an application to be valid.
- It must be recognised that there may still be situations arising where a validated application will not contain all the information required for a decision to be made by the Council and the Council may seek additional information post-validation under the existing statutory provisions set out within the relevant parts of the Town and Country Planning (Application) Regulations.

Pre-application Advice

- The Council is committed to ensuring that all new development occurring within the Borough area is of the highest quality and promotes sustainable living, whilst positively impacting the character and vibrancy of an area. NPPF paragraph 39 states that *‘early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community’*.
- Whilst the Council cannot require an applicant to seek pre-application advice for a development proposal, it would advise that this process is undertaken, for all but the most straight forward of planning proposals.
- Pre-application discussions can assist applicants by clarifying and narrowing down the information required to support a planning application. This will have the advantage of avoiding unnecessary work and expenditure and minimising delay in the handling of planning applications.
- In addition to addressing the information requirements of formal applications, pre-application discussions can bring about a better mutual understanding of the planning history, planning policies, objectives and constraints that apply to the particular site.
- Further information relating to the pre-application process, including all of the forms, fees and information requirements can be accessed via the Council’s planning web-pages or via contacting the Council’s Planning team.

https://www.oadby-wigston.gov.uk/pages/do_i_need_planning_permission

Validation process

- Planning applications should be submitted on-line on the Planning Portal website the [Planning Portal](#). This will speed up the registration and validation process for your application, however, if you would like to submit a paper application, please contact the Council's Planning team for help.
- The application validation process is undertaken in-house by the Council's Planning Department and can take a number of days, specifically if the application submission is complex. However, ordinarily the Council will endeavour to begin the process within 5-10 working days of an application being received.
- If information which is required by the relevant Validation Checklist is not included with an application and is considered by the Council to be reasonable and necessary in order to properly assess the application, the Council will be entitled to declare the application invalid. Further, if once the applicant has been informed by the Council that the application is invalid and that further information is needed; if the further information is not received by the Council within 15 working days (or an agreed period of time), then the Council will return the application and it will be treated as 'withdrawn'.
- For any planning application withdrawn at validation stage, the Council may charge a 10% handling fee (capped at £1,000), to seek to recover some of the costs already incurred by the Council in handling the application to date. The remaining 90% planning application fee will be returned to the applicant. This fee has been introduced due to the high number of invalid planning applications that the Council receives and has to deal with. **Note – the fee return will not apply once a planning application is deemed valid by the Council, therefore if a planning application is withdrawn after the validation process, no fee will be returned to the applicant.**
- It should be noted that there may be circumstances when planning applications are deemed valid but further information may be required by the Case Officer to ensure that an informed and robust decision can be made. The Council holds the right to refuse planning applications if requested further information is not submitted.
- If the applicant does not agree that a particular piece of information is required to accompany the application, the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), under Part 3, Article 12, sets out a procedure for both the applicant and the Local Planning Authority to follow to resolve the dispute.

Checklists

- As mentioned earlier, there are two ‘levels’ to validation checklists, one at a national level, which is the minimum information required to validate a planning application, and at local level, which is the information that the Council considers is required to make an informed decision.
- The below tables set out the **national level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Completed Application Form	All application types.	The Town and Country (Development Management Procedure) (England) Order as amended.	All sections of the form must be completed with as much detail as possible. The Declaration must be signed.
Relevant application fee	All application types (except for Listed Building Consent).	The Town and Country (Development Management Procedure) (England) Order as amended.	The relevant fee must be paid in full at the time of submitting your application.
Ownership certificate and Agricultural Land Declaration	All application types where an application form is required and where there are owners of the application site other than the applicant.	The Town and Country (Development Management Procedure) (England) Order as amended.	An application is not valid, and therefore cannot be determined by the local planning authority, unless the relevant certificate has been completed. It is an offence to complete a false or misleading certificate, either knowingly or recklessly, with a maximum fine of up to £5,000.
Full suite of Biodiversity Net Gain documentation	All application types other than set out in the following guidance – https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments	The Town and Country Planning Act (as amended).	Developers must deliver a BNG of 10%. At validation stage developers must provide at least the following: ecological report and mapping; pre and post development plans; BNG design stage report (including metrics).

Checklists

- The below tables set out the **national level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Location Plan	All application types.	The Town and Country (Development Management Procedure) (England) Order as amended.	<p>This is a plan that shows the location of the application site in relation to its surroundings. The plan must have: a red line showing the application boundary; a blue line around any other land owned by the applicant, close to or adjoining the application site; and, a north arrow.</p> <p>The plan also must be: a plan of the site as is sited on the day of application and where possible must show at least two named roads and surrounding buildings; and scaled to either 1:1250 or 1:2500.</p>
Design and Access Statement	<p>Applications for major development.</p> <p>Applications for development in a designated area, where the proposed development consists of: one or more dwellings; or a building or buildings with a floor space of 100 square metres or more.</p> <p>Applications for listed building consent. Such applications can combine a Design and Access Statement and a Heritage Statement.</p>	National Planning Practice Guidance and National Planning Policy Framework.	<p>The purpose of a Design and Access Statement is to explain the design thinking behind the proposed development and why the proposal is a suitable response to the site and its setting, and to demonstrate it can be adequately accessed by prospective users.</p> <p>The scope and level of detail contained within the Statement should be proportionate to the type, scale and complexity of the proposal.</p> <p>For the purposes of Design and Access Statements, a designated area means a World Heritage Site or a conservation area.</p>

Checklists

- The below tables set out the **local level checklist requirements**.
- It should be noted that the national level checklist requirements will not be repeated below. In order for a planning application to be deemed valid, both levels of checklist requirements will need to be met where required to do so.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Additional Plans and Drawings	All application types.	<p>The Town and Country (Development Management Procedure) (England) Order as amended.</p> <p>Oadby and Wigston Local Plan and all other key SPD and guidance documents.</p>	<p>The plans and drawings set out below are required for all development proposals. These are required so that informed and robust planning decisions can be made.</p> <ul style="list-style-type: none"> - Existing and Proposed block plan at 1:100, 1:200 or 1:500 scale, including north arrow. The plans should clearly illustrate the proposed development in relation to the site boundaries and other existing buildings on-site, along with parking arrangements post development also. The position and canopy extent of all trees and hedges on site, both pre and post proposed development should also be clearly illustrated. - Existing and proposed elevations at 1:50 or 1:100 scale. - Existing and proposed floor plans at 1:50 or 1:100 scale. Plans should clearly illustrate the buildings current floor plan and the floor plan post development. - Roof plan at 1:50 or 1:100 scale. <p>All plans and drawings must clearly illustrate all critical dimensions and not contain the phrase ‘do not scale from this plan’ (or similar wording). It is for the applicant to clearly illustrate to the Council the scale of the proposed development and not for the Council to interpret what is being proposed.</p> <p>All plans and drawings must specify the printing page size for which the scale applies; be correctly orientated for on-screen display; include a scale bar; and, be given a meaningful title and dated with a unique plan reference.</p>

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
<p>Additional Plans and Drawings continued. (existing and proposed site sections, FFL and site levels).</p>	<p>Applications for extensions to existing buildings, for example dwellings, or commercial units.</p>	<p>The Town and Country (Development Management Procedure) (England) Order as amended.</p> <p>Oadby and Wigston Local Plan and all other key SPD and guidance documents.</p>	<p>Plans and drawings should clearly illustrate:</p> <ul style="list-style-type: none"> - Existing and proposed site sections at a scale of 1:50 or 1:100 - Existing and proposed finished floor levels (FFL) at a scale of 1:50 or 1:100 - Existing and proposed site levels at a scale of 1:50 or 1:100. <p>Note – the above information can be shown on the same plan or drawing.</p> <p>All plans and drawings must clearly illustrate all critical dimensions and not contain the phrase ‘do not scale from this plan’ (or similar wording). It is for the applicant to clearly illustrate to the Council the scale of the proposed development and not for the Council to interpret what is being proposed.</p> <p>All plans and drawings must specify the printing page size for which the scale applies; be correctly orientated for on-screen display; include a scale bar; and, be given a meaningful title and dated with a unique plan reference.</p>

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Advertising drawings and sections	Advertisement planning applications.	National Planning Practice Guidance and National Planning Policy Framework.	Drawings and sections should clearly illustrate the following: <ul style="list-style-type: none"> - The size and position of the proposed advertisement(s) and any associated illumination in relation to the buildings; - The height above ground level; - The amount of projection; - Materials and colours; - Method of fixing; and Levels of illumination.
Affordable Housing Statement	Major development planning applications comprising 10 dwellings or more.	Oadby and Wigston Local Plan Policy 13 – Affordable Housing.	The statement should include the number and mix of residential homes and floor space of habitable areas of the residential homes. Plans showing the location, type, floor space of homes and number of bedrooms should be submitted.
Agricultural Land Classification Report	Any development on land of 1ha or more that is currently or last in use for agriculture.	National Planning Practice Guidance and National Planning Policy Framework.	Should include a Statement setting out the agricultural land classification and whether the proposals would involve the loss of any Best and Most Versatile (BMV) agricultural land (Class 1, 2 or 3a). See: PPG – Natural Environment

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Arboricultural Assessment	Required for all development affecting trees and hedgerows within or adjacent to the application site.	National Planning Practice Guidance and National Planning Policy Framework.	All trees and hedges on or adjacent to the proposed development site should be identified and appropriately annotated on the Proposed block plan. Where the development has the potential to adversely affect trees or hedges, both within and adjacent to the application site, an Arboricultural Assessment should be undertaken by a suitably qualified arborist. For the arboricultural implications and method statements, all sections of the British Standard 5837 should be addressed. A topographical survey should indicate current and proposed levels showing all trees on the plan and all features listed in the latest edition of BS5837 Section 4.1. Information will be required on which trees are to be retained and on the means of protecting those trees during construction works. For a tree protection plan all temporary fencing, ground protection and other physical means of protection should be identified.

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Biodiversity Survey and Report	<p>Required for all major development proposals (comprising 10 dwellings or more) and developments which impact upon:</p> <p>Biological Heritage Sites; Geological Heritage Sites; Wildlife Corridors; Sites of Special Scientific Interest; priority habitats (such as barn conversions; demolition; works impacting roof spaces; removal of trees and hedgerows; and works within an Ecology consultation zone), and priority species (for example, bats, owls and newts).</p>	National Planning Practice Guidance and National Planning Policy Framework.	<p>All surveys should be undertaken and prepared by competent persons with suitable qualifications and experience in the appropriate topic area and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines / methods where available.</p> <p>The Council requires such surveys so that it can consider the potential impacts of development on protected and priority species and habitats, and the scope to avoid or mitigate any impacts.</p> <p>Surveys over 24 months old will be considered out of date and a new survey will be required.</p> <p>The scope and level of detail contained within any survey should be proportionate to the type, scale and complexity of the proposal, and the potential impact upon priority species and habitats.</p>
Environmental Impact Assessment (EIA)	EIA is required for schedule 1 developments and maybe required for schedule 2 developments.	The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as amended.	Where an EIA is required, an Environmental Statement in the form set out in Schedule 4 of the Regulations must be provided. Where an EIA is not required, the Council may still require environmental information to be provided.

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Heritage Statement	All applications for Listed Building Consent. Applications in or immediately adjacent a scheduled Ancient Monument or a site on the Register of Parks and Gardens. All development within or adjoining a Conservation Area. All applications affecting any known or suspected archaeological sites. Applications whose scale or nature could impact on heritage assets(designated and non-designated)	National Planning Practice Guidance and National Planning Policy Framework.	Applicants are expected to describe in their application the ‘significance’ of any heritage assets affected, including any contribution made by their setting. Applicants should include analysis of the significance of the asset and its setting, and, how this has informed the development of the proposals. The level of detail should be proportionate to the asset’s importance, as to understand the potential impact of the proposal on its significance. For works to Listed Buildings, the Statement should also include a method statement as to how the development will be carried out and the listed property will not be negatively impacted. For works to windows of a listed building or a site within a conservation area, including replacements, a full window audit should be submitted that illustrates the condition of all existing windows.
Site Specific Flood Risk Assessment	Required for: all developments within flood zones 2 and 3; developments on sites of 1 hectare and over within flood zone 1; developments in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency.	National Planning Practice Guidance and National Planning Policy Framework.	A Site Specific Flood Risk Assessment should assess risks from all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The Site Specific Flood Risk Assessment should identify opportunities to reduce the probability and consequence of flooding, including the design of surface water management systems including Sustainable Drainage Systems (SuDS) and address the requirement for safe access to and from the development in areas at risk of flooding.
Streetscene drawings	For all development proposals that include new residential dwellings.	National Planning Practice Guidance and National Planning Policy Framework.	To ensure that the Council can ascertain the full impact of new residential dwellings on the existing and / or proposed street scenes. Allows the Council to easily determine a proposals height and bulk relative to neighbouring residential dwellings.

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Technical Housing Space Standards Statement	All development involving new dwellings stemming from either - changes of use, conversions, and / or sub-division.	Oadby and Wigston Local Plan Policy 11 – Housing Choices.	To ensure that new homes are of the size appropriate for modern living, the Council requires that any proposal for conversion, change of use and / or sub-division takes into account the Governments Technical Housing Standards. The statement must set out the appropriate dimensions for each room and dwelling overall, as well as stating the square metre area for each room, in line with the Governments Technical Housing Standards.
Tele – communications area of search	All tele - communication proposals that could impact amenity.	General Permitted Development Order and Oadby and Wigston Local Plan.	The area of search for tele – communications proposals should be justified and robust. Searches should include the potential for co-location and siting apparatus on buildings. Outcomes of the search and conclusions as to why sites have been discounted should be fully justified, directly relevant to the individual site, and not generic. Generic and crude assessments will not be acceptable. Search outcomes and / or conclusions such as <i>'discounted due to unsuitable pavements at this location'</i> , will not be considered justified or robust.
Active Travel England – Planning Application Assessment Toolkit	All development proposals 150 residential homes or more, creation of 7,500 square metres of floorspace or more, or site area of 5 hectares or more.	Active Travel England Guidance	The Active Travel England Toolkit must be completed and submitted to the Council during the validation process. If the toolkit is not completed and submitted during the validation process, the application will be deemed invalid. Active Travel England will assess the toolkit and proposal as a statutory consultee. (https://www.gov.uk/government/publications/active-travel-england-planning-application-assessment-toolkit)

Development proposals made under the GPDO

- For development proposals made under the General Permitted Development Order, for example householder prior approvals, applications will only be deemed valid that clearly contain all of the required information to enable the Council to assess the proposal against the relevant parts of the General Permitted Development Order.

Agenda Item 6



Development Control Committee	Thursday, 15 August 2024	Matter for Information
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Report Title: **Planning Enforcement and Appeals Summary (2023-2024)**

Report Author(s): **Jamie Carr (Planning Policy & Development Manager)**

Purpose of Report:	Provide Members with an annual update / summary in relation to Planning Enforcement activity and Planning Appeals for the 2023-2024 monitoring year.
Report Summary:	<p>The number of 'open' planning enforcement cases has stabilised at between 80-90 cases at any one time. In an ideal world, the number of open cases would be down at between 40-50 at any one time, however due to the limited resources within the service (1 full time Officer), this is not possible.</p> <p>Of the 10 appeal decisions made by the Planning Inspectorate, 9 appeals were dismissed (i.e. the Council won) and 1 appeal was allowed (i.e. the Council lost).</p> <p>If retrospective planning applications are refused by the Council, and / or dismissed by the Planning Inspectorate, the formal Planning Enforcement process and procedures will be followed</p>
Recommendation(s):	That the content of the report be noted.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	<p>Teresa Neal (Strategic Director) (0116) 257 2642 teresa.neal@oadby-wigston.gov.uk</p> <p>Adrian Thorpe (Head of the Built Environment) (0116) 257 2645 adrian.thorpe@oadby-wigston.gov.uk</p> <p>Jamie Carr (Planning Policy & Development Manager) (0116) 257 2652 jamie.carr@oadby-wigston.gov.uk</p>
Strategic Objectives:	<p>Our Communities (SO2)</p> <p>Our Economy (SO3)</p> <p>Our Environment (SO4)</p>
Vision and Values:	<p>"Our Borough - The Place To Be" (Vision)</p> <p>Customer & Community Focused (V1)</p> <p>Collaborative & Creative (V3)</p> <p>Resourceful & Resilient (V4)</p>
Report Implications:-	
Legal:	There are no implications arising from this report.
Financial:	There are no implications arising from this report.

Corporate Risk Management:	Decreasing Financial Resources / Increasing Financial Pressures (CR1) Reputation Damage (CR4) Regulatory Governance (CR6) Economy / Regeneration (CR9)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	None.
Appendices:	None.

1. Background

- 1.1 It was agreed that a report summarising annual planning enforcement activity and appeal outcomes for the previous monitoring year, would be reported to the Development Control Committee annually.
- 1.2 As Members may be aware, the Council as a Local Planning Authority (LPA) is monitored on its performance in the determination of planning applications on a quarterly-basis.
- 1.3 In addition, the Council is required to have no more than 10 per cent of the total number of planning decisions made being overturned at appeal.
- 1.4 Further, the Council should not be having any Planning Enforcement Notices overturned at Appeal.
- 1.5 Further still, the Council needs to ensure that all development taking place within the Borough is lawful.
- 1.6 The purpose of this report is to provide an annual summary for the period 1 April 2023 to 31 March 2024 in relation to planning enforcement activity and planning appeal decisions made by the Planning Inspectorate.

2. Information

Planning Enforcement

- 2.1 Although the 2022-2023 monitoring year was fairly turbulent from a planning enforcement perspective, the 2023-2024 period has been much less so. There was substantial change within the service during 2022-2023, with the Council relying on agency staff to carry out the required activities. This led to a substantial backlog of planning enforcement related

cases.

- 2.2 Over the past 12 months, the service has been consistent in approach and has had a permanent Officer in post for the entire period. The number of 'open' planning enforcement cases has stabilised at between 80-90 cases at any one time. In an ideal world, the number of open cases would be down at between 40-50 at any one time, however due to the limited resources within the service (1 full time Officer), this is not possible. Although the number of cases is high, it is manageable. Planning Enforcement cases, do not have statutory determination timescales set like planning applications do, but the Council does have a duty to deal with planning enforcement cases as quickly as possible.
- 2.3 Between the 1 April 2023 and the 31 March 2024, over 120 (123) new planning enforcement cases were recorded on the Council's Planning Enforcement Database. This is a slight increase from the year before. In addition, approximately 50 enquiries were forwarded onto the Planning Enforcement Officer to investigate, but they were not deemed planning enforcement related, i.e. they were civil matters.
- 2.4 During the previous monitoring period, the Council's Planning Enforcement Officer has ensured that the Council's Enforcement Register is being kept up-to-date and accurate. Also the Council's Enforcement Plan has been updated.
- 2.5 Over the past 12 months or so, there have been no Planning Enforcement Notices successfully appealed.

Planning Appeals

- 2.6 Between 1 April 2023 and 31 March 2024, the Planning Inspectorate decided 10 planning appeals relating to planning application decisions that the Council had previously made.
- 2.7 Of the 10 decisions made by the Planning Inspectorate, 9 appeals were dismissed (i.e. the Council won) and 1 appeal was allowed (i.e. the Council lost).
- 2.8 The 1 appeal that was allowed by the Planning Inspectorate was done so, as the Inspector considered that although the brick slips to be used were not appropriate or the preferred material, it would be unreasonable for the Council to make the applicant demolish the extension and start again.
- 2.9 A summary of each appeal decided by the Planning Inspectorate is contained in the table below.

Appeal Site Location	Description of Development	LPA Decision Date Del / Com Type of Appeal	Appeal Outcome & Date	Summary of Inspectorate outcome
No. 1 Cottage Road, Wigston	Retrospective planning application for retention of boundary fence on both Welford Road and Cottage Road.	Refusal Delegated 18.11.2022	Appeal Dismissed 26.06.2023	Detrimental impact on character and appearance of the area.
No. 1 Southmeads Close, Oadby	Change of use of front drive to car sales.	Refusal Delegated 14.10.2022	Appeal Dismissed 10.05.2023	Would harm the character and appearance of the

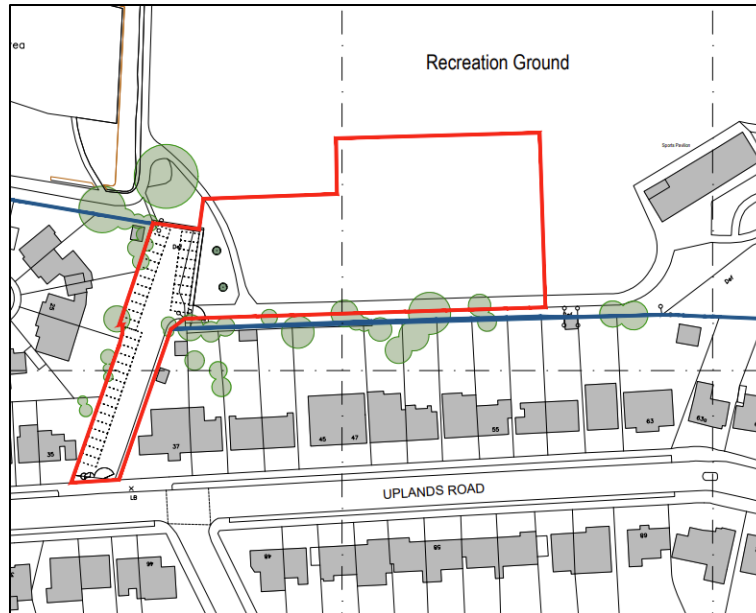
				locale and conservation area.
No. 15 Namur Road, South Wigston	Erection of 1 x 3 bedroomed, two storey detached property.	Refusal Delegated 17.08.2022	Appeal Dismissed 21.09.2023	Would harm the character of the area and impact mature trees.
No. 53 Hidcote Road, Oadby	Construction of single storey extension at side and rear.	Refusal Delegated 23.11.2022	Appeal Dismissed 28.04.2023	The proposed extension would be harmful to the character and appearance of the area.
No. 281 Leicester Road, Wigston.	Unauthorised structure to front of Café.	Refusal Delegated 09.09.2022	Appeal Dismissed 19.09.2023	Harmful to the character and visual amenity of the area. Also significant highways and pedestrian safety risk.
No. 2 Oadby Court, Leicester Road, Oadby	Rooftop extension, addition of a 2 nd floor room.	Refusal Delegated 28.07.2023	Appeal Dismissed 02.11.2023	Great weight must be attached to the Conservation Area and the proposal impacts its character.
No. 9 Manor Road Extension, Oadby	Installation of front and side boundary walls, gates and railings and extension of existing drop kerb.	Refusal Delegated 02.06.2023	Appeal Dismissed 02.11.2023	Out of character and poor design, not in keeping with the street scene.
No. 1 Kensington Drive, Wigston	Retention of single storey extension at side of house.	Refusal Delegated 21.09.2023	Appeal Allowed 18.12.2023	Brick slips may not be a preferred material in terms of quality, but, I consider that it would be unreasonable to dismiss this appeal and consequently require the demolition of the extension on the basis of the materials.
No. 20 Coombe Place, Oadby	Large scale extensions to existing bungalow.	Refused Delegated 13.10.2023	Appeal Dismissed 26.01.2024	Out of character in scale and design.
No. 1 Calverton Avenue, Wigston	Single storey side extension	Refused Delegated 20.10.2023	Appeal Dismissed 19.03.2024	Detrimental impact on character and appearance of area. Incongruous appearance.

2.10 Taking account of the total number of planning application decisions made (circa 500) during the last monitoring year (2023-2024) the Council could have had circa 50 planning application decisions overturned (lost) at appeal by the Planning Inspectorate and still be within the 10 per cent statutory target. With the Council only having one decision overturned the percentage is negligible and nearer 0 (zero) than 1 per cent. This shows that the Planning Department continues to make robust planning decisions. It also highlights that local planning policy and guidance remains robust and up-to-date.

2.11 Although details cannot be mentioned due to the confidential nature of Planning Enforcement cases. If retrospective planning applications are refused by the Council, and / or dismissed by the Planning Inspectorate, the formal Planning Enforcement process and procedures will be followed. As mentioned in paragraph 2.5 of this report, there have been no Planning Enforcement Notices appealed, and / or overturned, therefore it is apparent that the Planning Department is making robust and justified enforcement decisions.

Consultees:	The consultees are as set out at paragraph 4 of this report.
Background Papers:	Search application reference no. 23/00467/FUL via Public Access to access all available documents (e.g. assessments, plans, forms etc.)

1. Site and Location



- 1.1 The application site is located within the grounds of Uplands Road Park, and towards its southern boundary. The park is situated in a predominately residential area of Oadby, with residential properties adjacent to all boundaries.
- 1.2 The application site is accessed from the parks existing access and parking area (off Uplands Road). The closest building to the application site is the Cricket Pavilion to the east. There are also residential properties to the south (No.s 37 to 63 Uplands Road), whose rear gardens back onto the park. The neighbouring residential properties to the south of the application site are two storey in height of similar design with relatively large long gardens to the rear. The majority of this boundary with the park is well treed and hedged.
- 1.3 The application proposal is for additional sports facilities on a park already accommodating, football and cricket facilities as well as changing facilities and a pavilion. The proposed scheme is therefore considered to be an appropriate addition to the parks existing facilities.

2. Description of Proposal

- 2.1 The application is for the formation of 3 no. hard surfaced tennis courts, associated fencing enclosure, plus amendments to existing footpaths and car parking to provide improved access to the proposal site. The proposed tennis courts are an additional resource for the Borough and will benefit the local community since the 'end of life' tennis courts at Ellis Park were closed in November 2023. The courts will be available for hire to the community and promoted to schools, clubs and other associations. It is intended that electronic gate access technology will be provided to manage access to the courts through web based booking systems.
- 2.2 The dimensions of each tennis court (orientated north-south) will be approximately 11.0m wide x 24.0m in length. The associated fencing design will consist of a 3.6m high paladin style fence that will be located along the perimeter of the 3 courts; the dimensions being

circa 49m wide across the northern and southern elevations and circa 37m across the east and west elevations.

- 2.3 The amendment to the existing footpath will include an additional 'sweep' of pathway that connects the car park to the tennis courts, as well as the existing footpaths to the west and south. The existing bow top fencing will be rearranged around the new car park extension. The new footpath will accommodate 9 no. of low level bollard lighting columns (Thorn Thor LED bollard – c. 1.00m high) integrated into its design.
- 2.4 The amendments to the existing car parking at Uplands Park will include an additional 4 no. car parking spaces, 2 no. of which are accessible car parking bays, as well as ancillary cycle parking added to encourage active and sustainable travel to Uplands Park. There will be a net increase of 1 no. car parking space.
- 2.5 The statutory determination period for this application is the 31st August 2024, and it is intended that a decision will be issued as soon as practicably possible after the committee meeting.
- 2.6 The application is brought to the Committee as the site is council owned property/land.

3. Relevant Planning History

None relevant.

4. Consultations

- 4.1 Leicestershire County Council (Highways) – No objections to the application owing to the limited impacts considered on existing road network and existing parking arrangements on site. Therefore, based on the information provided, the development conforms to paragraph 115 of the National Planning Policy Framework (December 2023), subject to the condition(s) outlined in the Highways report. Conditions have been detailed in the recommendation section below.
- 4.2 OWBC Environmental Health – No objections to the application (subject to conditions) and content with the Acoustic Survey report received from agent/applicant. Conditions have been detailed in the recommendation section below.
- 4.3 OWBC Tree Warden – No objections to the application (subject to conditions and pre-commencement condition). The Arboricultural Officer suggests that little arboricultural impact is posed in the proposed development, with the retention of existing 2no. Cockspurthorn trees at the park entrance (incorporated into the design of the parking area). The additional new tree planting east of the proposed car park extension will help offset the loss of amenity park land open space, and will improve the aesthetics of the proposed development and offset some of the carbon cost of construction. This has been detailed in the recommendation section below.
- 4.4 Sport England – After an initial objection to the proposal, through various re-consultations, an agreed revised scheme has been considered acceptable with all prior objections removed to the application (subject to a pre-commencement Grampian condition being implemented as part of any planning permission). The Grampian condition shall include the improvement of existing cricket provision north of the development alongside the installation of a non-turf cricket pitch and the amended layout of the three existing football pitches. Conditions have been detailed in the recommendation section below.
- 4.5 Monitoring Officer (Legal) - The new tennis courts proposed will not have an impact upon the existing usage of Uplands Park for the playing of cricket matches.

Due to the size and nature of the area available for cricket it has always been the case that only one match can be played at any one time. This will continue to be the case with the installation of the new tennis courts.

In order to facilitate the continuation of cricket matches once the tennis courts have been built, the Council will seek to improve the quality of the playing area to accommodate more cricket matches over the season. This will have the effect of any loss resulting from the installation of the tennis courts being replaced by better provision in terms of quantity and quality.

It should also be noted that due to budgetary constraints the Council needs to consolidate the playing area in any case, and as such the location of the new tennis courts will not have any impact on the continuation of Uplands Park for the playing of cricket matches.

5. Representations

5.1 Neighbours have been informed and a site notice placed with seven letters of objection and two letters of support being received at the time of writing this report. The date for the receipt of comments expired on the 15 March 2024.

5.2 The reasons for objection can be summarised as follows: -

- Loss of existing open space, wildlife habitat, carbon sequestration and aesthetic value
- Siting of proposed tennis courts
- Impact on existing uses of site (fitness club Mini Warriors)
- Noise pollution on neighbouring residential properties
- Light pollution on neighbouring residential properties
- The need of additional tennis courts
- Increase in local traffic
- Additional car parking spaces (not needed and existing underused)
- Safety, security, privacy and trespassing concerns

5.3 The reasons for supporting the proposal can be summarised as follows: -

- Improve boroughs provision of sporting facilities
- Support use of site for tennis use

6. Relevant Planning Policies

6.1 National Planning Policy Framework

6.2 Oadby and Wigston Local Plan

- Policy 1 (Presumption in Favour of Sustainable Development)
- Policy 6 (High Quality Design and Materials)
- Policy 9 (Open Space, Sport and Recreation Facilities)
- Policy 26 (Sustainable Transport and Initiatives)
- Policy 34 (Car Parking)
- Policy 37 (Biodiversity and Geodiversity)
- Policy 44 (Landscape and Character)

7. Planning Considerations

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

- The impact of the proposal on the street scene and local surroundings
- The impact of the proposal on neighbouring residential properties
- The impact of the proposal on highways
- The impact of the proposal on existing open space, sport and recreation facilities

The impact of the proposal on the street scene and local surroundings

- 7.2 The application site is not visible from the street scene as it is located within the existing park and is screened by existing built residential development along Uplands Road. Therefore, the visual amenity and outlook from the street scene is maintained, as the proposed development cannot be viewed from any near or alternative viewing angles within the street.
- 7.3 Furthermore, the scale, bulk, use of materials and design of the overall tennis courts have been revised by the applicant to be in accordance with Sport England design guidance for tennis courts. As such, the development is not considered to harm the existing street scene outlook or impact the existing character and appearance of the local surroundings given the design, siting, orientation, landscaping, scale, bulk and use of materials of the proposed scheme.

The impact of the proposal on neighbouring residential properties

- 7.4 In light of representations received, it was noted that there were concerns regarding additional noise and light pollution.
- 7.5 However given the submission of the subsequently requested Acoustic Survey report and Addendum (by Peninsular Acoustics) and the limited height of the LED columns (of low-level design), the Environmental Health Department have confirmed that no adverse noise and light impacts on any key neighbouring receptors would be generated by the proposed scheme. The acoustic survey report assessed all three tennis courts concurrently that took into account existing prevailing background noise data collected at the site from multiple sections throughout the day of proposed operation hours and were modelled for peak noise generation alongside additional potential maximum noise generating factors, such as racquet strikes and people shouting during the use of the proposed tennis courts, and found that the modelled data established that at all times, the predicted levels from the tennis courts would be below stipulated noise guidance threshold levels. Due to this, the inclusion of an acoustic boundary fence would not be necessary. It was also considered that an additional boundary fence would visually block off views across the park from the perimeter pathway within the park.
- 7.6 Furthermore, no additional floodlighting or sports lighting is to be considered as part of the current proposal and any future lighting schemes to be installed would firstly need to be approved by the Local Planning Authority. Overall, the conclusive lighting works and maximum noise levels from the courts has been considered unlikely to have an adverse impact on residential amenity including people working from home etc. during the proposed hours of operation (as further safeguarded by conditions in the recommendation section).
- 7.7 As such, due to the limited effects of the additional noise and light generated from the application site assessed with regards to neighbouring residential properties, the proposed scheme has been considered acceptable in principle.

The impact of the proposal on highways

- 7.8 There are no highways concerns raised for the proposed (revised) works. The initial parking scheme proposed no.10 additional parking bays, however through negotiation with Leicestershire County Council, this has been reduced to 4 no. parking bays, 2 of which are

accessible parking bays as well as ancillary cycle parking. The reduction in the proposed parking has minimised the loss of open playing field space without compromising community facilities. Furthermore, the provision of secure and undercover cycle parking facilities would help to promote sustainable transport modes in accordance with the paragraph 114 of the National Planning Policy Framework (December 2023). No other matters are considered necessary.

The impact of the proposal on existing open space, sport and recreation facilities

7.9 It should be noted that Policy 9 of the OWBC Local Plan (2019) states:

'In relation to open space, sport and recreation facilities, the Council will protect existing sites from development where; there is a demand to retain them; they contribute towards the Green Infrastructure in the Borough; and the equivalent cannot be provided elsewhere. New development will contribute either physically or financially to the provision or improvement of open space, sport and recreation facilities. The quantity requirements, the Council's Playing Pitch Strategy and the Council's Developer Contributions Supplementary Planning Document will be used in relation to the provision of open space, sport and recreation facilities provision within the Borough, to satisfy need and allow every resident access to adequate, high quality, accessible open space and play areas.

Provision of open space, sport and recreational facilities must:

- *be located close to their intended population catchment areas;*
- *be accessible by a choice of transport modes other than the private car;*
- *be of an appropriate scale and design; and*
- *seek positive impacts to landscape form.*

Existing open space, sports and recreational buildings and land, including playing fields, must not be developed or lost unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements;*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; and*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.'*

7.10 The Council's vision statement in the OWBC Local Plan (2019) also states in paragraph 3.1.13 that *'there will continue to be a good range of leisure and recreational facilities including parks, leisure centres, allotments, golf courses, and sports pitches'*. Therefore, as the proposed scheme alongside the proposed Grampian condition set in conjunction with Sport England (to improve existing cricket provision on site), it is considered the improvements to the availability and quality of both existing and proposed leisure, open space, sport and recreational facilities within the Borough in line with Policy 9 of the OWBC Local Plan (2019) complies with the Council's vision.

7.11 During the application process, Sport England have been engaged in the facilitation of the tennis court provision proposed. Several earlier objections were made with regards to the loss of existing cricket provision to the north of the site, whereby two cricket squares exist. However, it has been concluded that whilst the loss of one of the cricket squares is unfortunate, the existing siting and orientation of the two cricket squares sharing overlapping boundaries resulted in only one game being able to be played at any one time. As such, revisions to the scheme in terms of siting, orientation, additional parking and improvements to the southern existing cricket pitch by way of a pre-commencement Grampian condition (ensuring No.8 good quality cricket wickets are provided capable of supporting 5 matches per season) have been considered on balance to negate the effect of losing the northern cricket square.

- 7.12 The improved cricket wickets have also been supplemented with an additional non-turf cricket wicket to be installed to the north of the tennis courts in line with the Council's Playing Pitch Strategy (PPS) document, and thus the overall proposed open space, sport and recreation facilities on site at Uplands Park have been considered to both be an improvement to existing facilities and would comply with Policy 9 of the OWBC Local Plan (2019). Additionally, it is also considered (as per representation comments) that the existing use of the site for local fitness clubs and type of activities involved would not be detrimentally impacted by the siting of the tennis courts as the facilitation of the type of activities involved could be facilitated elsewhere within the existing park.
- 7.13 As a result, the limited impacts of the proposed scheme on the existing street scene, local surroundings and the wide ranging socio-economic and environmental benefits of both the additional localised sports and active travel facilities is considered to be of an acceptable high quality design that supports sustainable development within the Borough.

8. Conclusion

- 8.1 In summary, the proposed development (as amended) is not considered to significantly harm the character and appearance of the existing site or that of the surroundings or the amenity of neighbouring residential properties. Therefore, it is recommended for approval.

9. Recommendation and Conditions

- 9.1 For the reasons set out in the above report then **PERMIT** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to commencement of the development hereby approved, whichever is the sooner; details of proposed hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion. Details shall include:

- a) materials of tennis court surface and surrounds:
- b) scaled plan showing vegetation to be retained and trees and plants to be planted:
- c) a schedule detailing sizes and numbers of all proposed trees/plants:
- d) sufficient specification to ensure successful establishment and survival of new planting.
- e) details of all fencing to be used within the proposal.

Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased within 10 years of planting shall be replaced, and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within 10 years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Objective 23 of the OWBC

Tree Strategy, Policy 37 and policy 44 of the Local Plan.

3. The development hereby permitted shall not be commenced on site until the replacement cricket square comprising of 8 good quality grass wickets and one non turf wicket as shown on Drg. No: 4522-114 (submitted on 3 July 2024) has been constructed in full accordance with the ECB's Recommended Guidelines for the construction of cricket pitches and outfield and the ECB's Performance standards for Non-Turf Cricket Pitches intended for Outdoor Use (February 2023) and made available for use for cricket.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use for cricket at the site and to accord with the requirements of the NPPF.

4. Unless otherwise first agreed in writing by the Local Planning Authority existing trees shall be protected by Herras fencing (at least 2m in height and set to 2m from the trunk of the tree, or to the full extent of the canopy of each tree or tree group, whichever is the greater. Such fencing shall be erected before the commencement of development and associated activities, and that the land described shall be adequately demarked, kept clear of all construction materials, machinery, storage, mixing and no fires within 10m of the canopy edge. The existing soil levels around the trees is to be retained and not altered. Areas shown to be subject to new planting will also be demarked from construction activities in order to remove the requirement for soil amelioration prior to new planting.

Reason: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, to ensure that the proposed planting can be carried out without ground compaction significantly impacting their successful establishment, in accordance with Objective 23 of the OWBC Tree Strategy, Policy 37 and Policy 44 of the OWBC Local Plan (2019) and pursuant to section 197 of the Town and Country Planning Act 1990.

5. Unless otherwise first agreed in writing by the Local Planning Authority no building works or associated works or operations shall take place on the site except between the hours of 8.00am and 6.00pm Monday to Friday, 9.00am to 2.00pm on Saturday and there shall be no works at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in compliance with Policies 6 and 44 of the Oadby and Wigston Local Plan.

6. The use as permitted shall be restricted to the following hours:

- British summer time, 0900 - 2100 hours daily and;
- British winter time, 0900 - 1600 hours daily

Reason: In the interests of the amenities of local residents and in compliance with Policies 6 and 44 of the Oadby and Wigston Local Plan.

7. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Robothams Architects drawing number '4522-114'. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

Reason: 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 highway safety and in accordance with the National Planning Policy Framework (December 2023).

8. The development hereby permitted shall not be occupied until such time as secure cycle parking shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use in perpetuity.

Reason: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (December 2023).

9. Unless otherwise first approved in writing (by means of a Minor Material Amendment or a new Planning Permission) by the Local Planning Authority the development hereby shall not consist of any floodlighting or sports lighting.

Reason: In the interests of the amenities of local residents and in compliance with Policies 6 and 44 of the Oadby and Wigston Local Plan.

10. 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 sent to the Local Authority of Oadby & Wigston Borough Council, listed in the schedule below:

- Existing Site Plan (1:500), Dwg. No. 4522-101 / Rev B: received 23 November 2024
- Site Location Plan (1:1250), Dwg. No. 4522-100 / Rev A: received 23 November 2024
- Site Location Plan (1:2500), Dwg. No. 4522-102 / Rev A: received 23 November 2024
- Proposed Site Plan, Dwg. No. 4522-111 / Rev C: received 22 February 2024
- Proposed Site Plan (Aerial Photograph Overlay), Dwg. No. 4522-112: received 22 February 2024
- Proposed Site Plan (Showing Proposed Football Pitches), Dwg. No. 4522-114: received 3 July 2024
- Thorn Outdoor Lighting Spec Sheet, Dwg. No. N/A: received 23 November 2024
- Acoustics Assessment by Peninsular Acoustics, Ref. No. PA0293 / R01 / Rev P01: received 4 April 2024
- Acoustic Assessment by Peninsular Acoustics (Addendum), Ref No. PA0293 / R01 / Rev P01: received 23 April 2024

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