

Application Number**Address****Report Items**

- 1. 16/00575/OUT** HM Young Offenders Institute Glen Parva
Tigers Road
Wigston
Leicestershire
LE18 4TN

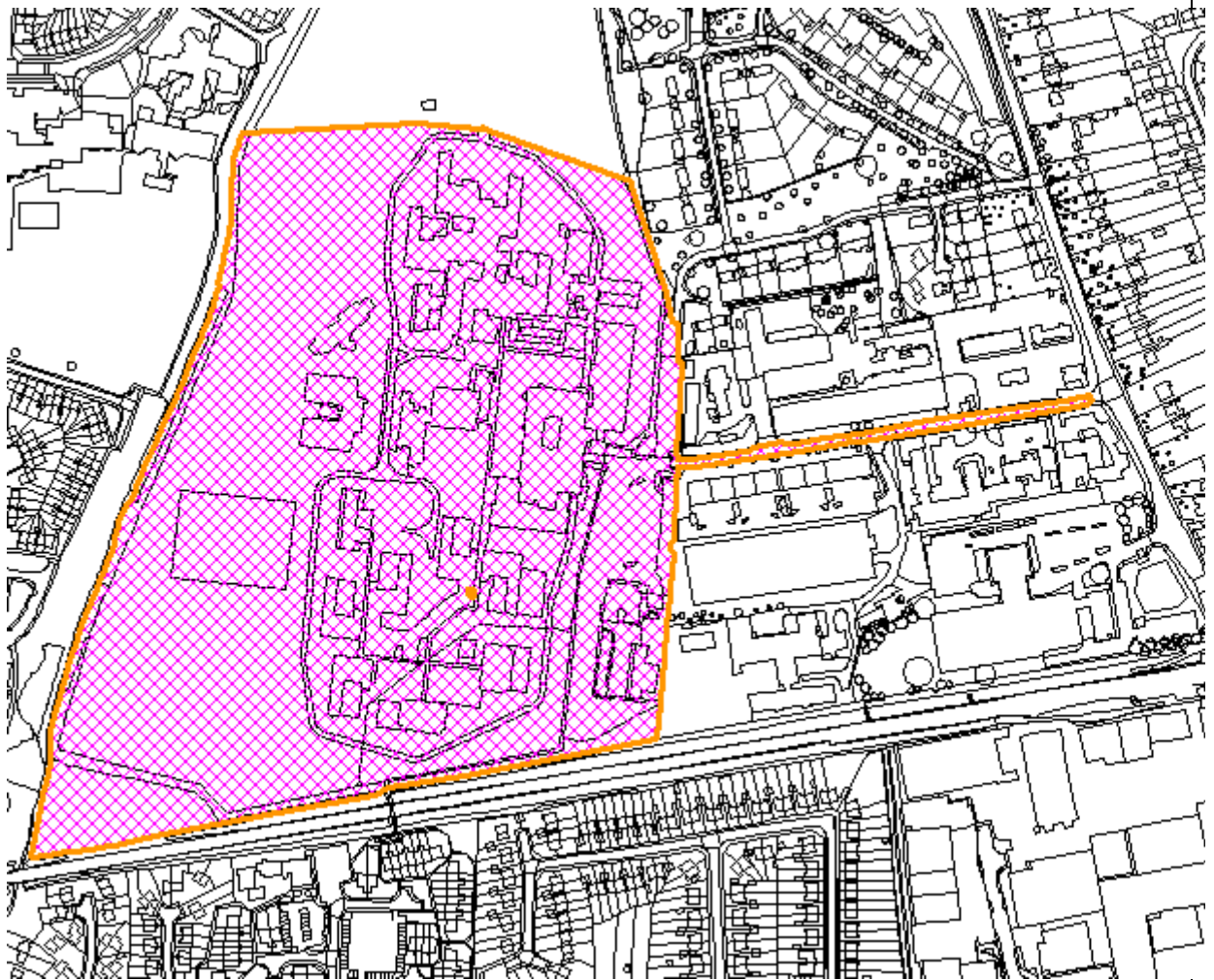
- 2. 17/00084/FUL** Nautical William
Aylestone Lane
Wigston
Leicestershire
LE18 1BA

- 3. 17/00109/COU** 134 Station Road
Wigston
Leicestershire
LE18 2DL

- 4. 17/00115/FUL** 17 Granville Road
Wigston
Leicestershire
LE18 1JQ

- 5. 17/00151/FUL** 253 Aylestone Lane
Wigston
Leicestershire
LE18 1BE

1.	16/00575/OUT	HM Young Offenders Institute Glen Parva Tigers Road Wigston Leicestershire LE18 4TN
	22 December 2016	Demolition of existing HMYOI Glen Parva and construction of a new prison (Use Class C2A) (max. floorspace of 62,437 sqm GEA) with a secure perimeter fence together with access, parking, energy centre, landscaping and associated engineering works. (Outline application with access and scale being considered).
	CASE OFFICER	Richard Redford



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Site and Location

The application site is occupied by HMYOI Glen Parva - a youth offenders prison – and is situated at the western edge of the Borough. Situated with the administrative areas of both Blaby District Council and Oadby and Wigston Borough Council, the majority of the site is located within the Blaby District Council area. Only the access along Tigers Road, a small section of visitor parking and an area of amenity grassland which includes an element of perimeter fencing and 2 small sheds are within the Oadby and Wigston Borough Council administrative area. Currently there are a number of buildings on-site that collectively make up the prison along with parking areas and an area of amenity space all positioned behind the perimeter fencing. The site also has a section of boundary adjacent to the Leicester City Council administrative area.

The application site is approximately 16.3 ha in size and it is located to the eastern edge of the built-up area of Glen Parva. It currently includes typically two storey and three storey buildings, which are concentrated within the eastern section of the site with open land and an artificial sports pitch to the west.

To the north of and adjacent the application site is land owned by the Ministry of Justice (approximately 5.5 hectares) which comprises former HMYOI recreational and horticultural land but which is no longer used.

The site as a whole is surrounded by a variety of different uses. Within the Oadby and Wigston Borough Council administrative area the site is bounded by a mixture of industrial units, army buildings, offices, a nursery and residential dwellings. A large proportion of the dwellings are served by private roads immediately adjacent to the application site access on Tigers Road. The Birmingham to Peterborough train line acts as the sites southern boundary on the opposite side of which are a number of other industrial, residential and retails units. To the north of both the application site and adjacent land owned by the Ministry of Justice is Eyres Monsell Park - an area of amenity and recreational space situated within the administrative area of Leicester City Council. Residential dwellings and a school are situated to the western side of the site. Surrounding the site are a number of areas with established landscaping, including mature trees some of which are covered by Tree Preservation Orders, as well as buildings predominantly two storey in height.

Tree and shrub cover adjoins the south and west boundaries with a broadly triangular section of mature woodland located in the south west corner of the site. A section of broadleaved deciduous woodland within the site is to be removed.

The general land level is higher to the northern section of the site and it slopes down considerably to the south west corner.

Description of proposal

As a whole;

As submitted the planning application seeks outline planning permission for the demolition of existing HMYOI Glen Parva buildings with the subsequent construction of a new prison (Use Class C2A) with a maximum floorspace of 62,437 square metres (gross external area) with a secure perimeter fence together with access, parking, energy centre, landscaping and associated engineering works. The submission is in outline application form with only access and scale being considered at this point. It will be designed and constructed to Category C Working Prison Standard (for prisoners who require a secure, enclosed environment and do not have the desire to breach security conditions). The details of scale and access have been submitted at this stage with the appearance of the buildings, layout and landscaping being details to be considered under a Reserved Matters application in the future.

As the application site is situated within the administrative areas of Oadby and Wigston Borough Council as well as Blaby District Council identical submissions have been made to both Local Planning Authorities to determine.

Due to the nature and scale of the proposal, an Environmental Impact Assessment has been submitted as part of the planning application. This has been provided along with a number of drawings showing the existing site layout, illustrative and indicative plans of possible site layout for the proposed development as well as elevations. Various reports have also been provided to support the Environmental Statement submitted which includes assessments of various aspects of the development including highways matters, a Design & Access Statement, Planning Statement, Transport Assessment and Outline Travel Plan, Flood Risk Assessment and Outline Drainage Strategy, Sustainability and Energy Statement, Socio-Economic Assessment, and, a Statement of Community Involvement.

The application site consists of the secure prison compound with a range of buildings including the prison entry buildings, visitor facilities, a learning complex, workshops, support facilities and residential accommodation, which will be surrounded by a steel mesh security fence up to 5.5 metres in height. A 7.5 metre 'clear zone' will be retained to an inner perimeter fence. The existing fence is to be retained to the southern, western and northern boundaries and an eastern section of this will be removed and replaced to create a 'public zone' including staff / visitor parking.

The submitted layout of 13 buildings and elevational plans are indicative at this stage and specific uses are not formally identified as the final layout must be determined in accordance with Prison Service guidelines to achieve and maintain the required level of security. It is anticipated that communal, administrative, support and visitor facilities are to be located to the northern section of the site with residential accommodation being to the south.

The scale parameters are currently to be considered and building heights will vary from single to four storeys in height. The maximum height to ridge of each building would range from 10 metres to 17 metres and it is noted that the accommodation blocks shown on the indicative site plan to the southern section of the site would be the tallest buildings at some 16 and 17 metres. Indicative footprints, elevations and sections of the buildings have been provided which are not submitted for approval as part of this current outline planning application. However, the supporting documentation indicates that there is relatively little scope for substantial change in any future detailed application in order for the prison to operate securely and effectively given Prison Service guidelines.

The site is to be solely accessed from Tigers Road which joins Saffron Road (B5366) via a mini-roundabout. The existing staff / visitor parking area will be extended towards the North, providing a total of 425 parking spaces. Cycle parking provision for 30 spaces is also included.

Following the consultation process the agent has provided a revised Flood Risk Assessment to address matters raised in the consultation response. Further, the agent has also provided a statement in relation to ecological, landscaping and planting matters as well as contributions. In response to ecological matters the agent has stated that 'As set out in the Environmental Statement the site is generally of low ecological value due to the nature of the existing use. The only protected species present are bats, any impact on which will be mitigated by appropriate measures carried out under licence. There are no habitats of note within the area of the site that lies within Oadby & Wigston, the majority of this land being hardstanding, parking or mown grass within the secure perimeter fence.'

With regards to landscaping and planting the agent comments 'The majority of existing and proposed landscaping and mature tree planting is within Blaby District. The planning application makes it clear that the landscaping and mature trees along the site's southern and western boundaries (in Blaby) will be maintained and may be supplemented in accordance with details to be provided with the landscaping reserved matters application. The MoJ has confirmed to Blaby DC that it will consider all possible measures to provide landscape planting, including the potential for using land in its control to the south of the perimeter fence, which is in Blaby District.

As noted earlier, the part of the site that lies within Oadby & Wigston has a boundary with the western end of Crete Avenue. There will be changes here with the removal of the secure fence, which raises the question of what boundary treatment and landscaping will be put in place. This is an important issue for residents of Crete Avenue and the wider estate, and was raised by a number of visitors to the Exhibition in December 2016. It is not for the Outline Application to determine the detail of the boundary treatment in this location. However, the Planning Statement provides reassurance that the applicant has taken note of the comments made by residents and explains how the applicant expects this issue to be addressed. Paragraph 4.37 of the Planning Statement says the following;

"Changes to the fence line in the eastern part of the site will open up the boundary in the vicinity of Crete Avenue where there will be no need in future for a secure fence line. At the same time, the applicant is conscious of the need to replace the existing secure fence in this part of the site with an alternative boundary treatment (to be agreed by discharge of planning condition) that will:-

- *effectively contain the new parking areas so that visitors and staff are discouraged from parking off site, and in the residential estate, before walking to the prison;*
- *mitigate the potential for noise associated with the arrival and departure of cars, visitors and staff; and*
- *tie into the existing 2m concrete 'fence' that runs around the site and at the rear of gardens on Hindoostan Avenue".*

In relation to contributions for highway works the agent has stated that the agent is willing to provide this contribution by way of a Unilateral Undertaken between the applicant, Blaby District Council (as the LPA where the built form and larger element of the proposal is located) and Leicestershire County Council as Highway Authority.

Oadby & Wigston Borough Council Element;

As indicated above the development will be situated within the administrative areas of both Oadby and Wigston Borough Council and Blaby District Council. The majority of the development proposed will be situated within Blaby District Council.

Based on the submitted plans, the elements of the development falling within the area covered by Oadby and Wigston Borough Council are the access via Tigers Road along with very small sections of parking, security fencing and landscaping.

These elements within the Oadby and Wigston Borough Council administrative area are the only parts of the development that can be considered and determined as part of this planning application by the Planning Committee.

Relevant Planning History

83/00732/8G Granted 19th September 1983
Erection of garage

10/00049/FUL Granted 18th May 2010
Construction of Youth Justice Board (YJB) establishment to accommodate 360 young people & associated facilities including alterations to existing car park, proposed new car parking alterations to 5.2 metre high security fence & erection of 2.4 metre high fence (Revision E)

13/00211/REN Granted 19 September 2013
Renewal of planning application 10/00049/FUL for construction of Youth Justice Board (YJB) establishment to accommodate 360 young people & associated facilities including alterations to existing car park, proposed new car parking alterations to 5.2 metre high security fence & erection of 2.4 metre high fence

14/00346/FUL Granted 2nd December 2014
Construction of an education led Ministry of Justice establishment (Class C2a) to accommodate 320 young people and associated facilities, and alterations to existing car park (cross boundary application with Blaby District C

Consultee Responses

Leicestershire County Council (Highways);

The County Highway Authority advice is that, in its view the residual cumulative impacts of development can be mitigated and are not considered severe in accordance with Paragraph 32 of the NPPF, subject to conditions and contributions.

Background

The County Highway Authority (CHA) is in receipt of an outline planning application, reference 16/00575/OUT for Oadby & Wigston Borough Council and 16/1672/OUT for Blaby District Council the latter of which are the determining planning authority, relating to the demolition of the existing HMYOI Glen Parva and construction of a new prison.

Leicestershire County Council, as the authority charged with the responsibility to manage and maintain the County's highway network - as devolved by the Secretary of State - have assessed the proposal on the basis of all relevant policies and material facts relating to the highway, in compliance with both national and local policy, and does not comment on the desirability of a development.

Planning History

A planning application was submitted in 2010 reference 10/0034/1/PX (Blaby reference) for the construction of Youth Justice Board establishment to accommodate 360 youth offenders. The prison would have a capacity of 1168 inmates (360 + existing 808). This application was given conditional approval.

Planning permission was renewed in 2014, reference 14/0763/1PX (Blaby reference), for the construction of a 320 place youth offenders secure establishment. The prison would have a capacity of 1128 (320 + 808). This application was given conditional approval.

Neither of these two planning application were built-out and the planning permission is once again being sought with the development proposals as part of this planning application. The extant

planning permission, also referred to as the fallback position, must be afforded due weight and be considered against the proposals for the current planning application.

The fallback position forms the baseline position from which the development proposals as part of this development are tested/measured taking account of committed development / development traffic as part of the previous permission(s) and the traffic associated with this application.

Local Highway – B582

The B582 currently suffers from a relatively high level of congestion for such a suburban distributor road, serving as it does as an important through transport link. The consequence is subsequent queuing and delays at junctions along this link. The B582 is a local distributor road and is of strategic importance with substantial traffic movements along it. It provides a vital east/west connection to Welford Road, connecting north to the A563 towards the A6, and west towards to the A426 connecting to M1 Junction 21.

In addition to the strategic function of the road, the B582 also provides an underpinning service which is essential to facilitate local traffic movements in Wigston. The road carries a mix of transport modes and it is fronted by side roads, major accesses for commercial areas, local amenities including commercial, residential and educational facilities and has a considerable number of bus-stops and at-grade pedestrian facilities. All these functions are entirely in keeping with the character of the road which it is important to preserve.

The local "street" function, as described in the preceding paragraph, limits the theoretical capacity of the road. These constraints are particularly relevant to driver behaviour, which in this case, requires drivers on the B582 to anticipate the turning movements at the numerous junctions along the link for the variety of different uses, as well as clearly being an environment in which pedestrian and cycle use on the road and adjacent footways is encouraged. It is a general rule in transportation that a high level of accesses and similar features impact both traffic through-put and also safety considerations. This is not to say that further development needs to be resisted in all cases but it highlights the degree of attention that is needed to maintain flow and safety. The practical capacity of the link is determined by the stochastic nature of the traffic conditions. Hour-by-hour, and day-by-day, these change. Although exceptional peaks of flow cannot be accommodated without stress, it is the higher end of the normal flow regime that is the appropriate baseline.

Of particular concern is the performance of the B582/ Station Road/ Saffron Road/ Countesthorpe Road Junction which is currently operating overcapacity and critical to optimal transportation operation on this link. The impact of development traffic of previous planning permissions, from 2010 and more recently 2014, demonstrated a severe impact at this junction. Further deterioration the operation of this signal controlled junction could lead to a severe worsening in queuing/ delays and as such a contribution towards validation of the MOVA system at the junction was sought by the CHA make the development acceptable in planning terms.

As neither development proposals were built-out, the contribution was not brought forward. The development proposals for this application form the basis of the previous development, and taking into consideration the applicant's suggestion that the overall number of trips will be less than that which was previously permitted (detailed below), this is a sensitive junction currently operating over capacity without the introduction of development traffic from this application or indeed the previous planning permissions. As a result, to ensure the network continues to perform in a way it must for all parties needs, a MOVA contribution will be sought as part of this planning application ensuring the development is acceptable in planning terms.

Trip Generation

This site currently has planning permission for 1617 youth inmates [corrected to 1168 and latterly 1128 inmates and this is the basis from which the existing situation must be assessed. The application proposes an overall net reduction in the total number of trips notwithstanding an increase in the total number of inmates. This is tabulated below;

Total Existing Trip (808 + 360)			
	Arrival	Departure	Total
AM Peak	321	32	353 [corrected]
PM Peak	7	248	255
Proposed 1617			
	Arrival	Departure	Total
AM Peak	168	20	188
PM Peak	0	210	210
Difference			
	Arrival	Departure	Total
AM Peak	-153	-12	-165
PM Peak	321	32	353 [corrected]

Before finalising our advice in relation to this application, the CHA sought confirmation and full details of the operational parameters of the site from the Ministry of Justice (as detailed in the Transport Assessment). The traffic that the proposed development will generate is different to the existing Youth Offenders Institute, in terms of numbers of journeys to and from the prison and the time of day that they will happen.

The transport evidence submitted in support of the application, and subsequently confirmed by the Ministry of Justice, showed that overall there would be less traffic to and from the site during the peak periods than the existing use generates.

Internal Layout

As outlined application, matters of the internal layout are reversed. Details of layout, parking and access are shown in Appendix B of the Transport Assessment. Access will be continued to be gained from Tigers Road- a privately maintained road.

The derivation of parking is based on the bespoke demand of the establishment taking account of the specific operational demands.

Transport Sustainability

There is a well-established transportation prerogative to pursue sustainable travel modes not just in light of the potential expansion but as an effective tool to improve the baseline conditions. Opportunities to utilise sustainable modes of travel in Glen Parva will assist meeting the required targets which are not just considered desirable but necessary to make the development acceptable in planning terms.

The applicant has confirmed that all trips associated with servicing will occur outside of the peak time hours on the highway network. Moreover, the number of deliveries will be kept to a minimum to reduce the vehicles entering and exiting the site, and having to pass through security procedures. Visitor assumptions are detailed below:

- Monday to Thursday, Saturday: 9.30am-12.30pm; 2.30-4.30pm
- Friday and Sunday: 9.30am-12.30pm
- Evening visits twice a week: 5-7pm

In addition, it has been confirmed that Legal Counsel will occur off peak.

The off-peak movements of these trips detailed above and the successful implementation of the travel plan and the travel targets as detailed precisely in the Transport Assessment are imperative the acceptability of this development in planning terms. It may be considered preferably that this reflected within any Decision going forward in a reasonable, precise and relevant manner via condition.

Conditions are requested in addition to the following contributions: the sum of £5000.00 towards validation of the MOVA system at the junction of the B582 / Station Road / Saffron Road / Countesthorpe Road junction and a Framework Travel Plan monitoring fee of £6,000.

Leicestershire County Council (Flood Risk)

When determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment and will not put the users of the development at risk.

The submitted Flood Risk Assessment has been reviewed and deemed acceptable in terms of flood risk. However the drainage strategy requires further clarification.

The drainage strategy includes a number of discharge rates including greenfield, brownfield and brownfield -20%. However, a specific discharge rate has not been selected. Additionally, the discharge rates proposed are not compliant with the "non-statutory technical standards for sustainable drainage systems" which states:

- *"For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be **as close as reasonably practicable to the greenfield runoff rate** from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event.*
- *S5 Where reasonably practicable, for developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but should never exceed the runoff volume from the development site prior to redevelopment for that event."*

For further details on the impact of these statements, please refer to CIRIA C753.

The scale and location of proposed SuDS has not been provided. As part of an online approval it needs to be demonstrated that there is space for the SuDS attenuation features required to meet the agreed allowable discharge rate for events up to the 1 in 100 year +40 (climate change) rainfall event. It is understood that there will be restrictions on the types of drainage features acceptable within a prison environment, however we would need to see some assumptions which demonstrate viability at this stage.

Appendix L of the submitted Flood Risk Assessment titled "Severn Trent Water Drainage Connection Comments" is blank with a note stating that this detail is still awaited. Due to the scale of the development, this information will need to be submitted before a decision can be made on the proposed on-site drainage strategy.

Leicestershire County Council as Lead Local Flood Authority advises the Local Planning Authority that:

- The application documents as submitted are insufficient for the Lead Local Flood Authority to provide a detailed response at this stage. In order to provide a detailed response, the following information is required:
 - o Confirmation from Severn Trent Water that the proposed surface

water discharge from the development can be accommodated and the point of connection indicated.

- A drainage strategy plan showing assumed SuDS features to scale, noting the available storage volume available in each. The proposed outfall location and level should also be clearly shown on this plan.
- Review of the proposed allowable discharge rate in-line with CIRIA C753 (The SuDS Manual) and the comments noted above.

If there are any works proposed as part of an application which are likely to affect flows in a watercourse or ditch, then the applicant may require consent under s.23 Land Drainage Act 1991. This is in addition to any planning permission that may be granted. ;

Leicestershire County Council (Ecology)

The Ecology Information contained within the EIA indicates that the main habitat on site comprises species-poor grassland. However, an existing broadleaved woodland is also present and will be lost to the development. Section 8.9.2 of the Environmental Statement suggests that the loss of this will not be significant, due to the proposed landscape planting. However, for previous applications on this site (14/0763/1/PX, 13/0337/1/PX and 10/0034/1/PX – Blaby reference numbers) off-site compensation for the loss of these habitats was proposed, agreed and required through S106 and we would request that this is also in place for this current application.

Updated protected species surveys have been completed in 2016 and these are acceptable to support this application. A bat roost has been recorded on site and we are in agreement that mitigation for this is needed. The Bat Survey (Appendix 8.3 of the Technical Appendices) recorded a bat roost in Building L. The report indicates that mitigation will be in the form of bat boxes on site and we are satisfied that there is scope within the development to incorporate these. We would therefore recommend that a detailed mitigation strategy is submitted in support of the reserved matters application. This should be forwarded as a condition of the development. However, the bat survey also states that the loss Building P will require some bat mitigation, but I am unable to find the justification as to why. Please can this be provided?

We are in agreement with the recommendations in section 8.7.2 to 8.8.2 of the Environmental Statement and would request that compliance with these is required as a condition of the development.

Therefore, in summary we would recommend that:

Prior to determination:

- Off-site habitat compensation is in place for the loss of woodland, as agreed in previous applications.
- Confirmation on the use of Building P by bats is provided

As a condition(s) of the development (should planning permission be granted):

- Works in accordance with sections 8.7.2 to 8.8.2 of the Environmental Statement to be followed.
- Updated protected species surveys to be completed and submitted either in support of the reserved matters application or prior to determination, whichever is soonest after Spring 2018 (2 years since the date of the previous survey).

Severn Trent Water Ltd

Confirm that Severn Trent Water Ltd has NO Objection to the proposal subject to the inclusion of a condition and an informative.

OWBC Forward Plans:

Although the majority of the site is located within the administrative boundary of Blaby District Council, the access road and main entrance is within the Borough of Oadby and Wigston. Also, due to the proposed scale of the new development, the proposed structure will have an impact upon the visual amenity of the neighbouring residents in South Wigston.

The existing HM Young Offenders Institute (808 young offenders) that is present on the site sets the principal for this form of development in this location. There is also an extant planning permission for the HMYOI to be extended to accommodate an additional 320 young offenders (1,128 in total).

This planning application is now seeking to develop an all-male adult prison for 1,617 prisoners on the same site as the existing HMYOI and will essentially be seeking to increase the scale of the facility in terms of the number of prisoners, employees, on-site car parking spaces and the scale of the physical infrastructure on-site. It would be a reasonable assumption to expect the number of visitors and related trip-generation associated with the prison to increase as a result of this scheme. However, the applicants supporting Transport Assessment and Planning Statement suggests that the anticipated impact of this proposal would actually see a reduction in two-way trip generation at the peak AM and PM times when compared to that of the expected trip generation for the extant planning permission for the HMYOI if the existing facility was to be extended to accommodate the additional 320 young offenders.

Therefore, Leicestershire County Council's Highways Department should carefully and independently consider this proposed development and in particular, give due attention to the potential impact that this development could have upon an already congested surrounding highways network in the South Wigston area. Particular attention should be applied to the impact that this scale of use could have upon Saffron Road, the junction with Tigers Road, as well as surrounding junctions to the south along Blaby Road.

OWBC Environmental Health:

Environmental Health made the following comments:

Demolition, Groundwork and Construction

Oadby and Wigston Borough Council will require all works of Construction and Demolition to comply with the following conditions.

- The work shall be carried out in such a manner so as to comply with the general recommendation of British Standards BS5228 '*Code of Practice for Noise Control on Construction and Demolition Sites*' and in particular Section 5 of Part 1 of the Code entitles '*Control of Noise*'.
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 Monday to Fridays and 0800 and 1300 on Saturdays.
- No work is to be carried out on the site on Sundays or Bank Holidays.
- All deliveries to site shall only occur during the above working hours.

- All equipment is to be operated, sited and maintained so that disturbance to people living or working in the immediate areas is minimised. In particular, all items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well maintained mufflers in accordance with manufacturer's instructions.
- Any piling operations must be carried out using the quietest practicable method available. Any deviation from this requirement should be subject to an application for 'prior approval' to the Environmental Health Department under the provisions of Section 61 of the Control of Pollution Act 1974. Your attention is drawn to advice given in British Standards BS6472: (1992) *Evaluation of Human Exposures to Vibration in Buildings*.
- Contractors shall notify the occupiers of nearby buildings likely to be affected by these works, explaining the type of work and measures taken to minimise noise disturbance.
- All reasonable means shall be employed in order to control and minimise dust emissions from site.
- No bonfires shall be lit on the site.
- The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.

Asbestos

A full asbestos survey of all buildings should be carried out prior to any demolition. Any asbestos found on site or any asbestos likely to be which is present on site must be properly identified and completely removed by an approved and registered asbestos removal contractor. The legislation relating to asbestos removal must be adhered to in line with current HSE Guidance.

Contaminated Land

The proposed development site requires a preliminary investigation, before development to ascertain whether there is any contamination in, on or under the land. The findings of the preliminary investigation must be submitted to the Environmental Health Department.

Any contamination found on site must result in a further detailed investigation of the site so the full extent of any contamination can be properly assessed, and appropriate remedial works can be determined.

The requirements of 1 above must be carried out by appropriately experienced individuals capable of assessing the findings of such an investigation and formulating an effective remediation strategy.

A copy of the full detailed assessment must be submitted to the Environmental Health Department, and any such remedial works must be notified to the Environmental Health Department for approval before any work on site is carried out.

Lighting

Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Network Rail

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met. It is recognised that much of the detail here is more appropriate for the reserved matters stage but is nevertheless mentioned here as a reminder of the issues that will need to be taken into consideration.

Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

1. There should be no increase to average or peak flows of surface water run-off leading towards Network Rail assets, including earthworks, bridges and culverts.
2. All surface water run-off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.
3. Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.
4. Attenuation ponds, next to the railway, should be designed by a competent specialist engineer and should include adequate storm capacity and overflow arrangements such that there is no risk of flooding of the adjacent railway line during either normal or exceptional rainfall events.

It is expected that the preparation and implementation of a surface water drainage strategy addressing the above points will be conditioned as part of any approval.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network RAILS infrastructure or railway land.

Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to

be located within 10m of the railway boundary a method statement should be submitted for NR approval.'

Environment Agency

The previous use of the site may have left a legacy of medium/high risk of contamination that could be mobilised during construction to pollute controlled waters.

The desk top study submitted in support of the planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by the development. Further detailed information will however be required before built development is undertaken.

As such further site investigation and the development of a remediation strategy to address all aspects of likely contamination will be required to ensure the safe remediation of the site.

It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the Local Planning Authority.

We consider that planning permission could be granted to the proposed development as submitted if appropriate planning conditions were included as set out below as without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Blaby District Council

No comments received.

Leicester City Council

The site is located within the local authority areas of Blaby District & Oadby & Wigston Borough. The proposal therefore needs to be in compliance with the relevant policies as set out in adopted local plans of these authorities.

A key issue for the City Council would be the intensification of the use, especially close to the city boundary, in particular the potential impacts to privacy and amenity of residents living on Queens Park Way and Wokingham Avenue.

Saved Leicester Local Plan Policy PS10 states that:

"Residential Amenity And New Development" In determining planning applications, the following factors concerning the amenity of existing or proposed residents will be taken into account: a) noise, light, vibrations, smell and air pollution (individually or cumulatively) caused by the development and its use; b) the visual quality of the area including potential litter problems; c) additional parking and vehicle manoeuvring; d) privacy and overshadowing; e) safety and security; f) the ability of the area to assimilate development; and g) access to key facilities by walking, cycling or public transport.

The new buildings close to the boundary are proposed to be 4 storeys in height at a max height of about 16 metres. This is similar size to the existing buildings on the site however they are significantly closer to the houses than the existing building.

Whilst there appears to be an acceptable separation distance, adequate screening will be needed to ensure privacy for both the existing city residents and the potential inmates of the prison. Assuming the existing mature line of trees is protected and enhanced this may well be adequate, however the Council would welcome and encourage further consultation and dialogue on these matters with local residents within the City council's area as the detailed design of the scheme progresses.

Transport Issues

The site is located off Saffron Lane in South Wigston, which falls within the County's Highway area. The City Highway Authority however has interest in the impact of the proposals on the A563 Glenhills Way/Atlee Way; B5366 Saffron Lane; and Wigston Lane roundabout (Porkpie Roundabout).

A Transport Assessment (TA) has been submitted in support of the application. The assessment compares the traffic generation between the proposals for a 1,617 inmate adult male prison being applied for, against the existing 808 young offender prison with the additional 360 inmate expansion which there is an extant planning permission.

The TA concludes that the proposal would result in a reduction in trips on the highway network, compared to the existing and approved expansion of the young offenders' prison.

It is forecast that there would be 105 two-way vehicle trips using Saffron Road north of the site to and from the proposed development for the adult prison in the am peak period (08:00 to 09:00). This is in comparison to 198 two-way trips for the same period for the existing site and consented scheme. Equally, for the pm peak period (17:00 to 18:00) it is forecast there would be 118 two-way trips using Saffron Road, against 143 for the existing and consented scheme.

Furthermore, it is stated that as staff are proposed to work on a shift rota, not all staff trips to the site would be made during the usual commuter peak hours. Equally, visiting times for inmates are scheduled so that the majority of trips would be made outside of usual network peak periods.

The County Highway Authority is seeking further confirmation from the Ministry of Justice over the operation of the existing and proposed prisons to support the assertion that there would be a reduction in trips.

Whilst the conclusions of the report appear reasonable, the City Highway Authority supports the County's request for confirmation of the operation of the existing and proposed prisons to verify the assumptions made within the TA. The City Highway Authority would not be minded to raise concerns to the proposals, subject to the further information being submitted.

In terms of travel to the site by modes other than the car, there are public transport services which run along Saffron Road, and the South Wigston Railway station is within walking distance of the site.

Representations

269 neighbours have been informed in writing. The proposal has also been publicised by way of a press notice and a number site notices around the application site.

25 letters of objection from neighbouring and surrounding dwellings have been received, objecting in summary on the grounds of;

- Amenity impacts;
- Removal of the existing security fences;
- Parking, access, servicing and traffic level concerns;
- The adjacent residential estate being served by private roads and footpaths with these and lighting being paid for by residents of the estate;
- Traffic concerns during construction and post completion during use;
- There being a need for conditions relating to access via Tigers Road only, retention of the existing 3m high security boundary with it being completed at the Tigers Road end, and planting mature trees along the length of the boundary wall to improve visual amenity;

- Disruption, noise, increased litter, light pollution and loss of privacy;
- Feeling vulnerable;
- The security fence being moved closer to adjacent residential dwellings;
- Loss of trees;
- Implications on water table due to removal of trees and the existence of a 'shifting sand bed' between the site and neighbouring dwellings;
- Impact upon protected species including through increased noise pollution;
- Likely proximity of buildings and inmates to residential dwellings with increased threat of verbal abuse;
- Need for adequate parking on-site with means to restrict parking provided on the adjacent estate;
- Apparent over-intensification of the use on the site;
- Effect of intensification on traffic (entering and exiting) and parking;
- The need for an accurate traffic count on which to base a decision;
- Increased levels of servicing, staff and visitors with associated impact on highways and parking;
- Highway safety at the Tigers Road and B5366 junction due to traffic increase;
- Concerns over a single point of access to a large development;
- Significant detrimental effects on a mainly residential area;
- Likely, and unwelcome, loss of property value;
- No fencing or sectioning off of the adjacent private estate to the application site;
- Failure to provide fencing or sectioning will adversely impact upon privacy, noise and disruption to the amenities of occupiers of dwellings on the estate;
- Likely parking on the estate including pavement and grassed areas to the detriment of the amenities of occupiers of the estate;
- Increased congestion;
- Those who undertook the transport assessment do not live in the area nor survey it on a regular working day including peak times;
- The transport assessment is not a true representation of the area or its traffic with it having taken place during half terms when traffic flow levels are lower;
- Uncertainty over whether the Transport Assessment factors in adjacent businesses including the Driving centre;
- Inadequate parking provision;
- The increase in inmates proposed is unacceptable in such close proximity to a residential area;
- Existing parking issues on Tigers Road where double yellow lines do not exist;
- Pedestrian safety concerns especially given the site location near a number of local schools and community based buildings;
- There having been a number of serious accidents recently with traffic monitoring equipment near Crete Avenue having registered 3000 trips in one direction in one day;
- Any lighting designed and positioned to ensure no impact on residential amenity;
- No access should occur via Crete Avenue;
- Change from a Young Offenders Institute to a Category C Prison;
- Drugs concerns;
- Future expansion of the prison to the northern end of the site;
- Traffic levels having increased in the area and not decreased as detailed / suggested in the Transport Assessment;
- Water and sewage problems currently exist that will be further impacted upon;
- Indicative plans appear cramped; and
- Duration of construction period stated;

5 letters of representation from neighbouring and surrounding dwellings have been received commenting;

- The existing concrete fence be left in place;

- No objecting as the buildings are in need of replacement but request parking facilities be adequate with no intrusion on local residential areas and construction occurs via tigers road only; and
- Neither object nor support but there must be no pedestrian gates into other sites with any new trees planted so as to not overhang neighbouring sites.

Wigston Civic Society has expressed concerns of the proposal as follows;

- Removal of the sites eastern boundary fence with no indication of it replacement will, if not replaced, enable visitors to cross to the site by foot from Crete Avenue. A requirement for its replacement is needed with adequate mature planting on the public side is required to improve visual amenity and improved security for residents;
- Signs should be provided during construction and when complete that there is no access via Crete Avenue;
- A condition should be attached restricting access during construction and post completion to via Tigers Road;
- A Section 106 Agreement be improved providing for road improvements to Saffron Road to be completed prior to the commencement of construction due to existing major issues with large vehicles using this road including demolishing central islands installed to assist pedestrians crossing. The road also needs widening to cope with construction and user traffic.

Relevant Planning Policies

National Planning Policy Framework (NPPF)

Oadby & Wigston Core Strategy

- Policy 1 : Achieving Sustainable Development
- Policy 4 : Sustainable Transport and Accessibility
- Policy 9 : Flood Risk and the Water Environment
- Policy 14 : Design and Construction
- Policy 15 : Landscape and Character

Saved Oadby and Wigston Local Plan Policies

- Landscape Proposal 1 : Design of new development subject to criteria

Planning Considerations

As set out earlier in this report, the application site is situated within the administrative areas of both Blaby District Council and Oadby and Wigston Borough Council. In the form submitted outline planning permission with access and scale being considered is sought with all other matters (layout, appearance and landscaping) being reserved. Based on the indicative plans submitted all of the built form will be within Blaby District Councils area.

The only elements of the development falling within Oadby and Wigston Borough Council are access via Tigers Road along with very small sections of parking, security fencing and landscaping. Given that, as stated, this is an outline application with access and scale being considered where the development covers 2 different administrative areas, the only elements that can be considered and determination made on are those falling with the Oadby and Wigston Borough Council area – namely access – as these are the areas over which the Council have any control.

The main issues to consider in the determination of this application are therefore the principle of development, highway, amenities, character and appearance.

Principle of re-development:

Although the majority of the site is located within the administrative boundary of Blaby District Council, the access road and main entrance is within the Borough of Oadby and Wigston, within the South Wigston locality of the Borough.

The provisions of Core Strategy Policy 1 seek to ensure that, amongst other factors, developments make the most economical use of land and re-development of brownfield land as also put forward within the NPPF.

The existing HM Young Offenders Institute (808 young offenders) that is present on the site sets the principal for this form of development in this location. There is also an extant planning permission for the HMYOI to be extended to accommodate an additional 320 young offenders (1,128 in total).

This planning application is now seeking to develop an all-male adult prison for 1,617 prisoners on the same site as the existing HMYOI and will essentially be seeking to increase the scale of the facility in terms of the number of prisoners, employees, on-site car parking spaces and the scale of the physical infrastructure on-site.

While it can be seen that the proposal as a whole represents a substantial increase in the number of inmates and staff as well as, it is assumed, visitors, the actual use of the site stays with the same Use Class. The proposal therefore constitutes a re-development of the site falling within the same use class as that being demolished and is acceptable in principle. Furthermore, the proposed development as a whole is confined to the area where current buildings are situated so minimising and ensuring the amount of green amenity space to the northern section of the site as a whole is used.

Officers therefore consider that the proposal complies with the provisions of Core Strategy Policy 1.

Highway Matters:

As stated earlier in the report access to the proposal is to be via Tigers Road using its junction with Saffron Road – an element of the proposal wholly situated within the OWBC administrative area. A Transport Statement was submitted as part of the application and formed part of the Environmental Statement. From the summary of the objections set out above, it can be seen that a substantial number of comments have been made in respect of highway and pedestrian safety as well as vehicle numbers, trip levels and parking. Leicestershire County Council Highway Authority have been consulted on the application and have commented as set out in full above.

Tigers Road will form the sole access to the site for the proposed re-development for all vehicles (including the demolition and construction period), cycles and pedestrians. The robustness of the submitted Transport Assessment has been considered by the County Highway Authority and deemed to be acceptable. It covers the proposed trip generation and distribution of traffic associated with the proposed development assessed against HMYOI Glen Parva and the trip generation of the originally approved prison expansion (OWBC application ref: 10/00049/FUL – BDC application ref 10/0034/1/PX). In conclusion, the two-way vehicular trip generation has been assessed as resulting in a net reduction of vehicle trips during peak periods and the increase in traffic is reported to have a minimal impact on the local highway network within which there are no pre-existing safety concerns.

Similarly, the level of on-site parking provision proposed takes into account the maximum parking accumulation for overall staff numbers and their shift patterns and visitors due to the capacity of the visitor centre and having regard to non-car transport modes. It has been concluded that a total of 418 car parking spaces are required and which are able to be provided on site.

The County Highway Authority's request for a legal agreement relating to validation of the MOVA system at the junction of the B582 / Station Road / Saffron Road / Countesthorpe Road junction is deemed to be CIL Regulation compliant. However, the request for a Framework Travel Plan monitoring fee would not be compliant with guidance relating to community infrastructure. Discussions have taken place between the agent, OWBC officers and BDC officers in respect of the financial contributions with the applicant / agent having stated that the financial contributions to be provided for the highway related work would be done by way of Unilateral Undertaking between the applicant, Blaby District Council and Leicestershire County Council. The basis for this would be on the grounds that it was the same method and arrangement as previous approvals on the site and due to the built element of the development being situated within the Blaby District Council area. Officers are satisfied with this arrangement.

Character and Appearance:

HMYOI Glen Parva and its associated buildings are currently visible from a variety of public viewpoints beyond the application site due to the heights of various buildings or gaps within the existing mature deciduous boundary vegetation. Surrounding the application as a whole are residential dwellings, a park, a railway line and a number of business / employment units where the built form is predominantly 2-storey in height.

Core Strategy policy 14 requires developments be of high quality design that amongst other things respects the local character, is sympathetic to the surroundings and contributes to creating buildings that are attractive with their own identity while also being respectful of the area in terms of materials and the streetscape.

Core Strategy policy 15 relates to landscape and character, requiring developments protect and enhance the landscape and character of the area.

Saved local plan policy L1 requires developments relate well to their locality while being of a scale, form, design and proportion in-keeping with the area while saved policy H17 requires extensions be subordinate to the main dwelling and of a harmonious design, form and materials.

The proposed buildings comprising the development would be more visible due to their increase in scale and the provision of higher buildings compared to the existing situation. However, and notwithstanding the fact that the built form will be situated within Blaby District Council's area, on the basis of the general separation distances and extent of structural vegetation outlined above, it is not considered that the proposed indicative layout would significantly harm the character and appearance of the locality.

The notional blocks to the south east section of the site are shown to have their narrower "end" elevations facing south and the rear of Westleigh Road and Knightsbridge Road properties which is not dissimilar to the relationship of new blocks in the south west corner with the western site boundary. The "I – shaped" blocks adjoining the southern boundary would be partly screened by the triangular section of woodland and the Glencroft complex at the end of Knightsbridge Road. The new block some 60 metres away from the communal parking area by Glencroft Church would be more prominent although subject to the use of acceptable external materials and final design details, including finished floor levels, it is not considered likely to detract from visual amenity in this location.

Existing perimeter security fencing to the north, south and west boundaries is to be largely retained in situ whilst a section of this will be removed from the eastern boundary to facilitate the additional car parking provision required. The proximity of this existing security fencing to the eastern boundary that will be removed and replaced has potential to, by virtue of its location and height to have an impact upon the character and appearance of adjacent dwellings within the OWBC area.

This matter can be addressed through a pre-commencement condition being attached to any permission requiring full details on the proposed fencing to be submitted for approval prior to works commencing and then implemented in full prior to the prison being occupied. Such a condition would allow all elements of this fencing – location, height, materials etc – to be looked into so as to ensure no adverse or detrimental impact on adjacent dwellings nor the character and appearance of the area.

In respect of the design, appearance and materials of the buildings, these are matters that fall to be considered by Blaby District Council within a reserved matters application should outline planning permission be granted for this outline planning application by their Planning Committee.

Amenities;

Core Strategy policy 14 requires developments be of high quality design that amongst other things respects the local character, is sympathetic to the surroundings and contributes to creating buildings that are attractive with their own identity while also being respectful of the area in terms of materials and the streetscape.

Core Strategy policy 15 relates to landscape ad character, requiring developments protect and enhance the landscape and character of the area.

Saved local plan policy L1 requires developments relate well to their locality while being of a scale, form, design and proportion in-keeping with the area while saved policy H17 requires extensions be subordinate to the main dwelling and of a harmonious design, form and materials.

As set out earlier and in the preceding section, the indicative plans provided show possible locations for the various prison blocks within the Blaby section of the site and that the indicative position of these are such that there would be a reasonable separation distance between them and dwellings within the OWBC area so as to not result in any unacceptable levels of overlooking, loss of light etc.

They would, along with the parking area likely to be situated between some of the buildings and Tigers Road as well as fencing along the eastern site boundary, have the ability to impact upon residential amenity during visiting times during the day as well as times when shifts would change. Taking account of lighting required to afford illumination during evening periods for the parking area there would also be the opportunity for further impact upon residential amenity. However, it is considered that conditions relating to external lighting would serve to address light pollution and such amenity issues to a level that would not justify a refusal being issued.

As also set out, a condition relating to the site boundary treatment along the eastern site boundary would serve to afford greater protection to neighbouring properties in terms of amenities and security.

Overall therefore officers consider the proposal would not adversely affect amenities to a level that would justify a refusal being issued.

Flooding & Ecology:

Policy 9 of the Core Strategy relates to Flood Risk and the Water Environment, requiring amongst other things that developments take account of potential impact on flood risk without increasing the risk of flooding elsewhere including the use of proactive surface water management.

Leicestershire County Council Ecology officer have assessed the submitted information and their full response is contained earlier in this report. In summary they comment that they are in agreement with the recommendations in section 8.7.2 to 8.8.2 of the Environmental Statement and would request that compliance with these is required as a condition of the development. They also recommend further information be provided prior to the determination of the application as well as that two conditions be attached to any permission firstly relating the works occurring in accordance with sections 8.7.2 to 8.8.2 of the Environmental Statement, and secondly that updated protected species surveys shall be completed and submitted either in support of the reserved matters application or prior to determination, whichever is soonest after Spring 2018 (2 years since the date of the previous survey).

In relation to the information requested to be provided prior to the determination of the application, the agent has commented that;

'As set out in the Environmental Statement the site is generally of low ecological value due to the nature of the existing use. The only protected species present are bats, any impact on which will be mitigated by appropriate measures carried out under licence. There are no habitats of note within the area of the site that lies within Oadby & Wigston, the majority of this land being hardstanding, parking or mown grass within the secure perimeter fence.'

and

'The majority of existing and proposed landscaping and mature tree planting is within Blaby District. The planning application makes it clear that the landscaping and mature trees along the site's southern and western boundaries (in Blaby) will be maintained and may be supplemented in accordance with details to be provided with the landscaping reserved matters application. The MoJ has confirmed to Blaby DC that it will consider all possible measures to provide landscape planting, including the potential for using land in its control to the south of the perimeter fence, which is in Blaby District.

The comments made by the Ecology unit were provided to both Local Planning Authorities considering the applications. Officers consider that the comments made in respect of information to be provided prior to determination they were, due to the specific comments made and the location of the elements to which they relate, they were directed to Blaby District Council. Officers therefore consider that the statement on the prior to determination elements of the Ecology comments are fair and valid so it is therefore unreasonable for Oadby and Wigston Borough Council to require them in this instance.

As such the proposal complies with the provisions of Policy 9 of the Core Strategy.

Comments on Objections:

As set out above, objections from 25 neighbours, one objection from Wigston Civic Society and 5 neutral letters have been addressed. While a number of the issues raised in these letters have been addressed in the consideration section of this report, those not will be addressed here.

Amenities have been considered within the main report as have the removal and replacement of the existing security fencing which can be dealt with by way of pre-commencement condition requiring full details be provided to and approved by the LPA then implemented in accordance with those

details approved. Highway and access matters have been assessed by the Highway Authority who have no objections subject to conditions and contributions toward highway improvement. Traffic levels during construction may be higher but conditions relating to construction times could be attached to permission to ensure it take place at reasonable times. The sole access proposed is via Tigers Road so a condition to this is not considered to be reasonable nor could it readily be enforced even if it was attached to any permission. Tree planting would be covered by way of the landscaping reserved matter should permission be granted. There is no evidence to show the development would result in increased litter while noise and disruption during construction could be dealt with by an hours of construction condition with lighting being able to be addressed also by condition. Protected species concerns have been considered by the Ecology Unit and are addressed in the report. The indicative plans show parking levels at an appropriate level. Concerns over verbal threats from inmates would be a matter for the prison service to address. In terms of the transport assessment and traffic counts, no evidence has been provided to show it was inaccurate or different and on this basis it has to be considered as a true reflection. Property values are not material planning considerations to be taken into account. No access is proposed to occur via Crete Avenue. The change from a Young Offenders Institute to a Category C Prison from a planning perspective is not relevant as the primary use of the site would still be as a prison. Any future expansion of the prison to the northern end of the site would be a matter to be dealt with through applications in the future but are not relevant now to the determination of this application.

Conclusion

This is an outline application with access and scale, for the re-development of the site to provide a Category 3 prison in place of the existing Youth Offenders Institute prison on the site situated within both Blaby District Council and Oadby and Wigston Borough Council areas. As such the use of the land will remain in the same use class. While the indicate plans show a greater number of buildings that are of a greater height and scale than present, the only matters being considered here are the access (via Tigers Road) and scale (height) of the development with the access relating to Oadby and Wigston Borough Council.

Various documents and plans have been submitted with the proposal including Transport Assessment, all of which have been assessed including by relevant consultee's. In respect of the proposed highway arrangements, Leicestershire County Council, as Highway Authority, has commented no objections subject to conditions and contributions as they consider the proposal is acceptable and would not impact upon highway or pedestrian safety.

In its indicative form, and taking account of the scale of the proposal being considered by Blaby District council, the proposal would not result in any unacceptable impacts upon amenity, character or appearance that would justify refusal while matters such as landscaping and ecology can be covered by way of conditions.

Overall therefore Officer consider the proposal complies with policies, is acceptable and recommend that planning permission be granted subjected to conditions.

Implications Statement

Health	No Significant implications
Environment	No Significant implications
Community Safety	No Significant implications
Human Rights	The rights of the applicant to develop his property has to be balanced against the rights of neighbours.
Equal Opportunities	No Significant implications
Risk Assessment	No Significant implications

Value for Money	No Significant implications
Equalities	No Significant implications
Legal	No Significant implications

RECOMMENDATION: GRANTS

Subject to the following condition(s)

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990.
- 2 Prior to the commencement of work on site plans and particulars of the layout, landscaping, appearance of the **** to be erected and the landscaping of the site which shall include details of protection of the existing tree and hedges to be retained, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details that have been approved in writing by the Local Planning Authority.
Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.
- 3 The development hereby permitted shall be begun before the expiration of two years from the date of the approval of the last reserved matter(s) to be approved.
Reason: To conform with Section 92(2) of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The development hereby approved shall be carried out in accordance with the following plans and particulars:

Planning application forms

Agents covering letter dated 20th December 2016

Planning Statement prepared by GVA dated December 2016

Statement of Community Involvement prepared by GVA dated December 2016

Design and Access Statement prepared by Bryden Wood under reference DSGN_1.8-16012-BWL-ZZZZ-XX-RP-Z-0002 Rev 03 dated 20 December 2016

Transport Assessment and Appendices prepared by Atkins under reference 5147337 Rev 3.0 dated 2- December 2016

Outline Travel Plan prepared by Atkins under reference 5147337 Rev 3.0 dated 20 December 2016

Glen Parva Energy Statement for Outline Planning Document reference DSGN_1.8-16012-BWL-ZZZZ-ZZ-RP-M-0004 Rev P03 by Bryan Wood Limited dated December 2016

Socio-Economic Assessment prepared by Carney Green dated December 2016

Environmental Statement compiled by Ramboll Environ and including a Volume of Technical Appendices and Technical Chapters relating to:- Air Quality; Landscape and Visual Impact; Ecology; Ground Conditions; and Noise; under reference UK1823661 dated December 2016

Environmental Statement Non-Technical Summary (NTS) prepared by Ramboll Environ under reference UK1823661, Issue 3 dated 20 December 2016

Formal and Indicative Plans and Drawings Prepared by Brydon Wood as follows:

- DSGN_1.8-16012-BWL-ZZZZ-ZZ-DR-A-2001 Rev P02 entitled Site Location Plan dated 20 December 2016

- DSGN_1.8-16012-BWL-ZZZZ-ZZ-DR-A-2002 Rev P02 entitled Existing Site Plan dated 20 December 2016

- DSGN_1.8-16012-BWL-ZZZZ-ZZ-DR-A-2003 Rev P02 entitled Proposed Site Plan dated 20 December 2016
- DSGN_1.8-16012-BWL-ZZZZ-XX-DR-A-2005 Rev P02 entitled Proposed Perimeter Fencing Typical Details dated 20 December 2016
- DSGN_1.8-16012-BWL-ZZZZ-ZZ-DR-A-2006 Rev P02 entitled Perimeter Fence Plan dated 20 December 2016
- DSGN_1.8-16012-BWL-A201-XX-DR-A-2001 Rev P01 entitled Prison Building 1.1 Indicative Plans and Elevations dated 19 December 2016
- DSGN_1.8-16012-BWL-A202-XX-DR-A-2001 Rev P01 entitled Prison Building 1.2 Indicative Plans and Elevations dated 19 December 2016
- DSGN_1.8-16012-BWL-A203-XX-DR-A-2001 Rev P01 entitled Prison Building 1.3 Indicative Plans and Elevations dated 19 December 2016
- DSGN_1.8-16012-BWL-A204-XX-DR-A-2001 Rev P01 entitled Prison Building 1.5 Indicative Plans and Elevations dated 19 December 2016
- DSGN_1.8-16012-BWL-A205-XX-DR-A-2001 Rev P01 entitled Prison Building 2.1 Indicative Plans and Elevations dated 19 December 2016
- DSGN_1.8-16012-BWL-A206-XX-DR-A-2001 Rev P01 entitled Prison Building 2.2 Indicative Plans and Elevations dated 19 December 2016
- DSGN_1.8-16012-BWL-A207-XX-DR-A-2001 Rev P01 entitled Prison Building 2.3 Indicative Plans and Elevations dated 19 December 2016
- DSGN_1.8-16012-BWL-A208-XX-DR-A-2001 Rev P01 entitled Prison Building 3.1 Indicative Plans and Elevations dated 19 December 2016
- DSGN_1.8-16012-BWL-A209-XX-DR-A-2001 Rev P01 entitled Prison Building 3.3 Indicative Plans and Elevations dated 19 December 2016
- DSGN_1.8-16012-BWL-A210-XX-DR-A-2001 Rev P01 entitled Prison Building 3.4 Indicative Plans and Elevations dated 19 December 2016
- DSGN_1.8-16012-BWL-ZZZZ-ZZ-DR-A-2004 Proposed Indicative Site Sections

all submitted to and received by the Local Planning Authority on 20th December 2016 and

Flood Risk Assessment and Outline Drainage Strategy prepared by Bryden Wood under reference DSGN_1.8-16012-BWL-ZZZZ-XX-RP-S-0003 Rev P03 dated 20 April 2017 submitted to and received by the Local Planning Authority on 24 April 2017.

Reason: for the avoidance of doubt and to ensure the development is carried out in accordance with the submitted details used in its consideration and determination.

- 5 All planting, seeding or turfing approved through the landscaping details to be submitted as a reserved matter shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and the occupiers of adjacent buildings and in accordance with the aims and objectives of the National Planning Policy Framework, Core Strategy Policy 14, and Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 6 Prior to the development approved here and through subsequent reserved matters application being implemented, full details of the site boundary treatment to be positioned

along the sites full eastern boundary shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the agreed details prior to the first occupation of the prison and subsequently retained thereafter.

Reason: In the interests of site security, the protection of neighbouring amenity and visual amenity of the area.

- 7 Prior to the first use of the prison hereby approved, full details of all external lighting and CCTV shall be submitted to and approved in writing by the Local Planning Authority with the development implemented in accordance with the approved details and subsequently retained and maintained thereafter.
Reason: To ensure the protection of residential amenity.
- 8 Notwithstanding any amendment, revocation or re-enactment of the Order, with or without modification, the development hereby approved shall only be used a prison falling with Use Class C2A of the Town and Country Planning (Use Classes) Order 2015 (as amended) and for no other use within that Class or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order with or without modification.
Reason: For the avoidance of doubt and to prevent its use for purposes that have not been assessed and may not be acceptable.
- 9 No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.
Reason: To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.
- 10 No part of the development as approved shall be brought into use until details of full Workplace Travel Plan has been submitted to and agreed in writing by the Local Planning Authority. The Plan shall address the travel implications of the use of the whole site as if the development approved were to have been fully completed and occupied. The development shall be implemented in accordance with the approved details.
Reason: Parking impacts and to provide and promote use of more sustainable transport choices to and from the site in order to relieve traffic and parking congestion, promote safety, improve air quality or increase accessibility in accord with Section 4 - Promoting Sustainable Transport of the NPPF 2012.
- 11 The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution
- 12 Prior to each phase of development approved by this planning permission no development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved

in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
5. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The protection of the water environment, in line with paragraph 109 of the National Planning Policy Framework.

- 13 Prior to each phase of development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the National Planning Policy Framework.

- 14 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: The protection of the water environment, in line with paragraph 109 of the National Planning Policy Framework.

- 15 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority and the works shall only be carried out in accordance with the approved details.

Reason: The protection of the water environment, in line with paragraph 109 of the National Planning Policy Framework.

- 16 The development hereby permitted shall not be commenced until such time as a scheme to install oil and petrol separators has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: The protection of the water environment, in line with paragraph 109 of the National Planning Policy Framework.

- 17 Prior to the development commencing, details of off-road parking provision within the site for car, motorcycle and cycles shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details prior to the prison approved first being used and retained thereafter for parking purposes in its entirety.

Reason: To ensure sufficient on-site parking provision for cars, motorcycles and cycles is provided and subsequently retained.

- 18 An updated protected species survey(s) shall be completed and submitted either in support of the reserved matters application or prior to determination, whichever is soonest after Spring 2018 (2 years since the date of the previous survey).

Reason: In order to ensure no impact upon protected species occurs.

- 19 The applicant is advised that all works, ancillary operations and deliveries in association with the implementation of the development shall be carried out only between the hours of:

0800 and 1800 Monday to Fridays

0800 and 1300 on Saturdays

No work is to be carried out on the site on Sundays or Bank Holidays.

Reason: To ensure the protection of residential amenity.

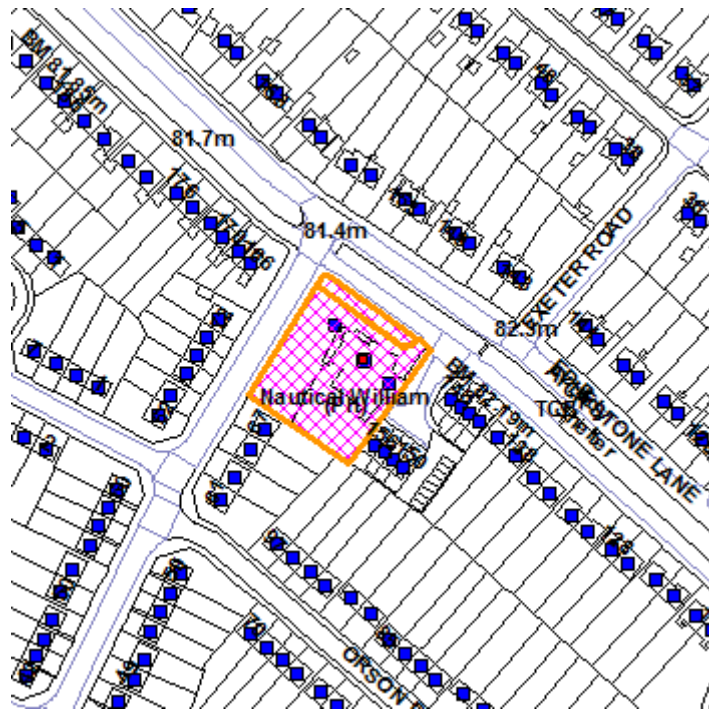
- 20 Prior to the demolition of each building on-site, an asbestos survey shall be carried out with resultant report, to include mitigation where necessary, submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details including any mitigation measures.

Reason: In the interest of environmental protection.

- 21 Prior to the development commencing a preliminary contamination investigation to ascertain whether there is any contamination in, on or under the land shall be undertaken with resultant report, to include mitigation where necessary, being submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details unless otherwise agreed.

Reason: In the interest of environmental protection.

2	17/00084/FUL	Nautical William Aylestone Lane Wigston Leicestershire LE18 1BA
	17 February 2017	Change of use from A4 to C3. Re-development of Public House and proposed 29No. flats with car parking.
	CASE OFFICER	Tony Boswell



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Published 2014

Site and Location

The application site is the Public House and Car park known as "The Nautical William" PH. This lies to the South East of Aylestone Lane and the accommodation Road along its frontage, at the junction with Rollerston Road. There is a bus stop midway along the Rollerston Road frontage of the site which would have to be re-located to allow the proposed vehicular access to the site. That bus stop evidently serves as a "timing point" by bus operators in which bus drivers will sometimes wait at the bus stop for some minutes before leaving at the time of their scheduled departure. That in turn can lead there to be several busses paused at the stop concerned. (A point about which several residents have complained).

The junction of Aylestone Lane and Rollerston Road is complex, due to the adjacent accommodation Road and has been notably hazardous – due to vehicles speeding along that accommodation road, and sometimes failing to stop or to slow when crossing Rollerston Road. Traffic calming measures have therefore been recently introduced. The car park of the current public house has traditionally been used by groups of local school children as a shortcut to join Rollerston Road, having generally crossed Aylestone Lane opposite the application site.

The area as a whole comprises almost entirely two storey semi-detached and terraced homes with gardens. A notable exception to that established pattern of development is immediately adjacent to the site on its south eastern side where there is a development of eight terraced homes of altogether higher density, and all with non-traditional flat roofs.

Description of proposal

The proposed development would comprise the demolition and removal of the existing public house (which has evidently run at a loss in recent years). That site would then be redeveloped to provide a total of 29 flats in two and three storeys – 16 x single bed roomed and 13 x two bed roomed. The size of floor areas as proposed compare favourably with the recommendations of the "Technical housing standards – nationally described space standard" (DCLG March 2015).

The elevations of the proposal would be in brick and tile, with render used at upper level. On the Rollerston Road frontage the new building would be at two storeys to be compatible in scale with existing homes adjacent. Some distance from that "transition", they would then rise to three storeys, where they would then turn the corner to the Aylestone Lane frontage. They would then reduce again to two storeys as they then approach the adjacent two storey homes on the Aylestone Road frontage. As originally proposed each proposed flat was to be provided with an external balcony of generous proportions. As a result of various amendments received subsequently all of the balconies on the Rollerston Road frontage were replaced by oriel windows – to better safeguard the privacy of existing homes opposite.

The central part of the site would be occupied by a landscaped car park to provide a total of 29 car spaces – accessed via an archway in the centre of the Rollerston Road frontage (in the location of the current bus stop). This area would also include a modest "amenity area" for the use of residents. The modest size of that area reflects the relatively small proportion of two bedroom flats (i.e. that might accommodate children) and the generous provision of a balcony to each flat – as originally proposed.

The statutory determination period for this application expired on the 19th May 2017, and it is intended to issue a decision as soon as practicably possible after the committee meeting.

Relevant Planning History

None Relevant

Consultations

Leicestershire County Council (Highways)

(After receipt of amended drawings) *The Local Highway Authority [LHA] has no objections to this proposal as it could not be demonstrated it would result in a material increase in traffic visiting the site when taking into account the previous and approved use as a public house.*

The LHA issued previous comments on 20 April 2017 which requested further information with regards to the access and layout of the site. Revised plans have been submitted and these revised comments are based on drawing 7026/01C rev C issued 21.4.17.

The access has now been drawn in accordance with the 6Cs Design Guide. However, it is noted that no dropped pedestrian crossings with tactiles have been proposed to assist pedestrians in crossing the new access road, these will be required, but can be provided when the access is constructed under licence with the LHA. In addition, although the drawing refers to the re-location of the bus stop, this will need to be decided in consultation with the LHA. I have therefore requested these in the Conditions section below.

OWBC Forward Plans

The Developer Contribution towards Open Space, Sport and Recreation that would be required for this scheme would be: £27,118.26.

The above proposal consists of demolition of the existing Nautical William public house and the erection of 29 one and two bedroom flats with associated parking.

Relevant Planning Policy for the aforementioned proposal is as follows:

- *Local Plan*
- *National Planning Policy Framework*

The National Planning Policy Framework states that Local Planning Authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land).

With the above site being brownfield in nature, located within the Leicester Principal Urban Area and situated within a predominantly residential environment; conversion to residential units in principal is acceptable, subject to conforming to relevant planning policy.

OWBC Housing Services

No comments received

Wigston Civic Society

"Generally we are in support of the redevelopment of this site with housing but would comments as follows:

- *We are concerned about the bulk of the building on the north western corner (Aylestone Lane) We feel that the three storey element on this corner is too high and is made worse by the*

glazed square corner unit which looks like an extension with a flat roof added as an afterthought

- *Even if the third storey is retained and is not stepped up on the Aylestone Lane elevation in the same way as on the Rollerston Road elevation. Doing so would relieve the bulk to the Aylestone Lane elevation. A further relief to the bulk could be achieved if the additional storey had a hipped roof instead of a gable roof on both elevations.*
- *It is appreciated that the block is separated from the main Aylestone Lane by the service road and that there are small green areas in front of the blocks but it would help to alleviate further the bulkiness if the blocks to both elevations were set further back from the back edge of footpaths”.*

Representations

23 near neighbours have been informed on the 6th April 2017 and a site notice placed with 11 letters of representation and a petition being received at the time of writing this report. The date for the receipt of comments expired on the 27th April 2017.

A petition was received with 47 signatures who signed their name to:

"The signatures below do not object to development of houses or flats on this site, but we do object to a 3 storey building which is not in keeping with the street scene. It will be dominant and overbearing and lends itself to overlooking on resident privacy and amenity value. We would therefore ask that the height of the 3 storey is reduced by the removal of the 2nd floor and the replacement of the open balconies with Juliet balconies”

A further 11 letters and e-mails have been received which in fair summary make the following points:

- Could require up to 60 car spaces. Does not want on-street parking.
- Needs an additional 48 parking spaces (48 + 29 = 77 spaces).
- Not the local “vernacular”
- Three storey building would block out light.
- Concerned about traffic congestion and hazards on Rollerston Road
- Introduce a further hazard for passing school children
- Extra demand on local schools
- Noise and disruption during construction
- Litter pollution
- Lack of childrens play space
- Suggest single storey homes with parking spaces instead.

Councillor Loydall has requested that this application be determined by this Committee, rather than by officers under delegated powers.

Relevant Planning Policies

National Planning Policy Framework

Oadby & Wigston Core Strategy

Core Strategy Policy 12	:	Housing needs of the Community
Core Strategy Policy 14	:	Design and Construction
Core Strategy Policy 15	:	Landscape and Character

Oadby and Wigston Local Plan

Landscape Proposal 1 : Design of new development subject to criteria.

Supplementary Planning Document/Other Guidance
Residential Development Supplementary Planning Document

Planning Considerations

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

- The impact of the proposal on the street scene
- The impact of the proposal on neighbouring residential properties.
- Matters relating to traffic, car parking, and the relocation of the current bus stop.

The impact of the proposal on the street scene

The use of materials and detailing of the proposed building are articulate and broadly acceptable, if one accepts the principle of the building rising to three rather than two storeys as it rounds the corner of Rollerston Road and Aylestone Lane. The entirety of the visible surroundings are of two storey and traditional construction – with the exception of the eight terraced homes immediately adjacent.

There is a long tradition of using taller and perhaps even “iconic” or feature buildings on prominent corner locations. The use of three storeys in this location is thus not in itself unacceptable – despite the overwhelmingly two storey surroundings. The issue is whether the visual quality and design of the proposed building is of a high order? That appears to be the case and so the effect upon the street scene is not objectionable. In the context of this judgement the quality of fenestration, including the use of well proportioned balconies and oriel windows adds to that quality. The deletion of those features would adversely affect the proposed appearance within the street scene.

The building is to be located fairly far forward on its Aylestone Lane and Rollerston Road frontage. (Generally some 1.8 m to 2.0 m back from the back edge of pavement). This reflects the absence of any “front garden” for such flatted developments. It has no highway safety or pedestrian safety implications.

The impacts of the proposal on neighbouring residential properties.

The key implication which has emerged from analysis of the submitted drawings and from public consultations is the conflict between neighbour privacy and the external balconies as originally propose, but subsequently deleted in subsequent amendments to the Rolleston Road frontage. Balconies to the Aylestone Lane frontage would be some 35 metres from houses opposite side of Aylestone Lane. That is substantially in excess of the normally accepted 20 to 25 metres “back to back” privacy safeguarding distance.

Proposed balconies on the corner portion of the proposed building would be some 20 metres from the flank windows (apparently bedrooms) of number 166 Aylestone Lane on the opposite corner of Rolleston Road. There would be a distance of around 19 metres from number 159 Aylestone Lane which lies diagonally to the rear of the end flat at first floor level on that same Aylestone Lane frontage. However, that distance is very similar to the equivalent distance from the existing public house and its first floor.

The reasonable interests of near neighbours to the proposed development thus appear to be adequately protected – particularly after submission of amendments received on the 2nd of May 2017.

Matters relating to traffic, car parking, and the relocation of the current bus stop.

As the County Council's response makes clear, the proposed provision of 29 car spaces to serve the needs of 16 one bedroomed flats and 13 two bedroomed flats would comply with modern car parking standards – (the "6C's Design Guide"). There can hence be no sustainable objection to the scale of off-street parking proposed. Note that any household making use of more than one parking space on a given day would almost certainly be offset by another household who was not making use of any such space.

The applicant's amended drawings indicate that the existing bus stop might be relocated to a point some 12 metres to the north of its current location on Rollerston Road. However, note that that part of the proposals would be subject to further consultation with the Highway Authority.

It follows that there can be no sustainable objection to the proposal under this subheading.

Conclusion

Although this proposal has clearly proved to be publically controversial, notably due the presence of balconies and its three storey nature – both of which are not found in proximity, there do not appear to be any sustainable objections. The clear presumption of both National Planning policy in the NPPF and OWBC's Core Strategy 12 is that this development should thus be permitted. Core Strategy 12 states:

"Development will be permitted which contributes to meeting the identified housing needs of different groups in the community through the provision on suitable sites of one or more of the following – a range of housing types , unit sizes and tenures to help create mixed and inclusive communities, provide a choice of housing and meet identified local housing needs"

A clear benefit of the proposal would be the provision of some 6 flats as affordable homes through implementation of the relevant s106 obligation as recommended below. Other financial obligations would total some £27,118.26 as set out below.

Implications Statement

Health	No Significant implications
Environment	No Significant implications
Community Safety	No Significant implications
Human Rights	The rights of the applicant to develop his property has to be balanced against the rights of neighbours.
Equal Opportunities	No Significant implications
Risk Assessment	No Significant implications
Value for Money	No Significant implications
Equalities	No Significant implications
Legal	No Significant implications

RECOMMENDATION: GRANTS

Conditions to follow as an addendum.

3	17/00109/COU	134 Station Road Wigston Leicestershire LE18 2DL
	1 March 2017	Change of use - It is proposed to convert the existing property into a multi-occupancy hostel (short to mid stay) for the homeless.
	CASE OFFICER	Tony Boswell



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Site and Location

134 Station Road is a fairly large detached house on the north side of Station Road adjacent to Bushloe House (the OWBC offices). It has a pair of substantial trees to its front garden and a gated side driveway with access to a rearward "yard" with potential capacity for perhaps six parked cars off the road. Adjacent homes to the east comprise two pairs of semi-detached house with gardens.

Description of proposal

This is an application by OWBC Housing Services to restore and convert the building to serve as a hostel to help meet the Borough's pressing need for short term accommodation to house the homeless. This would be relatively "austere" accommodation with a focus on those with or expecting young children. The duration of any stay is thus likely to be in the order of three to six months – until alternative local accommodation can be located.

At present the house is configured as two larger flats – which were vacated some months ago. As proposed it would be reconfigured to provide 5 x double bedrooms (with one on the ground floor), a communal kitchen, a communal dining room, and a dedicated ground floor "disabled" WC.

As this application is made by OWBC to itself as Local Planning Authority then, under Regulation 3 of the Town and County Planning General Regulations 1992 the decision on this application must be made by this DC Committee, rather than under powers delegated to officers. The statutory determination period for this application expired on the 26th April 2017, and it is intended to issue a decision as soon as practicably possible after the committee meeting.

Relevant Planning History

None Relevant

Consultations

OWBC Housing Services (the applicant), when asked to better explain the proposal:

"As you will be aware the property in question is a modest detached house directly adjacent the Council Offices on Station Road (some people have confused this for the old Probation Service Offices at the other end of Station Road opposite the leisure centre or other properties opposite the Wigston Academy site). It is currently divided into 2 flats each with 2 bedrooms. It was leased to a Housing Association meaning we could not guarantee who would get to live there when vacancies arose and we understand that people who were not local were at times accommodated there.

The Council is experiencing an increase in homelessness in the Borough, which is a national trend.

The vast majority of homeless households that we accommodate over the short and medium term are local Wigston residents, typically families with children or expecting children. Many have been priced out of the privately rented market and can only dream of home ownership due to low incomes, zero hour contracts and the like.

We work really hard to find affordable and long term accommodation for these households and in some cases we have to provide interim accommodation whilst this happens. All commentators are agreed that it is in the best interest of such households to be accommodated within the Borough in preference to being located elsewhere (for example

Leicester City). This allows children an opportunity to remain in their current schools (including Wigston Academy, All Saints and Birkett House), households to receive vital support from extended families and in some cases makes continued employment at businesses in the Borough viable."

Representations

Fifteen neighbours have been informed by direct mail and a site notice placed on the 30th of April 2017. At the time of drafting this report a total of 14 letters of objection had been received. In fair summary these make the following points:

- Loss of value to existing homes in proximity
- Suggest that OWBC should sell 134 Station Road to join the general housing stock
- Proximity to passing school children, who should not be exposed to drug use or related anti-social behaviours
- Proximity to several local schools and a public swimming pool
- *"Many homeless people have mental health problems, drug and alcohol addictions and criminal records. I do not feel that placing these kind of people in the direct vicinity of a school is a logical or sensible solution to solving a homeless problem"*
- Querying what measures the Council will take to prevent such issues?

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

- One letter in favour, suggesting that the premises might best be used to accommodate Syrian and Iraqi refugees.

A public meeting was held by OWBC Housing Services as applicant on the 19th of May to explain their proposals to interested residents. This was attended by some 18 to 20 members of the public.

Relevant Planning Policies

National Planning Policy Framework

In particular paragraph 17:

17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- *take account of and support local strategies to improve health, social and cultural wellbeing for all, **and deliver sufficient community and cultural facilities and services to meet local needs.***

And:

*51. Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. **They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.***

Oadby & Wigston Core Strategy

Core Strategy Policy 12:

Housing Needs of the Community

Development will be permitted which contributes to meeting the identified housing needs of different groups in the community through the provision on suitable sites of one or more of the following:

- ***a range of housing types, unit sizes and tenures to help create mixed and inclusive communities, provide a choice of housing and meet identified local housing needs;***
- *dwellings designed with the capability of being adapted to meet the needs of all occupiers in line with national best practice*

Where proposals are made for development to meet specific local housing needs, the following criteria should be applied:

- *proposals should be located within or adjoining the Leicester Principal Urban Area where there is access to a range of essential local services and facilities;*
- *proposals should be located close to public transport routes and accessible by a range of transport modes; and*
- ***proposals should be integrated into the existing wider community to help create mixed and inclusive communities.***

Proposals that seek to meet the needs of specific groups identified in the latest Strategic Housing Market Needs Assessment or other appropriate evidence will be supported.

Oadby and Wigston Local Plan

No relevant policies.

Supplementary Planning Document/Other Guidance

None relevant

Planning Considerations

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

- The public benefit in increasing the supply of cost effective facilities for the housing of needy local households who find themselves to be facing homelessness.
- The impact of the proposal on neighbouring residential and other properties.

The public benefit in increasing the supply of necessary facilities for the short term housing of local households facing homelessness is adequately explained by the text supplied by the Housing Services Manager in response to consultation – reported above. Apart from the fact that OWBC already own the property, this proposal would clearly implement the intention of CS Policy 12 to – *"integrate(d) into the existing wider community to help create mixed and inclusive communities"*

The proposed accommodation is intended to address local "priority needs" housing. These are defined as:

- *you or someone you live with is pregnant*
- *'dependent children' live with you (under 16s or under 19s if they're studying full-time)*
- *you're 'vulnerable', eg as a result of old age or disability*
- *you're homeless after a flood, fire or other disaster*

It should be noted that this group does not include anyone who is not entitled to reside in the U.K., who does not have a local connection, if the tenant has a history of “anti-social behaviors” – or indeed a number of other “disqualifying” issues.

The impact of the proposal on neighbouring residential and other properties.

There appears to be an assumption by many of the objecting respondents that the premises would become a centre for drug use and similar anti-social behaviours. In fact, and as explained in the course of the public meeting which took place on the 19th of May, the Council’s Housing Services Manager made clear that such behaviours are extremely unlikely – if not impossible. Short term tenants are individually selected and effectively “vetted” prior to occupation. Their accommodation would also be subject to strict rules for the duration of their stay. If individual tenants were the cause of such issues then they would necessarily be evicted to avoid the Council having issues with the Police. (In which case adults might become intentionally homeless and any children be possibly taken into care).

It follows that the concerns expressed by some local residents and on behalf of local schools are perhaps understandable, but without foundation.

The alternative sources of accommodation such as hotels or short term commercial lets are altogether more expensive and so this proposal will enable some significant revenue savings in addressing a growing national and local problem of homelessness on a purely local basis.

Conclusion

In the absence of any sustainable or demonstrable objection to this proposal, there is a pressing need for this type of accommodation and thus planning permission should be granted. (It may be noted that if 134 Station Road were still a single family home rather than formerly two flats and with a lesser number of bed spaces than now proposed then, this proposal would become “Permitted Development” – not requiring planning permission).

Implications Statement

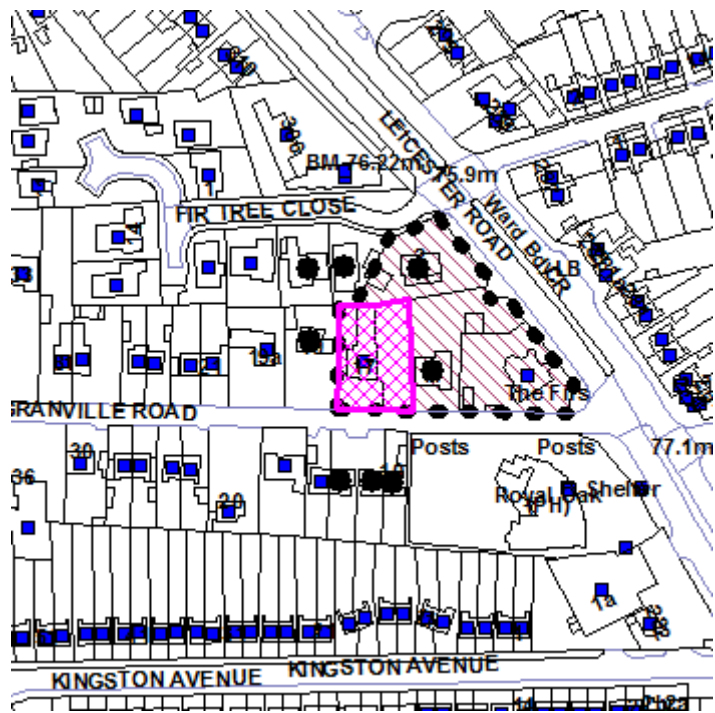
Health	No Significant implications
Environment	No Significant implications
Community Safety	No Significant implications
Human Rights	The rights of OWBC to develop the property has to be balanced against the rights of neighbours.
Equal Opportunities	No Significant implications
Risk Assessment	No Significant implications
Value for Money	Marginal revenue savings
Equalities	No Significant implications
Legal	No Significant implications

RECOMMENDATION: GRANTS

Subject to the following condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4	17/00115/FUL	17 Granville Road Wigston Leicestershire LE18 1JQ
	6 March 2017	Erection of a two storey side & rear extension, and single storey side extensions. (Amended Scheme dated 24th May 2017)
	CASE OFFICER	Tony Boswell



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Published 2014

Site and Location

Granville Road is a notably “pretty” street in the northern part of Wigston which is distinguished by the diversity of its various homes and gardens, the absence of footways to its narrow carriageway and the variety of trees, hedges and front boundary treatments throughout its length.

Number 17 is a relatively unusual house which is constructed on three levels to take advantage of the changing levels within the site. It extends virtually to its rearward boundary with properties in Fir Tree Close to the north (which have unusually short rear gardens). It appears to have been constructed in the 1960s by subtraction from the former garden of what is now number 19 Granville Road adjacent. Also unusually, much of the lower ground floor to the flank elevation is currently occupied by integral garaging for approximately 5/6 cars – with access from the flank rear garden.

The retained number 19 Granville Road is immediately adjacent and has a number of flank windows facing the site of number 17 – which is at a slightly lower level.

Description of proposal

The applicant has a large and extended family and proposes to make a number of both internal and external alterations to better suit their occupation. The house has stood vacant for some months before its purchase by the applicant. As enlarged the house would grow from the current three bedrooms to five. The entirety of the existing accommodation, including integral garaging would be re-used and a number of external enlargements would be made. Following receipt of a number of objections (summarised below) a site meeting took place between officers, the applicant and his Architect. This resulted in a number of changes to the proposals which are described as follows:

- An altogether new double garage would be constructed adjacent to the rear boundary with properties in Fir Tree Close to the north. Following amendments this would be constructed with a flat roof (formerly pitched), with an overall height of some 2.6 metres. It would therefore appear above the current boundary fence which is some 1.8 metres high. However, it would thus be of a comparable height to the existing garage building at the same distance from the boundary.
- At first floor level, the existing building would be extended further rearward to a point some 5 metres from that same rear boundary with gardens in Fir Tree Close. That additional accommodation would mainly be used as bedroom accommodation and a bathroom and en-suite.
- At the first floor front, a new half hipped (“bonnet”) roofed extension to accommodate a new bedroom. This would be slightly behind the existing front main wall – which would place it within a notional 45 degree line from the major frontage window of number 19 adjacent. (Number 19 is located significantly to the rear of number 17).

The statutory determination period for this application expired on the 1st of May 2017, and it is intended to issue a decision as soon as practicably possible after the committee meeting.

Relevant Planning History

None Relevant

Consultations

None undertaken.

Representations

Eight neighbours and near neighbours have been informed and a site notice placed on the 29th May 2017. The date for the receipt of comments expired on the 19th of April 2017. Following receipt of amended drawings following discussion with the applicant and his Architect near neighbours were again consulted on the 25th of May and any replies are expected not later than the 8th of June 2017.

Seven letters of objection have been received at the time of drafting this report (including one following reconsultation). In fair summary these make the following points:

- Loss of value to adjacent properties
- Out of character
- Scale of extensions are "inappropriate" to the house
- "Spoiling my view"
- Loss of privacy to gardens (ALL of the above from properties in Fir Tree Close).
- Loss of privacy to the adjacent garden of 15 Granville Road from proposed 1st floor bedroom windows (some 11 metres from the rear garden of number15). Note that 3 of those 5 flank windows already exist.
- Loss of light and outlook to number 19 adjacent (including its flank and frontage windows, along with its rear garden)
- Loss of privacy to the rear garden of number 19 due to proposed first floor flank windows.
- Request that Committee members should make a site visit to properties in Fir Tree Close before deciding this case.

Councillor Loydall has also requested that this application should be considered by this Committee.

Relevant Planning Policies

National Planning Policy Framework

Oadby & Wigston Core Strategy

Core Strategy Policy 12 : Housing needs of the Community
Core Strategy Policy 14 : Design and Construction

Oadby and Wigston Local Plan

Landscape Proposal 1 : Design of new development subject to criteria.
Housing Proposal 17 : Criteria for assessing the suitability of domestic extensions.

Supplementary Planning Document/Other Guidance

Residential Development Supplementary Planning Document (2005)

Planning Considerations

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

- The impact of the proposal on the public domain
- The impact of the proposal on neighbouring residential properties.

The impact of the proposal on the public domain

No changes are proposed or apparently necessary, apart from the proposed bedroom extension described in c) above. Subject only to the use of near matching materials there should hence be no detriment to the public domain. The existing tree cover and front garden would remain largely unchanged.

The impact of the proposal on neighbouring residential properties.

This is the crux of the matter – although it should be noted that planning control should never be operated simply as a “neighbour protection service”. All planning authorities are required to exercise their development control functions “in the public interest”. “*They are not set up to protect the interests of a particular neighbour and they are not a neighbour protection service*”. Dealing with the issues in the same order as set out earlier:

- The rearward double garage adjacent to the garden boundary with properties in Fir Tree Close. This would lie to the south of those adjacent gardens and so any tendency to overshadow might be exacerbated. However, those adjacent gardens of those bungalows were created with an unusually short configuration (typically around 4 to 5 metres in length), and so are more akin to “patio gardens” than a more extensive suburban garden area. They are also already enclosed by a circa 1.8 metre high garden fence. The issue for consideration is thus whether a flat roofed double garage some 2.6 metres high within the garden of 17 Granville Road would materially and unreasonably prove to be “un-neighbourly” to an unacceptable degree? In the general case such small gardens are not unusual and very often bounded by an adjacent single storey building. Properties in Fir Tree Close comprise quite extensive bungalows, on relatively small plots, and so with correspondingly rather small rear gardens. Officers conclude that although this change might well represent an unwelcome imposition upon the light and outlook from properties in Fir Tree Close, as a matter of fact and degree, it would not be un-neighbourly.
- The rearward extension at first floor level would in effect be a linear extension of the main pitched roof as existing. It would thus bring the house at that first floor level to a point some 5 metres from the rear boundary with gardens in Fir Tree Close. It is intended that this will accommodate one large bedroom and a bathroom and en-suite. Bedroom windows facing the garden of number 19 Granville Road (some 7 metres away) and gardens in Fir Tree Close (some 5 metres away) would be installed with semi obscured glazing. In this rearward location any loss of light or outlook to number 19 would be very marginal and confined to the lower part of number 19’s garden. From the gardens of properties in Fir Tree Close the existing gable end of the house is already visible. That visibility would clearly be increased by its closer proximity, but would not create any apparent threat to privacy.
- The frontage bedroom extension at first floor level. As originally proposed this was to be on the line of the flank boundary to number 19 adjacent, and with a full gable roof on that boundary. As subsequently amended it would be relocated some 1 metre from that boundary (thus retaining a viable sideways) and would use a half hipped roof in order to reduce its impact upon the main habitable rooms of the ground floor of number 19 Granville Road adjacent. However, in that relatively forward location, the extension would interrupt a 45 degree line of sight from a near adjacent front window to number 19. However, the nearest part of the proposed roof would be circa 6 metres from the centre of the effected window – whereas the requirements of the well known “45 degree code” would cease at 8 metres distance. It would also obstruct an east facing flank window to that same habitable room. However, that frontage window faces almost due south and, while morning light from the east might well be obstructed to that frontage window, the southerly aspect effectively mitigates any loss of light and outlook from the location of the proposed first floor bedroom. At still greater distance that same outlook to the south and east are already obstructed by the great bulk of tree cover within the front gardens of numbers 17 and 19 Granville Road.

Conclusion

In conclusion, there would be no apparent detriment to the public domain, as visible from Granville Road. Having had regard to relevant planning policies and to other material considerations, including the "Residential Development SPD" although these proposals are clearly unpopular with close neighbours, any adverse effects would not be "un-neighbourly" to an unacceptable degree. For example, a double garage could be constructed as an entirely free standing building in the same location and up to 4 metres high (rather than the 2.6 metres proposed) as Permitted Development – without requiring planning permission from this Council. As amended (and re-consulted upon), any adverse effects are effectively mitigated by, for example, the use of semi-obscured glazing where appropriate and, in the case of the frontage bedroom, a reduction in scale and its southerly orientation.

Implications Statement

Health	No Significant implications
Environment	No Significant implications
Community Safety	No Significant implications
Human Rights	The rights of the applicant to develop his property has to be balanced against the rights of neighbours.
Equal Opportunities	No Significant implications
Risk Assessment	No Significant implications
Value for Money	No Significant implications
Equalities	No Significant implications
Legal	No Significant implications

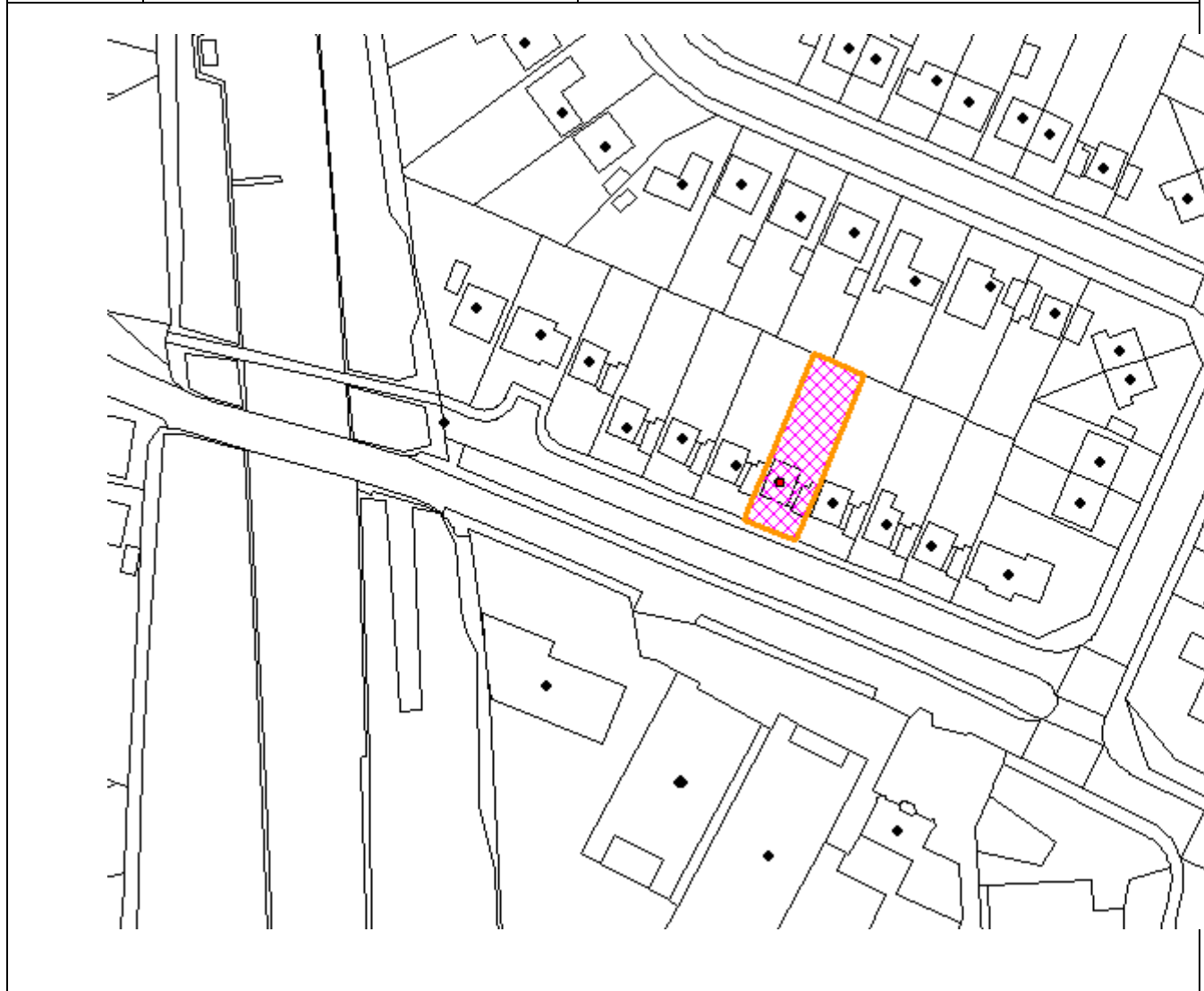
RECOMMENDATION: GRANTS

Subject to the following condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Prior to the commencement of development details of all materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials.
Reason: To safeguard the character and appearance of the building and its surroundings and in accordance with the aims and objectives of the National Planning Policy Framework, Core Strategy Policy 14, and Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 3 The first floor windows on the north and west elevation shall be fitted with obscure glass and shall be of a non-opening design up to a minimum height of 1.7 metres above the internal finished floor level. The windows 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 Landscape Proposal 1 and Housing Proposal 17 of the Oadby and Wigston Local Plan.
- 4 Unless otherwise first approved in writing (by means of a Non-material Amendment/Minor Material Amendment or a new Planning Permission) by the Local Planning Authority the development hereby permitted shall be carried out in accordance with the approved plans and particulars listed in the schedule below.

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

5	17/00151/FUL	253 Aylestone Lane Wigston Leicestershire LE18 1BE
	23 March 2017	Erection of a double storey side extension, a single storey rear extension, and the change of use from a dwelling to 3No. flats.
	CASE OFFICER	Alex Matthews



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Site and Location

The application site is a detached dwellinghouse situated on the northern side of Aylestone Lane, Wigston. The property is situated amongst other residential properties of a similar age and design style. The existing dwellinghouse is set back from the roadside, with an open fronted driveway. The existing property is constructed from brickwork, concrete roof tiles, and UPVC windows and doors.

Description of Proposal

The applicant is seeking planning permission for the erection of a double storey side extension, a single storey rear extension, and the change of use from a dwelling to x3 flats.

The proposed double storey side extension will extend out approximately 3.7m from the east facing elevation of the existing dwellinghouse (excluding the existing garage). This proposed addition will be set back by approximately 1.0m at first floor level from the existing front elevation of the property. This is to ensure the proposed appears in keeping and subservient from the original dwellinghouse. In addition to this the proposed ridge height for this addition will be set down slightly from the existing ridge.

The proposed single storey rear addition will extend approximately 4.0m beyond the rear elevation of the existing property. Like the existing property a width approximately 9.4m is proposed and such will incorporate a pitched roof sloping away from the existing property. A height of approximately 3.7m will be incorporate at the highest point, and a height of approximately 2.6m will be provided at the eaves.

The applicant is seeking planning permission to convert the existing dwellinghouse into x3 one bedroom flats. The layout of the proposed would be significantly reconfigured to facilitate such. The existing garage space would be lost and the proposed ground floor would facilitate x2 flats. Each would provide a lounge, a kitchen, an en-suite and a bedroom to the rear. The proposed first floor plan would facilitate x1 flat with a bedroom served by an en suite and kitchen at the front, and with a lounge, bathroom, and store room towards the rear.

It is also proposed by the applicant to increase the parking provision at the front of the property from the x1 existing space to x3 spaces.

Like that of the existing property the applicant is proposing that this development would be constructed from brickwork, concrete roof tiles, and UPVC windows and doors.

The statutory determination period for this application expires on the 18th May 2017, and it is intended to issue a decision as soon as practicably possible after the committee meeting.

Relevant Planning History

16/00573/FUL - Erection of single storey side & rear extensions, and the change of use from dwelling to x3 flats - Application Refused 13/02/2017

16/00489/FUL - Erection of a double storey side, and a double & single storey rear extension [Revised Plans: 08/12/16] - Application Approved 09/12/2016

16/00359/FUL - Erection of a double storey side and single storey rear extension - Application Refused 17/10/2016

Consultations

Leicestershire County Council (Highways) -

The Local Highway Authority advice is that, in its view the residual cumulative impacts of development can be mitigated and are not considered severe in accordance with Paragraph 32 of the NPPF, subject to the Conditions as outlined in this report.

The Highway Authority has no objections to this proposal as it could not be demonstrated it would result in a material increase in traffic visiting the site.

Conditions:

- *The access shall be constructed in accordance with drawing Drg MPD-PL-01.
Reason: To ensure a satisfactory form of development and in the interests of highway safety.*
- *No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.
Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic, including pedestrians, in the public highway.*

Comments Received: 20/04/2017

Oadby & Wigston Borough Council (Planning Policy) -

The principle of extending and converting this residential dwelling at No. 253, Aylestone Lane, Wigston, into self contained flats is acceptable in a planning policy context.

However, the Case Officer must be satisfied that the application accords with Core Strategy Policy 4: Sustainable Transport and Accessibility, as well as its supporting text. The application should accord with Leicestershire County Council's 6C's (3 County / 3 City Authorities) Design Guide and the Case Officer must be satisfied that the off road parking provision meets those standards. It may also be appropriate to consider the availability of parking options on Aylestone Lane and the surrounding roads, in order to ensure that accessibility in the immediate vicinity is not compromised.

It is apparent that the last application (16/00573/FUL) was refused and one of the reasons given was that the proposed scheme would represent an unsustainable development in that it presents an unattractive, not subservient and contrived design which would not be in keeping with the design quality of the existing property or in relation to that of the surrounding area.

Therefore, it is imperative that this proposal accords with Core Strategy Policy 14: Design and Sustainable Construction. The Case Officer must be satisfied that the intensified use of this plot utilises inclusive design principles, including layout, orientation, landscape, streetscape, scale, materials, natural surveillance and sustainable construction.

With regards to local distinctiveness, as referred to in Core Strategy Policy 15: Landscape and Character, the Case Officer must also be satisfied that the sub-division of this property will not have a detrimental impact upon the prevailing quality and character in this locality.

Comments Received: 24/04/2017

Representations

Neighbours have been informed and a site notice placed with x1 letter of representation (from x1 property) in objection to the proposal being received at the time of writing this report.

The date for the receipt of comments expired on the 28/04/2017

The reasons for objection can be summarised as follows:

*4th Planning Application for 253 Aylestone Lane,
Ref: Planning Application No: 17/00151/FUL*

We are once again putting our objections in for the planning, this being the 2nd planning application for 3 flats at 253 Aylestone Lane, we are extremely disappointed to be taking more of our time in this matter and are finding this extremely stressful.

Again we refer to the size of the road and frontage to the property there is not adequate room for parking. 3 flats could potentially house 2 people per flat with this in mind there could be a possible six vehicles plus any company vehicles parked outside the property. We can see on the plans that there is going to be room for 3 small vehicles on the drive way, bearing in mind a large vehicle will not fit due to the length of the driveway, also with this in mind there will be need for egress and access so this will mean that any other vehicles belonging to 253 will be parking on adjacent properties, this will cause upset and stress to residents and the already congested road.

The rejection by yourselves for the last set of plans for 3 flats ref: 16/00573/FUL was that the living space was inadequate for living standards, looking at the plans we can see no further increase in the size of the property to allow for suitable sized living standards. Please can you inform us at what point are you the council going to say that the street cannot accommodate 2 further properties, it is clearly not large enough and does not have adequate parking facilities.

It has been communicated by Stephen Robshaw to us in an email that you have been in discussion and advising the developer of 253 Aylestone Lane on overcoming your objections, we feel that this seems to be biased to the developer and not the neighbouring residents. With this in mind can you please advise us on our rights to appeal and how we understand that a small 3 bedroom property can equate to 3 separate dwellings. We feel the dwellings/flats will be of substandard size and parking amenities extremely inadequate, we do believe that common sense should prevail in rejecting this application due to the above information given.

Can you please let us know if this is going to be continuously ongoing or do we at some point get closure, or do they continue until this plan gets passed as we feel this is the way it seems to be developing between yourselves and the developer.

We will leave you with this final thought that it is our understanding that the council should be in the interests of residents as well as developers and developments and hope that you will take all of our concerns in to consideration when making the decision on this planning application.

*Regards
Mr and Mrs Moore*

255 Aylestone Lane

Comments Received: 26/04/2017

Councillor Mrs Helen E Loydall and Councillor Garth (Bill) A Boulter have both requested that this planning application gets taken to Planning Committee.

Relevant Planning Policies

National Planning Policy Framework

Oadby & Wigston Core Strategy

Core Strategy Policy 4 - Sustainable Transport & Accessibility

Core Strategy Policy 14 - Design & Sustainable Construction

Core Strategy Policy 15 - Landscape & Character

Oadby & Wigston Local Plan

Landscape Proposal 1 - Design of new development subject to criteria

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

Supplementary Planning Document/ Other Guidance

Residential Development Supplementary Planning Document

Planning Considerations

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

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

Design, Character & Appearance:

The Local Planning Authority considers the proposed development to be reasonable in terms of design, size and bulk. The proposed scheme is considered not to be out of character with regards to the design and character of the existing building or in relation to that of the surrounding locality. In addition to this the householder extensions granted planning permission under the reference 16/00489/FUL are considered to be more substantial in terms of size and bulk.

The double storey side addition is not considered to be out of character with regards to the design, character and appearance of the existing building or in relation to that of the surrounding locality. The proposed addition has been set back 1.00m at first floor level from the first floor front elevation of the existing property. In addition to this the ridge height is set down from that of the ridge. This helps ensure that such will appear subservient in relation to the existing dwellinghouse.

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

Amenity:

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

Impact on Neighbour Amenity:

The Local Planning Authority considers this proposal to be acceptable on neighbouring amenity grounds. Analysis of the site together with the plans submitted has been undertaken by the Local Planning Authority. Assessment has been undertaken with specific regards to design and appearance, and also the impact on the neighbouring properties with regards to loss of sunlight/ daylight, overlooking, and overbearing. The scheme as provided is considered to not to significantly detract from neighbouring amenity. The Local Planning Authority consider this proposed scheme to present less of an impact on the neighbouring amenity than the previously approved planning application under the reference 16/00489/FUL. This is due to the omission of the first floor rear extension which provided a depth of approximately 1.5m. The Local Planning Authority considers this proposed scheme to be acceptable on the grounds of neighbour amenity.

Highways/ Access Issues:

The Highways Department at Leicestershire County Council has been consulted with regards to this planning application. They have since provided the Local Planning Authority with the above referenced comment. After considering this consultation comment from Leicestershire County Councils Highways Department the Local Planning Authority considers the proposed scheme not to present any major issues with regards to car parking, highways and access. Two conditions have been recommended which the Local Planning Authority will incorporate into the decision notice.

Conclusion

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

Implications Statement

Health	No Significant implications
Environment	No Significant implications
Community Safety	No Significant implications
Human Rights	The rights of the applicant to develop his property has to be balanced against the rights of neighbours.
Equal Opportunities	No Significant implications
Risk Assessment	No Significant implications
Value for Money	No Significant implications
Equalities	No Significant implications
Legal	No Significant implications

RECOMMENDATION: GRANTS

Subject to the following condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 All external materials used in the development shall match those of the existing building in colour, size, coursing and texture unless otherwise first agreed in writing with the Local Planning Authority.
Reason: To safeguard the character and appearance of the building and its surroundings and in accordance with the aims and objectives of the National Planning Policy Framework, Core Strategy Policy 14, and Landscape Proposal 1 of the Oadby & Wigston Local Plan.

- 3 The access shall be constructed in accordance with the following drawing:

- Existing & Proposed Plans - Ref: MPD-PL-01 - Provided by: Master Plan Design Solutions - Dated: 15/03/2017 - Received by the Council: 23/03/2017
Reason: To ensure a satisfactory form of development and in the interests of highway safety.

- 4 No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.
Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage to traffic, including pedestrians, in the public highway.

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

- Application Form - Ref: N/A - Provided by: Master Plan Design solutions - Received by the council: 23/03/2017

- Existing & Proposed Plans - Ref: MPD-PL-01 - Provided b y: Master Plan Design solutions - Dated 15/03/2017 - Received by the Council: 23/03/2017
Reason: For the avoidance of doubt as to what is permitted by this permission and in the interests of proper planning.

BACKGROUND PAPERS

1. 16/00575/OUT
2. 17/00084/FUL
3. 17/00109/COU
4. 17/00115/FUL
5. 17/00151/FUL

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