Oadby & Wigston BOROUGH COUNCIL

Law & Democracy
Democratic Services

TO COUNCILLOR:

L A Bentley (Chair)	S Z Haq	C D Kozlowski
G A Boulter	G G Hunt	C J R Martin
J K Chohan	P Joshi	R E R Morris
J K Ford	R V Joshi	I K Ridley
C S Gore	J Kaufman (Vice-Chair)	

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, 31 July 2025, 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

Council Offices
Oadby
23 July 2025

Yours faithfully

Anne E Court
Chief Executive

Meeting ID: 2902

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/22354-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.

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 **3 - 4**

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

5. No. 66 Boulter Crescent, Wigston – Application reference 25/00199/FUL **5 - 26**

Report of the Senior Development Control Officer

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Our **Civico** platform at **civico.net/oadby-wigston**

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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, 26 JUNE 2025 COMMENCING AT 7.00 PM

PRESENT

L A Bentley	Chair
J Kaufman	Vice-Chair

Meeting ID: 2889

COUNCILLORS

G A Boulter
S Z Haq
P Joshi
R V Joshi
C J R Martin
R E R Morris
I K Ridley

OFFICERS IN ATTENDANCE

S J Ball	Legal & Democratic Services Manager / Monitoring Officer (Solicitor)
T Carey	Principal Development Control Officer
J Carr	Planning Policy & Development Manager
S Wheeliker	Senior Democratic & Electoral Services Officer

OTHERS IN ATTENDANCE

C S Gore	Councillor (Remote)
P Wilkinson	Landmark Planning Ltd

7. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors J K Chohan and J K Ford.

Councillor C S Gore attended the meeting remotely, but in accordance with the provisions in the Local Government Act 1972, he was not considered present for the purposes of voting.

8. APPOINTMENT OF SUBSTITUTES

Councillor N Alam substituted for Councillor J K Ford.

9. DECLARATIONS OF INTEREST

None.

10. MINUTES OF THE PREVIOUS MEETING

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting held on 29 May 2025 be taken as read,

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confirmed and approved.

In accordance with Rule 6.3 of Part 4 of the Constitution, the Chair moved for the order of business to be altered and taken in the order as reflected in the minutes.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The order of business be altered, accordingly.

11. 23/0484/FUL BUSHLOE HOUSE, STATION ROAD, WIGSTON

The Committee gave consideration to the report and appendix (as set out at pages 54 – 107 of the agenda reports pack), which sought a partial demolition of Bushloe House and a change of use from offices to C2 use, plus extensions to provide a C2 care facility (total 86 beds) with ancillary facilities, associated parking, landscaping and ancillary works.

Peter Wilkinson spoke upon the application on behalf of the applicant.

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

UNANIMOUSLY RESOLVED THAT:

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

12. 23/00479/LBC – BUSHLOE HOUSE, STATION ROAD, WIGSTON

The Committee gave consideration to the report and appendix (as set out at pages 6 – 53 of the agenda reports pack), which sought partial demolition of Bushloe House and a change of use from offices to C2 use, plus extensions to provide a C2 care facility (total 86 beds) with ancillary facilities, associated parking, landscaping and ancillary works.

Peter Wilkinson spoke upon the application on behalf of the applicant.

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

UNANIMOUSLY RESOLVED THAT:

The application, as amended, be PERMITTED planning permission in accordance with the submitted documents and plans subject to the prescribed conditions and informatives.

THE MEETING CLOSED AT 7.53 pm

Development Control Committee	Thursday, 31 July 2025	Matter for Decision

Report Title: **66 Boulter Crescent, Wigston, Leicestershire, LE18 3WY (Ref. No. 25/00199/FUL)**

Case Officer(s): **Max Heagin (Senior Development Control Officer)**

Site Address:	66 Boulter Crescent, Wigston, Leicestershire, LE18 3WY.
Application Description:	Change of use from community flat (office) into 2 bed flat, and the removal of front canopy and removal of front door to window.
Purpose of Report:	To consider and determine the planning application accordingly. The application is brought before committee as the proposal relates to a property owned by Oadby & Wigston Borough Council.
Recommendation(s):	**That the application be PERMITTED planning permission in accordance with the submitted documents and plans subject to the prescribed conditions and informatives.**
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Teresa Neal (Strategic Director) (0116) 288 8961 teresa.neal@oadby-wigston.gov.uk Adrian Thorpe (Head of Built Environment) (0116) 0116 257 2645 adrian.thorpe@oadby-wigston.gov.uk Jamie Carr (Planning Policy & Development Manager) (0116) 257 2652 jamie.carr@oadby-wigston.gov.uk Max Heagin (Senior Development Control Officer) (0116) 257 2716 max.heagin@oadby-wigston.gov.uk
Consultees:	The consultee comments are as set out within section 4 of this report.
Background Papers:	Search application reference no. 25/00199/FUL via Public Access to access all available documents (e.g. assessments, plans, forms etc.)
Appendices:	**1.** Case Officer's Presentation (Ref. No. 25/00199/FUL)

1. Site and Location

1.1 The site is located to the north side of Boulter Crescent, set centrally within a wider residential estate. The wider estate is accessed off the east of Bull Head Street from Church Nook to the north and Spa Lane to the south. This residential area is primarily characterised by flatted blocks with single dwellings to the north and south.

1.2 The application site, No.66 Boulter Crescent, forms part of 29 flatted blocks on Boulter Crescent, Wigston. No.66 Boulter Crescent forms a ground floor unit within a three-storey building accommodating 5 other units occupied as flats.

1.3 The existing premises are set back from the roadside with a front green space and open fronted parking area accommodating 6 parking bays, 3 serving the development site and 3 serving the neighbouring building. The existing block is constructed from facing brickwork, concrete tiles, and white UPVC windows and doors.

1.4 The appearance of the building is comparable to other flatted blocks on Boulter Crescent though additionally features wheelchair access on two hard stood paths on the site frontage, a secondary entrance directly into No.66 Boulter Cresent and a large canopy on the principal elevation over both entrances and part of the hardstanding path.

1.5 No.66 Boulter Crescent has been vacant since 28.01.2025 though was previously used as a community facility for local residents as both general hire and for specific time-tabled events. Prior to the use of No.66 Boulter Crescent as a community facility it was occupied as a 2 bed flat for placement of tenants by Oadby and Wigston Borough Council as is the case with the other 5 units located within the building.

2. Description of Proposal

2.1 The proposed development is for the unit to be restored to a 2 bed affordable flat for placement of tenants by Oadby & Wigston Borough Council. The revised internal layout would feature 2 bedrooms, a kitchen, lounge, bathroom and 2 stores.

2.2 In addition to internal alterations, to facilitate the change of use the proposals would see the removal of the existing separate access to be replaced with a window with the associated path and signage being removed. An existing side facing window is to be removed whilst a rear facing window serving the proposed bathroom is to be replaced with obscure glazing.

2.3 The principal elevation would also see the removal of the large canopy across the main access and No.66 Boulter Crescent with a smaller canopy being installed over the main access to replicate the original canopy. The existing disabled access ramp to the main access is to be retained.

2.4 During the course of the application the internal layout was amended to increase the footprint of bedroom 1 to meet minimum space standards.

3. Relevant Planning History

16/00133/COU - Change of use of the ground floor Flat 66 to a community facility. Erection of alterations to the ground floor with the provision of a new access path and external canopy - Permitted (25.07.2016)

14/00296/NMA - Non-material amendment from planning permission 14/00014/FUL relating to revised canopies - Permitted (14.08.2014)

14/00014/FUL - Installation of cantilevered powder coated aluminium canopies above front entrance to 29No. flatted blocks and amendments to window designs in front and rear of flatted blocks - Permitted (22.04.2014)

12/00087/VAC - Section 73 application for the removal of condition 1 of permission 10/00503/R3FUL relating to temporary use as offices for a further three-year period - Permitted (17.05.2012)

11/00083/VAC - Section 73 application for the variation of condition 1 & 3 of permission 10/00503/R3FUL relating to time limit & hours of operation - Permitted (28.04.2011)

10/00503/R3FUL - Change of use of existing two-bedroom ground floor flat (use class C3) to offices (use class B1), insertion of door and disabled access ramp with handrails to front elevation for a period of 12 months - Application Permitted (17.01.2011)

10/00046/R3FUL - Change of use of existing two-bedroom ground floor flat (Use Class C3) to offices (Use Class B1) - Permitted (19.03.2010)

4. Key Consultations and Reponses

4.1 Oadby & Wigston Environmental Health: No objection though provided the following comments:

"Under Technical housing standards space standards, the floor area of the double bedroom should be extended to an area of at least 11.5m2 to meet standard. Please refer to section 10(d) of the technical requirements.

Could a construction management plan please be provided for the works to be carried out (guidance attached).

Could the applicant please clarify the standard of ceiling and first floor insulation that will be implemented. It is advisory that they have adequate sound insulation between residential units."

4.2 Oadby & Wigston Housing: Advised the authority currently has a deficiency in affordable accommodation for placement of tenants. The application would provide a desirable ground floor accommodation unit benefitting from disabled access and support the application which would help the authority meet its growing need for housing options.

Confirmed the insulation and sound proofing to the unit is to be retained as existing which is of the same standard as the other residential units in the block. Further clarified existing off street parking provision is unallocated and shared between blocks.

5. Neighbour and Resident Responses

5.1 Neighbours have been notified by site notice with no letters of representation having been received at the time of writing this report. The deadline for receipt of representations is 23 July 2025.

6. Planning Policy Relevant to the Proposal

National Planning Policy Framework

6.1 The National Planning Policy Framework (NPPF) establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

6.2 Paragraph 2 of the NPPF states that '*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*'.

6.3 Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective

- An environmental objective

6.4 Paragraph 11 states that '*Plans and decisions should apply a presumption in favour of sustainable development…For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay*'.

Oadby & Wigston Local Plan

- Local Plan Policy 1 – Presumption in Favour of Sustainable Development
- Local Plan Policy 6 – High Quality Design and Materials
- Local Plan Policy 7 – Community Facilities
- Local Plan Policy 11 – Housing Choices
- Local Plan Policy 13 – Affordable Housing
- Local Plan Policy 34 – Car Parking
- Local Plan Policy 44 – Landscape and Character

Residential Development Supplementary Planning Document (2019)

6.5 Paragraph 3.2 states that: '*All new residential related development should have a relationship with its surroundings in terms of massing, height, balance, use of materials, roof shape and architectural detailing. The character and appearance of residential related development and how this fits with the local street scene are important considerations when deciding if proposed development is acceptable. All new residential related development should fit with the existing street scene and retain and / or enhance locally distinctive character.*'

6.6 Paragraph 3.34 states that: *'All new residential development, including extensions and alterations, should be designed so that adequate levels of amenity for future and existing residents of the property and neighbouring properties are provided and maintained.*'

6.7 Paragraph 3.84 states that: '*Individual plots should fit in with the existing street scene and should have an area, frontage and depth which are comparable with adjoining properties. New residential homes should not be out of character or do harm to the locally distinctive character of the locality in which it is situated.*'

6.8 Paragraph 3.87 states that: *'The design of the new dwelling(s) should not have a detrimental impact on the amenities of existing properties through the loss of light or privacy and should normally provide sufficient off street car parking and garden space to meet the needs of the new development.'*

6.9 Paragraph 3.44 outlines the amount of open space that would be required as part of flatted developments. It states that: '*Flats and residential care units / homes should have a minimum of 75 square metres for up to 5 units with an additional 15 square metres per unit. That might include a combination of communal open space and 'private' spaces, such as balconies.*'

Supplementary Planning Document/Other Guidance

- Landscape Character Assessment (2018)
- Leicestershire Highways Design Guide (latest version)

7. Planning Considerations

7.1 Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise and

whether those material considerations are of such weight that the adopted policies of the Development Plan should not prevail in relation to any proposal.

In addition to the policy considerations set out above, there are a number of substantive material considerations that relate to the development of this site, which are:

- Principle of Development
- Impact of the Proposal on the Street Scene and Local Surroundings
- Impact of the Proposal on Neighbouring Properties
- Impact of the Proposal on the Local Highway

Principle of Development

7.2 The submitted application is for the purposes of achieving full planning permission for change of use of a community facility to a 2 bed affordable flat and the associated alterations to the building.

7.3 This section of the report is therefore primarily concerned with identifying those policy areas or factors that provide demonstrable benefit weighing in favour of the development or where there is adverse impact. In this it is noted that given the original use of the unit as a 2 bed flat there is some justification for the principle of the development though the proposals still need to be considered in line with relevant policies of the Oadby & Wigston Local Plan.

7.4 Policy 7 promotes the provision, enhancement and retention of community facilities further outlining *'The loss of community facilities can have a substantial impact on people's quality of life, wellbeing and overall viability of the local area'*.

7.5 The existing unit has been vacant since January though its lawful use remains as a community facility hence falls under the provisions of Policy 7. In this regard the policy further outlines the Council *'will protect them against redevelopment for alternative uses (should evidence suggest that there is a need to do so), particularly housing and commercial development'*.

7.6 Under the policy, allowance is made for loss of community facilities where *'it can be demonstrated that they are no longer needed by the community they serve'*. In this instance the site itself is vacant though this of itself does not necessarily justify its removal as the site was being used periodically prior. Essentially consideration should be given to what alternatives are available for the functions of the site, so the needs of the community are still met.

7.7 Alternative facilities are available in the local area including a larger community facility, The Kings Centre that is run by Hope Community Church, located in close proximity to the south of the development site along Bull Head Street. Other community facilities in Wigston that could provide alternative spaces are the Freer Community Centre to the north on Leicester Road and Thythorn Hill Community & Sports Centre to the south on Horsewell Lane. It can therefore be reasoned that there are some alternatives for the general hire and for specific time-tabled events functions.

7.8 The proposal can be deemed contrary to the stated aims and objectives of Policy 7, however it is noted that there is some mitigation provided by alternative spaces available to meet the needs of residents (if any are apparent). As such the loss of the existing community facility should be only supported where there are significant policy considerations and/or public benefit weighing in favour of the development.

7.9 Policy 11 in respect of Housing Choices states the Council will support development that meets an identified need and is proposed in appropriate sustainable locations. It further

outlines that the Council seeks to provide appropriate housing solutions that are in character within the area it is located and must be of an appropriate size suitable for modern living standards in line with Governments Technical Housing Standards.

7.10 In practice this means the authority supports provision of different house types particularly those not generally provided through large residential developments such as flats and bungalows (provided they meet minimum space standards and are located in suitable/sustainable locations) and specialist accommodation where they would be contributing towards an identified need such as elderly care and retirement accommodation.

7.11 The provision of a 2 bed flat is considered to represent a form of accommodation that contributes positively to a more diverse housing mix within the borough. Further to this the provision of a ground floor flat within a building that benefits from disabled access gives the proposal similar characteristics to a bungalow and would lend itself to use occupants with mobility issues. Whilst the flat itself is not designed as a dedicated space for persons with specific disability needs such as wheelchair users it is considered to be well suited for elderly or retired occupants that would benefit from ground floor accommodation.

7.12 This is particularly important given the proposal is for provision of an affordable rent flat for placement of tenants through the Council and the ability to house tenants with mobility issues who otherwise might not be best suited to the authorities existing housing stock, is considered to provide a desirable housing option.

7.13 The proposal is considered to contribute positively to the Borough's housing mix in the form of a ground floor flat which benefits from disabled access and meets an identified local need in terms of providing an affordable rent property suited to occupants with mobility issues such as the elderly. As such Policy 11 is considered to weigh significantly in favour of the proposal whilst the form of accommodation represents a public benefit.

7.14 Policy 13 outlines the provision of affordable housing remains a priority for the Council with there being a significant need for such accommodation in the Borough as confirmed by the housing team. The policy sets out minimum provision for affordable units on residential schemes of 11 or more dwellings (20% in Wigston) though further outlines *'should a site be proposed for 100 per cent of the units classed as affordable homes, the Council may take a flexible approach'*.

7.15 The provision of affordable accommodation is a saliant issue for the Borough requiring increased housing options for the Council to fulfil its Statutory Functions and meet the needs of residents. This requires not just provision of affordable dwellings but a suitable mix of housing options to meet the needs of residents.

7.16 The Affordable Housing Viability Study commissioned in support of the policy advised *'higher density developments in Wigston and South Wigston will not be so viable, particularly those including flats'*. This has been found to be the case for applications for building conversions to flats in Wigston which have been supported by Financial Viability Assessments supporting the position that affordable provision should not be required. As such it is rare for the provision of an affordable flat unit within Wigston which are not generally being provided through larger housing schemes.

7.17 The provision of affordable accommodation in excess of policy compliance should always be supported by the Council where appropriate as further contribution to the affordable housing stock provides a significant public benefit. In this instance provision of an alternate form of accommodation to the affordable housing stock which cannot otherwise be relied upon to be provided by larger residential developments represents a further public benefit.

7.18 Any approval of the application would be contingent on the accommodation provided being affordable rather than market housing as such a decision would be based upon the associated public benefit. Provision of affordable dwellings is normally secured through a formal Section 106 Legal Agreement with the applicant/developer however given the Council is the owner of the property and is able to exercise direct control over the development a S.106 is considered to be excessive in this instance. As such it is considered that a suitably worded condition would be sufficient in this instance.

7.19 The proposal would not trigger the requirements of Policy 13 for 11 or more dwellings however the provision an affordable flat where there is no policy requirement to do so is considered to exceed the requirements of the policy. The proposal is therefore supported by Policy 13 and represents some limited public benefit weighing in favour of the proposal.

7.20 Overall, there are policy areas weighing both in favour and against the proposed development and consideration of the principle of development is done so on planning balance. In this instance it must be demonstrated that the positive aspects of the scheme outweigh the associated harm.

7.21 In this instance the loss of a community facility is generally not supported by the Local Planning Authority under Policy 7 however the degree of harm is partially mitigated by alternate Community Facilities that are able to facilitate the functions of the site. This is weighed against the proposal which is supported by Policies 11 & 13 as well as an associated public benefit.

7.22 It is also noted that the site has been vacant for some time and the proposal would restore the property to its original use. As such the principle of the proposed use can be considered to be reasonable and appropriate.

7.23 Therefore, on balance the principle of development is considered to be acceptable for the proposed development. It should be noted however that this assessment is made on the basis of the proposed accommodation being affordable and had the proposal been for market housing the Councils policy position may have been different.

Impact of the Proposal on the Street Scene and Local Surroundings

7.24 Policy 6 of the Local Plan states regarding all new development: *'The Council will require the highest standards of inclusive design and use of the highest quality materials for all new development in the Borough. Proposals for new development must create a distinctive environment by respecting the existing local and historic character.'* This is further highlighted in the policies supporting text as follows:

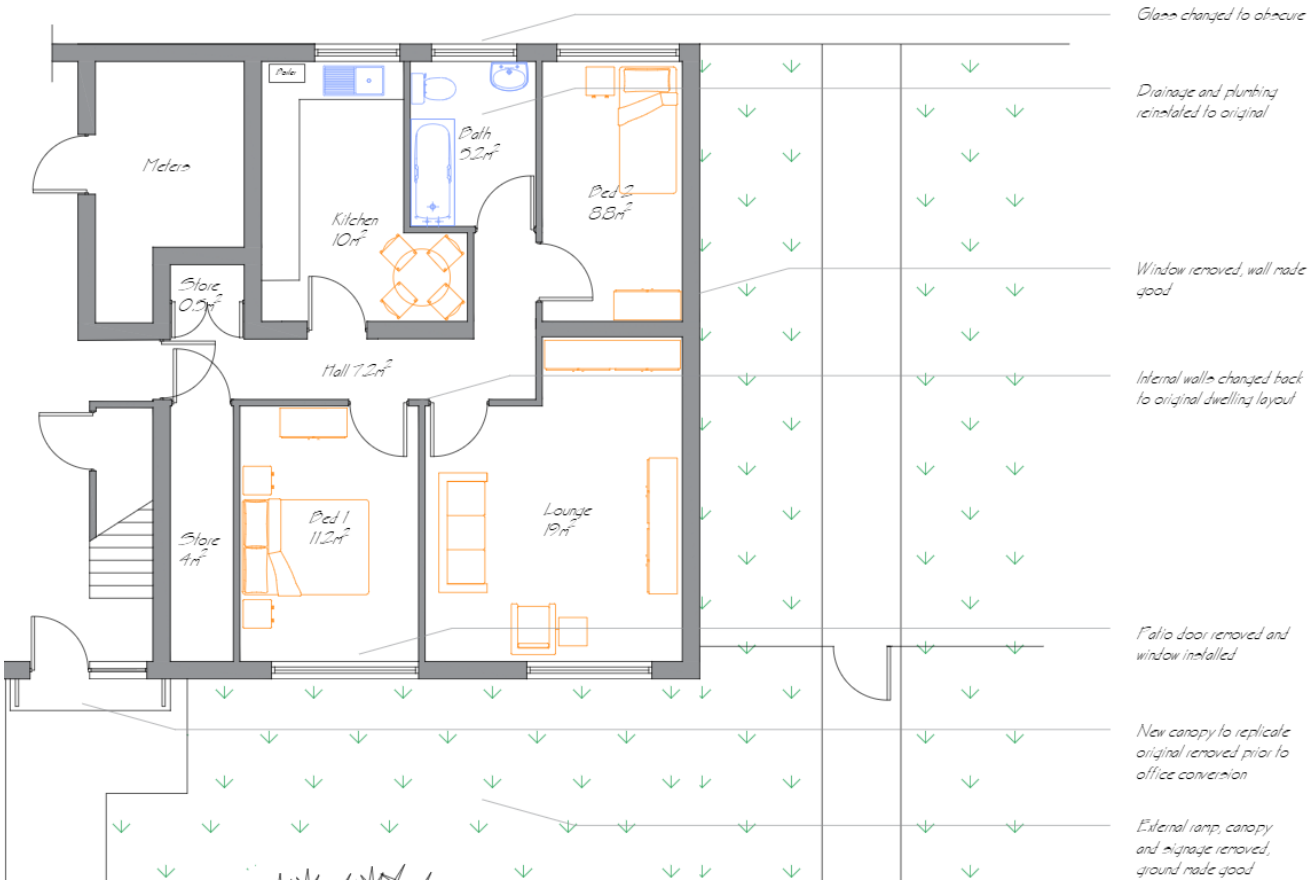
5.3.1 – *'High quality design, and the use of high quality materials is paramount in ensuring that new development creates attractive, buildings and spaces that are sustainable, well connected, and are in character within the locale they are set. It is imperative that new development provides buildings and spaces that people enjoy now and in the future'*.

5.3.4 – *'Any development proposal should deliver the highest possible quality of design and use of materials'*.

5.3.14 – *'Development should have regards to and enhance local character and history by ensuring that it responds to its landscape setting and history of the area, topography and wider context, within which it is located, as well as the local streetscape and local building materials'*.

7.25 Furthermore, Policy 44 of the Local Plan indicates that *'Development proposals will only be permitted where it is in keeping with the area in which it is situated.'*

7.26 Alterations to the exterior of the main building to facilitate the proposed change of use are considered to be fairly minor and cosmetic in nature and are illustrated on the below image.



7.27 The external changes can be summarised as removal of an east side facing window (previously serving a WC), removal of the separate access to No.66 Boulter Crescent which is to be replaced by a window, obscure glazing installed to a rear window, removal of the hardstanding path in front of No.66 Boulter Crescent and replacement of the canopy to a more limited canopy over the main entrance.

7.28 The changes to the separate access and canopy would reflect the appearance of the original building prior to previous conversion and be comparable to the appearance of other flatted blocks on Boulter Crescent. Further to this the alterations to the window fenestration on the side and rear elevations are considered to be minor and would not significantly alter the appearance of the main building.

7.29 The removal of the hardstanding path to the front of No.66 Boulter Crescent represents a more discernible change to the appearance of the site though this is not considered to be detrimental to the character of the street scene. Provided this area is restored as a grassed area or otherwise filled with soft planting and not left as bare ground this change would represent a limited improvement to the overall appearance of the site.

7.30 Given the proposed external alterations would restore the appearance of the building to reflect its original appearance and that of other similar flatted blocks in the area the overall appearance of the development is considered to achieve an acceptable level of design that fits within the character of the street scene. Subject to conditions for materials to match the existing building and for the path to be either grassed or otherwise soft planted once removed the proposals are considered to comply with the requirements of Policies 6 and 44 of the Oadby & Wigston Local Plan.

<u>Impact of the Proposal on Neighbouring Properties</u>

7.31 The Council's Residential Development Supplementary Planning Document seeks to ensure that new development is designed so that it does not unacceptably affect the amenities enjoyed by the occupiers of neighbouring dwellings, particularly through loss of daylight or privacy.

7.32 The proposals do not include provision of any extensions to the main building with one window to be removed on the side, one existing window to be made obscurely glazed on the rear and one new window to be inserted on the principal elevation replacing the existing glazed access to No.66 Boulter Crescent. In this context it is considered that a loss of daylight from the proposed development could not be substantiated whilst alterations to the window fenestration (which views communal spaces only) could be reasoned to represent a limited betterment to privacy of other residents.

7.33 Furthermore, the replacement of the existing large canopy with a more modest canopy over the shared entrance is not considered to represent a significant impact on neighbouring residents with the impact of the existing canopy being primarily experienced by occupants of No.66 Boulter Crescent. Similarly, alterations to remove the hardstanding up to the previous independent access to No.66 Boulter Cresent (which is gated from the main access) is not considered to represent a significant impact on neighbouring residents nor would it impede disabled access to the main access which is to be retained.

7.34 The change to use the primary access to the building to access No.66 Boulter Crescent as well as the use of communal spaces such as the rear amenity space would represent a minor intensification though this would be comparable to other flatted blocks on Boulter Crescent. As such it is difficult to substantiate that such an intensification would represent a severe degree of harm to other occupants of the building particularly where the proposals would return the use of the unit to its original residential use.

7.35 In the comments received from Environmental Health it was requested that the application be accompanied by a construction management plan however this is not considered to be reasonable based upon the scale of development. The nature of the works is comparable to that of a refurbishment rather than an extension or new building and such information would not normally be requested for more intrusive developments such as household extensions. Whilst there would be some disruption to other residents of the block this is considered to be limited, being comparable to a scale of works that would not require planning permission so insistence on provision of a construction management plan is not considered to be necessary or reasonable.

7.36 A further comment from Environmental Health sought clarification as to the insulation afforded to the unit and whether it would be suitable to restrict noise to other units. It was confirmed by the housing team that there are no changes proposed to the insulation to the unit which matches the insulation used by other units in the block and is considered sufficient to protect the amenity of other residents. It is further considered that use of the unit for meetings by multiple attendees would represent a greater impact on neighbouring amenity than what would be reasonably expected of a residential flat so the proposed change of use could be reasoned to represent a limited betterment in this regard.

Impact of the Proposal on the Local Highway

7.37 Policy 34 of the OWBC Local Plan seeks to ensure that there is adequate provision of car parking spaces and facilities across the Borough. It further sets out that parking provision should accord with Leicestershire Highways Design Guide (or equivalent) though does make allowance that *'flexibility could be factored into the standards in relation to the specific local circumstances'*.

7.38 Further to this Paragraph 115 of the NPPF states *'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*

7.39 The development proposals do not include provision of additional off-street parking with the host building to remain served by the 6 communal spaces on the site frontage shared with the neighbouring block. This shortfall in off street parking provision appears to be a common situation with the flatted blocks on Boulter Crescent, Godwin Court to the south and Meadow Court to the east (not Council owned blocks) benefit from dedicated parking bays with visitor bays however other blocks appear to be served by limited communal parking or no parking provision at all.

7.40 Leicestershire Highways Design Guidance makes allowance *'where car ownership may be low, such as town centres and other locations where services can easily be reached by walking, cycling or public transport'*. In such instances the guidance allows for 1 space per dwelling whereas standing advise would be for provision of 2 spaces for a dwelling up to 3 bedrooms.

7.41 The site is considered to be in a highly sustainable location being in close proximity to the centre of Wigston with the associated amenities and services as well as access to bus routes from Bull Head Street to the west of the site. This is considered to meet the allowance outlined above requiring only one space though this would still represent a 1 space shortfall in parking provision as it cannot be demonstrated that the unit would be served by a dedicated space.

7.42 This shortfall in parking provision is an existing situation of the site that affected both the original use of the site as a 2 bed flat and later use as a community meeting place. Assessment therefore focuses on what harm is associated with the shortfall in parking provision and would this represent a discernible difference to previous use of the site.

7.43 In the first instance the proposed level of occupancy would match that of the original use as a 2 bed flat. As this is not the most recent use it does not solely justify a parking shortfall however a reasonable consideration of the associated highways impact should take this into account.

7.44 In terms of the most recent use of the site as a community facility it is difficult to identify the degree of harm associated with the highway impact. Whilst the use would have been primarily intended to be for nearby residents which would not facilitate vehicular travel it cannot be discounted that different private hire functions of scheduled meetings may include attendees or organisers that would require use of a vehicle to attend. For example, the attendance on site of the Council's community staff representative would likely regular vehicular trips.

7.45 It is difficult to substantiate how regular vehicular trips to the site and associate quantum of vehicles for some meetings would be as this would clearly vary based on the number and nature of meetings on a week-to-week basis however it is not unreasonable to conclude that there would have been a similar need for at least 1 off street parking space.

7.46 Under the previous application, 16/00133/COU, for change of use to a community facility; that in context with the previous use of the site it was concluded that there was unlikely to be severe highway impact, so no objection was raised on highways grounds. This is not to say there was considered to be no impact or a betterment on the existing situation but that the associated harm was not considered severe enough to justify refusal of the application.

7.47 In a similar vein it is difficult to substantiate the proposed return to use as a flat would represent a greater degree of harm than use of the community centre with both uses being reasonably concluded to have a parking shortfall of 1 space.

7.48 It is acknowledged that the shortfall of 1 off street parking space could represent a degree of harm however it is considered that it could not be substantiated that the associated harm would be greater than existing.

7.49 It is further considered that in context of the original use and similar parking shortfalls on other flatted blocks that it would not be reasonable to prejudice against the proposal on highways grounds where it could not be demonstrated that the proposed use would represent an intensification of the use of the site or that cumulative impacts on the road network would be severe, contrary to Paragraph 115 of the NPPF.

7.50 As such whilst there is considered to be a shortfall in off street parking provision to serve the proposal the specific local circumstances are such that the proposal falls within the criteria allowed for flexibility in parking standards allowed under Policy 34 of the Local Plan. The proposal is therefore not considered to be contrary to policy or result in a severe highways impact which would justify refusal of the application.

8. Conclusion

8.1 In summary, whilst the loss of a community facility is generally not supported the provision of affordable accommodation to meet a growing identified need in the Borough provides a suitable level of public benefit to offset the loss of the community facility. Furthermore, the proposed development is not considered to harm the character and appearance of the existing property or that of the surroundings, the amenity of the neighbouring properties or the safe and efficient use of the highway, it is therefore recommended for approval.

9. Recommendation, Proposed Conditions and Informatives

9.1 It is recommended that the application is PERMITTED subject to the suitable conditions set out below.

9.1.1 Recommended 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. 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, Policies 6 and 44 of the Oadby and Wigston Local Plan.

3. The window on the rear elevation serving the bathroom shall be fitted with obscure glass and shall not be replaced or altered without the prior written permission of the Local Planning Authority.

   Reason: To safeguard the privacy of occupiers of the adjoining property and in accordance with Policy 6 of the Oadby and Wigston Local Plan.

4. The flat hereby approved at the property known as No.66 Boulter Crescent can only be occupied by a tenant placed through Oadby & Wigston Borough Council (or any subsequent authority inheriting the statutory role and responsibilities of said Council) and shall not be occupied, let, sold or otherwise disposed of as a separate market dwelling unless otherwise agreed in writing by the Local Planning Authority.

   Reason: To ensure that the proposed development is compatible with existing development in the locality and provides a public benefit to balance the loss of a community facility from the associated development in accordance with the aims and objectives of the National Planning Policy Framework and Policies 6, 7, 11, 13 and 44 of the Oadby and Wigston Local Plan.

5. Within six months of removal of the hardstanding path to the front of the property the land shall be made good and restored to a grassed lawn in keeping with the rest of the site frontage or otherwise planted with soft landscaping.

   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, Policies 6 and 44 of the Oadby and Wigston Local Plan.

6. 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:

   Proposed Layout drawing number R4480 - 002 received 14 July 2025
   Layouts and Elevations drawing number R4480 - 003 received 14 July 2025

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

9.1.2 Proposed Informatives

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. In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application and this

has resulted in the approval of the application. 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 (paragraph 38) 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 to refuse permission 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 can be made online at: https://www.gov.uk/appeal-planning-decision. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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.

Oadby & Wigston
BOROUGH COUNCIL

Application Ref. No. 25/00199/FUL

66 Boulter Crescent, Wigston, Leicestershire, LE18 3WY

Change of use from community flat (office) into 2 bed flat, and the removal of front canopy and removal of front door to window.

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Appendix 1

Oadby & Wigston
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Site Location

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Red Line Plan

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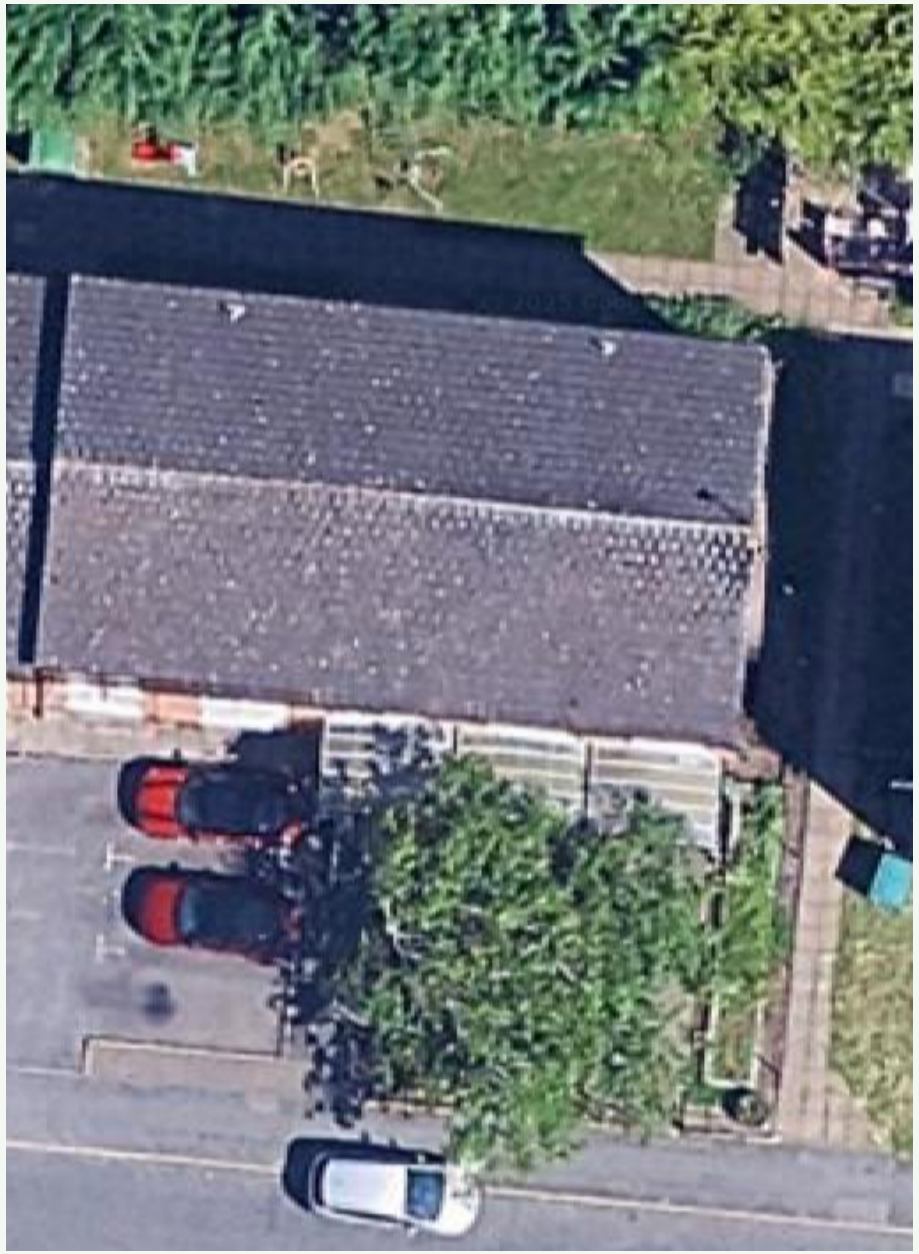
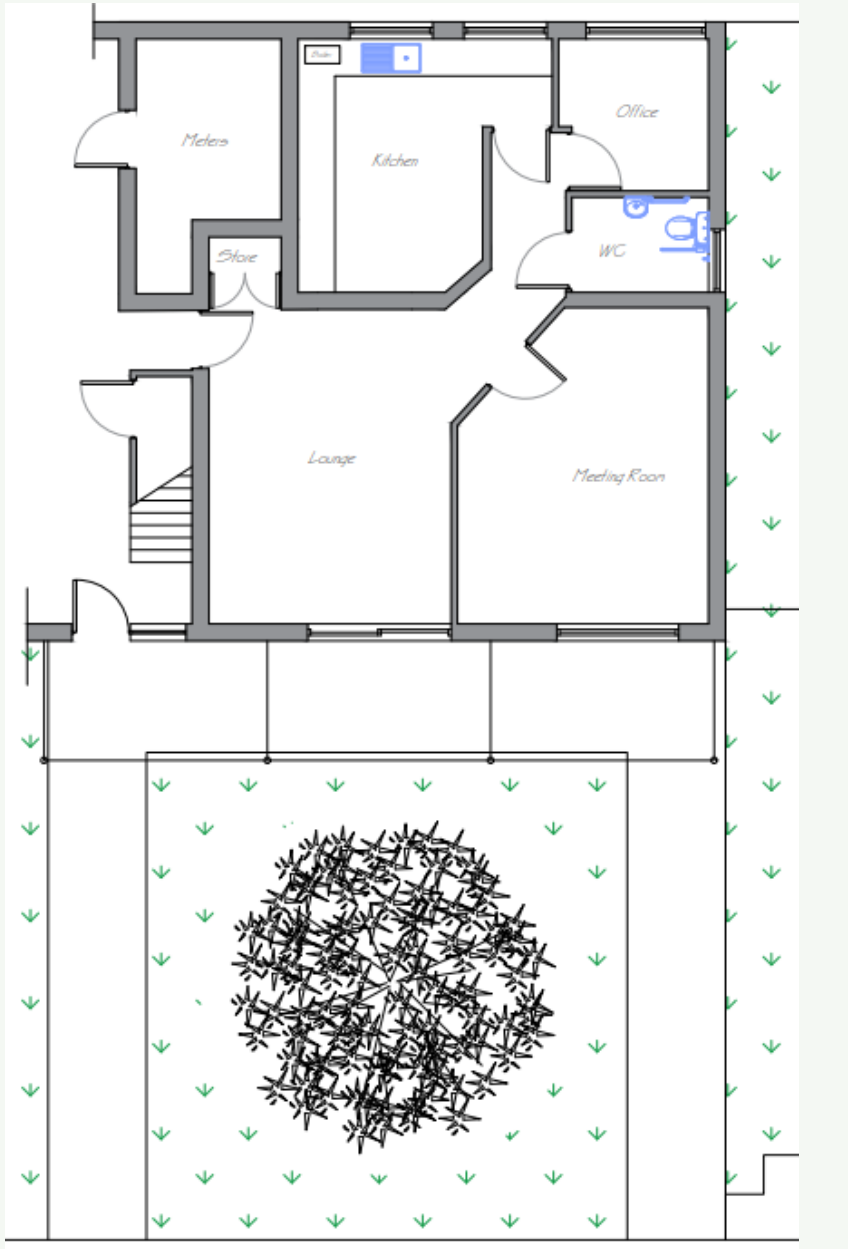
Existing Site Layout





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Existing Site Frontage

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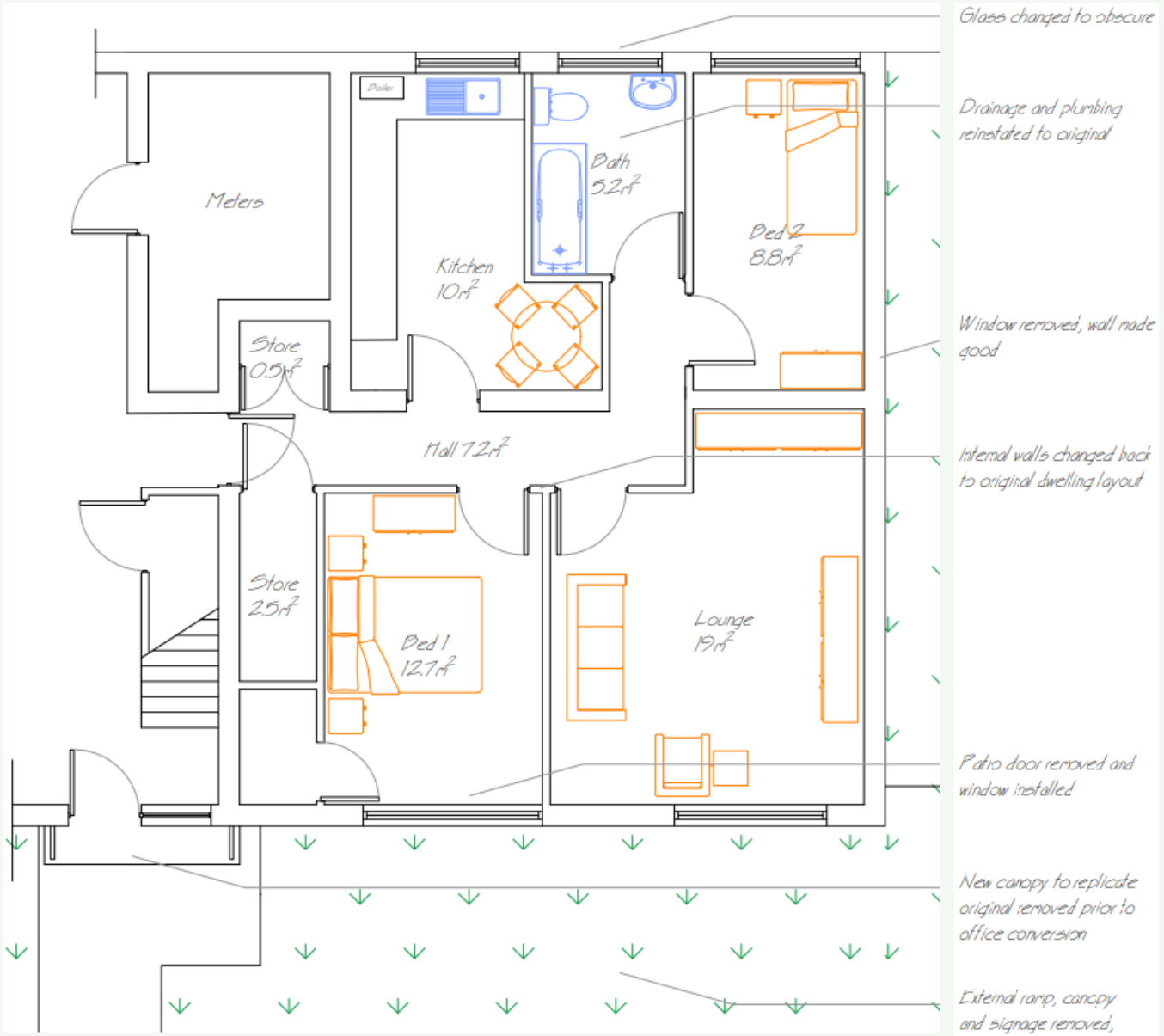
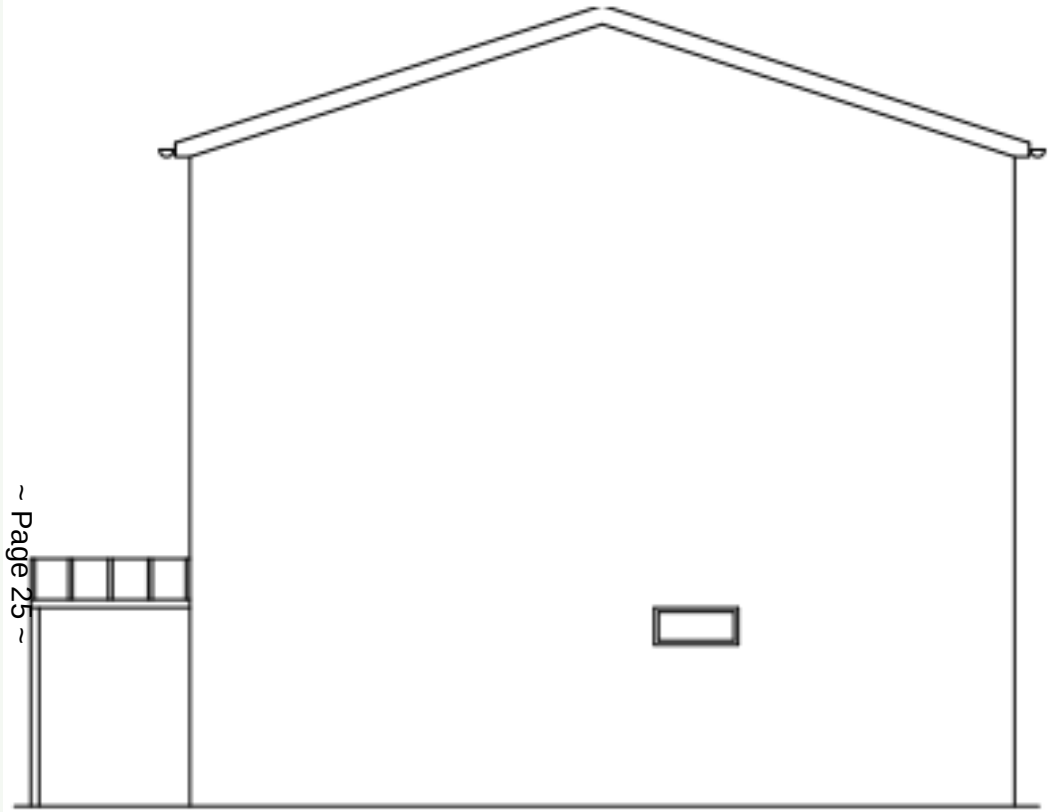
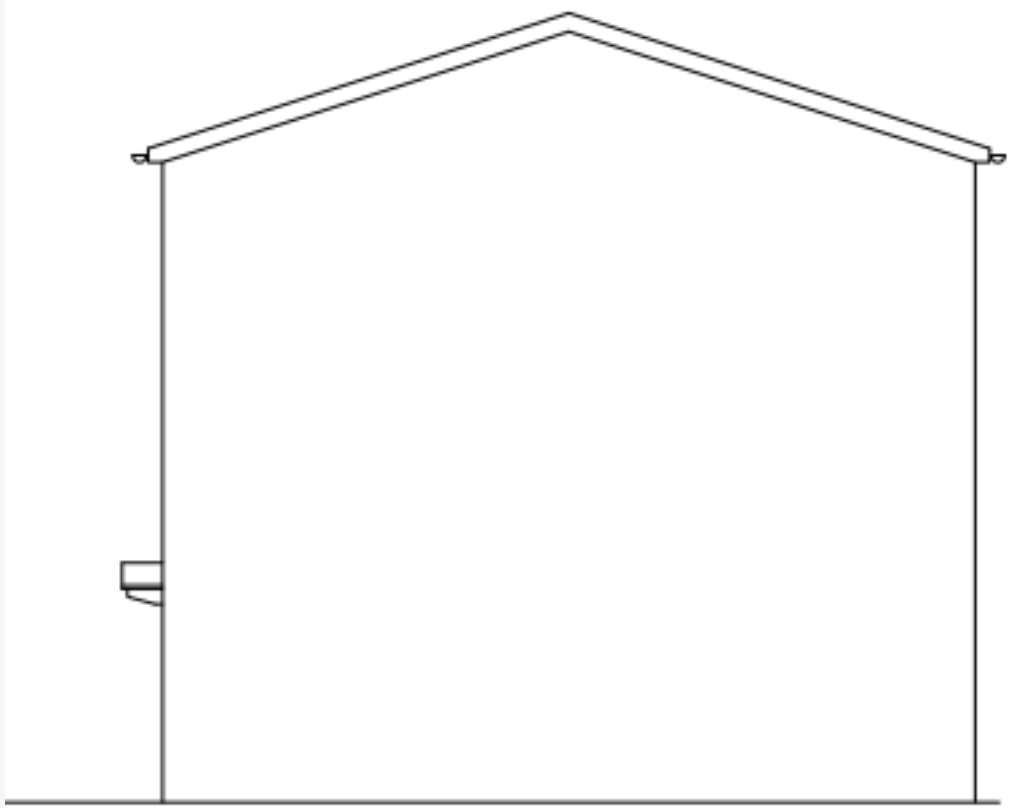
Proposed Layout



East Side Elevation



Existing Right (east) Elevation 1:100



Proposed Right (east) Elevation 1:100

Front Elevation

Existing Front Elevation

Proposed Front Elevation