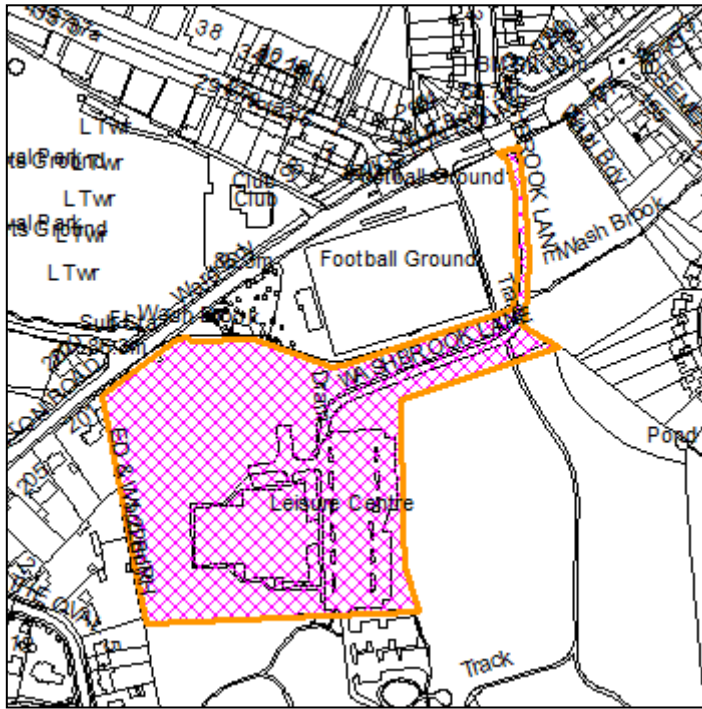


Application Number**Address****Report Items**

a. 17/00468/FUL

Parklands Leisure Centre
Washbrook Lane
Oadby
Leicester
LE2 5JJ

a.	17/00468/FUL	Parklands Leisure Centre Washbrook Lane Oadby Leicester LE2 5JJ
	20 October 2017	Provision of new additional parking area to side of and for use by existing leisure centre
	CASE OFFICER	Richard Redford



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Published 2014

Site and Location

The application site area currently comprises an area of grassed open space with a number of raised bunds and trees distributed across it to the side of the existing Parklands Leisure Centre. A balancing pond type feature, bordered by a low level timber fence, also exists. Bordered by a mixture of trees and hedgerow along its north-western boundary, the site is surrounded on other sides by Parklands Leisure Centre, Brockhill Country Park, residential dwellings, a football ground and Wigston Road. Access to the site by road will be off Wigston Lane on to and along Washbrook Lane then over the existing car parking area serving the leisure centre. Foot, and possibly cycle, access is via an existing gap in the hedgerow that separates the site from Wigston Lane. The site is located within a designated Green Wedge.

Description of Proposal

Planning permission is sought for the change of use of the application site to provide an overflow car parking area for use in association with Parklands Leisure Centre, as well as the provision of a formalised foot path from Wigston Lane across the site to allow improved access to the leisure centre and the facilities it offers. Submitted details indicate that the proposed car parking area will provide a total of 130 new parking spaces, associated access road, and formalised footpath from the existing gap in the sites hedgerow with Wigston Lane with associated lighting and additional tree planting. 2 existing groups of trees will be removed to facilitate the development. The submitted details indicate that the parking area will be formed using 'Grass-crete' to enable a solid base on which cars can park when required yet allow for the continued growth of grass to maintain a grassed, green visual appearance. Arboricultural and ecological surveys have been provided as part of the application as well as lighting details.

As a result of consultee responses and officer discussions with the agent, additional information as well as plans and amended plans have been received in the form of an up-dated arboricultural report, plan showing the location of trees referred to in the report and an amended proposed site layout plan. Plans showing lighting areas as well as the location of the proposed lighting columns have been provided to compliment the specifications of the lighting to be used that have been provided.

The statutory determination period for this application expired on the 30 November 2017 and it is intended to issue a decision as soon as practicably possible after the committee meeting.

Relevant Planning History

While there is planning history relating to Parklands Leisure Centre there is no relevant planning history associated with the application site as outlined in this application.

Consultations

Leicestershire County Council (Highways): Refer to Standing Advice.

Leicestershire County Council (Trees): The Wigston Road hedgerows and trees in the vicinity of the proposed path exit/entrance are part of the site boundary and not LCC adopted and as such has no comments to make.

Leicestershire County Council (Ecology): There is a badger set in the vicinity however it will not be impacted upon by the proposal. The site is a good foraging habitat for bats with the lighting scheme having minimal impact on potential bat foraging habitats due to the site being in an area that is well lit. They therefore have no objections.

Leicestershire County Council (Archaeological Services): No comments received.

Leicestershire County Council (LLFA): The LLFA consider the proposal would be acceptable subject to conditions relating to 1) surface water; 2) a surface water management plan; 3) SuDs Maintenance plan and schedule; and 4) Infiltration testing being attached to any approval. A number of informatives have also been requested.

OWBC Environmental Health: The lighting information provided contains insufficient information to allow for a detailed assessment to be made. Details on the information required has been provided and requested from the agent.

OWBC Forward Plans: In summary indicate that the proposed loss of green wedge would be significant and would not necessarily conform to current and emerging planning policy should the car parking extension be permanent in nature. To ensure compliance with policy, the materials used should be permeable and not permanent in their construction, for example Grasscrete or loose stone, and that the Case Officer must be satisfied that the proposed lighting scheme will not have a detrimental impact upon the adjacent residential properties to the west of the proposed site.

OWBC Tree Officer: From assessing the submitted information, while a plan showing the root protection areas of the trees would have been beneficial, from the site visit undertaken the relevant information can be established. The Arboricultural Impact Assessment explicitly excludes hedges however this site has substantial boundary hedges that should be recognised in the report and is of relevance as the Proposed Site Layout Plan specifies the 'Existing opening and access formalised' as well as the proposed felling of 2 trees within a hedgerow to the east. Felling to hedge height would be preferable, where the stump can be retained for habitat and any re-growth managed as part of cyclical maintenance, or they could be retained as stable habitat poles 3-5m in height permitting ivy growth as habitat.

Therefore, the provision of an Arboricultural Method Statement to BS5837:2012 including Dimensioned Tree Protection Plan(s) addressing the phases referenced in section 9 of the AIA, and a soft Landscape Design (including species, size and location of new tree planting - to BS8545) by condition should be adequate to fulfil arboricultural requirements.

Oadby Civic Society: No comments received at the time of this report being written.

OWBC Tree Warden: Is broadly in favour of the application but suggests the applicant re-visit each and every tree proposed to be felled to see if it is absolutely justified.

Severn Trent Water Ltd: No comments received at the time of this report being written.

Representations

Neighbours have been informed and a press/site notice placed with no letters of representation being received at the time of writing this report. The date for the receipt of comments expires on the 30 November 2017.

Neighbours have been informed and a notice placed with 1 letter of representation received at the time of writing this report.

The letter received requests a copy of the tree plan associated with the application.

Relevant Planning Policies

National Planning Policy Framework

Oadby & Wigston Core Strategy

Core Strategy Policy 6: Green Wedges
Core Strategy Policy 14 : Design and Construction

Oadby and Wigston Local Plan

Landscape Proposal 1 : Design of new development subject to criteria

Draft New Local Plan (November 2017)

Draft Local Plan Policy 6 : High Quality Design and Materials
Draft Local Plan Policy 42 : Green Wedges

Supplementary Planning Document/Other Guidance

Green Wedge Review

Planning Considerations

The main issues to consider in the determination of this application are the principle of the development then subsequently matters relating to and including design, amenity (visual and neighbouring / surrounding), character, appearance, trees, ecology, highways, parking and lighting.

Principle:

Parklands Leisure Centre is located off Washbrook Lane in Oadby and is situated within the Oadby and Wigston Green Wedge with permission being sought to provide additional car parking spaces to the side of Parklands Leisure Centre, to be used by visitors to the leisure centre. Core Strategy Policy 6 Green Wedges seeks to restrict inappropriate development that could harm green wedges through a series of objectives and appropriate land uses. The relevant objectives and acceptable land uses are set out below;

Objectives:

- Retain the open and undeveloped character of the green wedges;
- Retain and create green networks between the countryside and open spaces within the urban area; and
- Retain and enhance public access to the Green Wedges, especially for recreation.

Land Uses:

- Agriculture, horticulture and allotments not accompanied by retail development;
- Outdoor leisure, recreation and sporting facilities;
- Forestry;
- Footpaths, bridleways and cycle ways; and
- Burial grounds.

The above land uses will only be acceptable provided they are consistent with the abovementioned objectives.

The Council is currently consulting on its emerging Local Plan Pre-Submission draft document (public consultation began on Monday 6 November 2017) and as part of the supporting evidence base, the Council have published a Green Wedge Review (2017). Both of these documents are therefore a material consideration and therefore, this proposal should also be assessed against the criteria as set out in draft Local Plan Policy 42 – Green Wedges as follows:

*'Draft Local Plan Policy 42 – Green Wedges (Draft New Local Plan - November 2017)
Green Wedges protect important areas of green land within the Borough and seek to retain these areas as open and undeveloped.*

The objectives of all Green Wedges situated within the Borough are to:

- *Prevent the merging of settlements;*
- *Guide development form;*
- *Provide a 'green lung' between the urban area and the countryside; and*
- *Act as a recreational resource.*

Due to the open and undeveloped nature of the Green Wedges, the Council will allow uses that are consistent with the following.

- *Agriculture, horticulture and allotments not accompanied by retail development;*
- *Outdoor leisure, recreation and sporting facilities;*
- *Forestry and bodies of water;*
- *Footpaths, bridleways and cycle ways; and,*
- *Burial grounds.*

The Council will support proposals that retain and enhance public access into the Borough's Green Wedges, as well as proposals that retain and enhance the role that the Green Wedges play in the Borough's Green Infrastructure Network and its biodiversity.

Road proposals or dedicated public transport routes within the Borough that are evidenced as being required will only be acceptable where it has been proven that there are no alternative routes outside of the Green Wedge. Any proposal that has an effect on the Green Wedge should provide appropriate mitigation measures to ensure that any adverse effects on the Green Wedge are kept minimal.'

Planning Policy have commented that the proposed loss of green wedge would be significant and would not necessarily conform to current and emerging planning policy should the car parking extension be permanent in nature. To ensure compliance with policy, the materials used should be permeable and not permanent in their construction, for example Grasscrete or loose stone. Further, the Local Planning Authority must be satisfied that the proposed lighting scheme will not have a detrimental impact upon the adjacent residential properties to the west of the proposed site.

The proposal would result in the loss of the area of land covered by the application from being solely green wedge. However, given that it would be laid with 'Grass-crete' the appearance of it being retained as open, grassed area green in nature would be maintained once the grass had re-established itself within the proposed surface treatment. Further, the provisions of adopted and emerging policy are such that facilities for sport and recreation are deemed appropriate with in this instance the proposal serving to act as an overflow facility for existing indoor recreational facilities at Parklands Leisure Centre. It would also have the potential, through negotiation, to serve as overflow parking facilities where a larger function was taking place at the adjacent Brockshill Country Park. Officers consider that the proposal would, due to its nature and form still enable it to prevent the merging of settlements and provide a green lung entity in this locality.

Overall it is considered that while the proposal would result in a form of development that would erode the full, undeveloped nature of the application site within the green wedge, the means and nature of the development proposed would still retain the principles of the green wedge in this instance resulting in the principle of the development being acceptable on balance.

Design, Character and Appearance;

The scheme proposed, taking account of the additional and amended details provided, will provide an overflow car parking area with footpath. Situated within the proposal will be lighting at various points to light the parking area and footpath in the interests of safety.

As part of the application the agent has provided details of the use of 'grass-crete' across the parking area that will provide a solid base on which vehicles can be parked when the area is required / needed to be used yet will allow for grass to continue growing. This has the effect of ensuring that in the long term the area will have a grassed nature to it so enabling the parking element of the proposal, which covers the larger area, to take place without impacting unacceptably on the visual character and appearance of the area given the sites location within a Green Wedge.

While the use of stones in association with the formal footpath element of the proposal will be odd within the locality, it will not on its own be sufficient to justify a refusal. It will provide a formalised footpath between an existing gap in the hedgerow and the leisure centre adjacent to the application site following the existing route used over the grass by pedestrians and cyclists.

The layout of both the parking area and the footpath, as well as the positions of the lamp posts, have been arranged in a manner so as to ensure the existing ground level is followed while not resulting in any of the existing landscaping bunds being 'cut' into in order to facilitate the development. This has the effect of minimising the impact of the development visually as well as improving surveillance and security when it is in use.

Trees:

The proposal will result in the removal of a number of trees in order to facilitate the provision of the parking spaces proposed. It will also result in the provision of additional tree planting on top of the existing bund closest the residential dwellings adjoining the site.

As set out above, the proposal has been assessed by the Councils Tree Officer who in response to the details originally submitted commented that it would have been useful for the applicant to have supplied a plan that shows Root Protection Areas which identifies the 73 trees mentioned in the report, his site visit enabled him to establish the trees the report refers too with the proposal being acceptable in principle subject to conditions relation to the provision of an Arboricultural Method Statement to BS5837:2012 including Dimensioned Tree Protection Plan(s) addressing the phases referenced in section 9 (of the AIA), and a soft Landscape Design (including species, size and location of new tree planting - to BS8545) fulfil arboricultural requirements. Within the response it is detailed that the officer agrees with the vast majority of proposed works and removals required for the development, provided adequate planting is done to ensure a net gain in long term tree cover.

As part of the additional information provided, a plan showing the location of all the trees has been provided along with up-dated reports and a tree identification plan. In response to this it has been indicated that while the plans show the trees, it is still considered necessary that the provision of an Arboricultural Method Statement, to include Dimensioned Tree Protection Plan(s) addressing the phases referenced in section 9 of the Arboricultral Impact Assessment Report and a soft Landscape Design (including species, size and location of new tree planting) by condition to be provided and approved pre-commencement is required. Further it is indicated that as the hedges still haven't been addressed properly, they can be assimilated into the method statement.

On this basis Officers are satisfied that while the proposal will result in the loss of trees on-site, their removal would not impact upon the area and additional replacement planting is proposed. Further, in order to ensure the satisfactory protection of trees a condition can be attached to any approval requiring the provision of a Arboricultural Method Statement prior to work commencing on-site, along with another condition relating to soft landscaping design notwithstanding the proposed locations shown on the proposed plans provided.

Ecology:

Leicestershire County Council Ecology unit has assessed the proposal as a whole in relation to ecological matters. In their response they comment no objections on the grounds that known local ecological habitats will not readily be affected by the proposal including through the provision of the lighting.

Overall therefore the proposal would not result in any adverse or detrimental impacts upon protected species.

Highways and Parking;

The proposal will be accessed in two different locations. Pedestrian and cycle access will be via the formalisation of the existing informal access point, namely a gap in the hedgerow, which will then allow access to Parklands Leisure Centre in the first instance along the proposed gravel footpath and then Brocks Hill Country Park via existing footpath provisions. Vehicular access to the site will be via the existing road on Washbrook Lane and then through existing internal roads in the wider site serving the existing leisure centre and country park facilities.

Both provisions have been assessed by Leicestershire County Council as Highway Authority who have referred to their Standing Advice. An assessment of the proposal against Standing Advice requirements by officers are that the proposal complies with requirements so the proposal would not therefore result in a severe impact on highway and pedestrian safety.

Lighting;

As submitted, further details were highlighted as being required from the applicant / agent by Environmental Health Officers.

This additional information has been provided and at the time of writing the report is being assessed by Environmental Health Officers. An up-date will be provided at the Committee meeting.

Amenity;

The proposal has been designed and arranged in a manner so as to not impact upon amenity of the neighbouring and surrounding sites nor the green wedge it is located in. The provision of the additional planting will serve to ensure visual impacts are minimised so as to not impact unacceptably on the area.

Conclusion

The site is located in a Green Wedge where the provisions of adopted and emerging policies seek to ensure inappropriate development is not located within it. In this instance the proposal will be associated and ancillary to existing leisure operations on the adjacent site which are acceptable through the policy provisions. Furthermore, the nature and form of the proposed development including the use of a 'grass-crete' surfacing to allow grass to continue to grow will enable the existing green, open nature continues to exist once the grass sections in the proposed surfacing has established.

While comments in respect of lighting are awaited, the proposal will fit in with the locality while not unacceptably impacting upon the character and appearance of the area, nor on highway and pedestrian safety. There will be a loss of existing trees but replacements are proposed with specific conditions required in associated with a Tree Method Statement and soft landscaping.

Overall therefore the proposal is, in this instance and based on the circumstance, considered to be an acceptable form of development in this location. It is therefore recommended for approval subject 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

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

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

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

- 2 The development hereby approved shall be carried out in accordance with the following documents:

Tree Removal & Tree Management Schedule dated September 2017, Tree Inspection Sheets Survey document dated 1 September 2017, and Grasscrete document all submitted to and received by the Local Planning Authority on 29 September 2017; and

Application forms, drawing titled 'Site Topographical Survey (1 of 1) and numbered 4715/114 dated September 2017, and Design and Access Statement dated October 2017 all submitted to and received by the Local Planning Authority on 20 October 2017; and

Arboricultural Impact Assessment Rev B dated 17 November 2017 by Arboricultural & Woodland Consultancy Service, drawing numbered 4715/B titled 'Tree Location and RPA Plan' and dated November 2017, and amended drawing numbered 4715/A2 and titled 'Scheme Proposal' dated September 2017, all submitted to and received by the Local Planning authority on 24 November 2017; and

NVC Lighting document titled 'Parklands Car Park, Installation' under project number LD19385 dated 28th November 2017, NVC Lighting Belfry Small Body street lighting details (order code NBF34/OP2/740), NVC Lighting Columns Tubular Rigid details document quoting order number NCOL/5/76, NVC Lighting drawing titled 'Preliminary Lighting Layout Parklands Exterior' numbered LD19385-02 dated 28 November 2017, and Brian Dearlove Partnership

drawing titled 'Proposed Lighting Survey' and numbered 4715/C dated November 2017 all submitted to and received by the Local Planning Authority on 28 November 2017.

Reason: for the avoidance of doubt and to ensure the development is carried out in accordance with the documents assessed and determined to be acceptable.

- 3 Prior to the development hereby approved commencing, a full Arboricultural Method Statement, to BS5837:2012 and including both a tree protection plan and details on tree protection measure, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details with the tree protection measures put in place prior to work commencing and retained until the development has been completed.

Reason: To ensure works to and the protection of trees on-site are undertaken in accordance with good arboricultural practice and to ensure the protection of trees on-site.

- 4 Prior to the commencement of development a detailed scheme of soft landscaping, to include a drawing indicating the location, size and species of new trees, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a landscaping scheme is provided to enhance the development 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.

- 5 All planting, seeding or turfing comprised in the approved details of landscaping 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 The car parking area approved as part of this development shall be laid using 'Grass-crete' surfacing in accordance with the details submitted and approved in Condition 2 above.

Reason: For the avoidance of doubt and to ensure the development is carried out in accordance with the submitted and assessed documents that are acceptable and allow for grass growth through the material to ensure a satisfactory visual amenity due to the sites Green Wedge location.

Note(s) to Applicant :

- 1 You are advised that this proposal may require separate consent under the Building Regulations and that no works should be undertaken until all necessary consents have been

obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section.

- 2 For the avoidance of doubt this permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
- 3 You are advised that any amendments to the approved plans will require either a Non-Material amendment application, a Minor Material Amendment application or a new planning application. If this is the case then you should allow at least 8 weeks before the intended start date to gain approval for such amendments. Further advice can be obtained by contacting the Planning Section of the Council on any amendments (internal or external).
- 4 This permission requires you to submit further details to the Local Planning Authority on the proposal prior to the commencement of works on site. There is a fee payable to the Local Planning Authority when a request is made for the discharge of one or more conditions on the same permission or for confirmation of compliance with a condition or conditions. At the time of writing, the fee is payable per written request to discharge conditions not per condition and therefore any number of conditions may be included on a single request. The fee for such a request associated with this permission (at the time of this decision notice) is £97. The fee must be paid when the request is made. The Local Planning Authority has a statutory period of 8 weeks for the determination of such requests.

5 **Appeals to the Secretary of State**

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

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

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

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

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

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a

reasonably beneficial use by the carrying out of any development which has been or would be permitted.

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

BACKGROUND PAPERS

- a. 17/00468/FUL

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