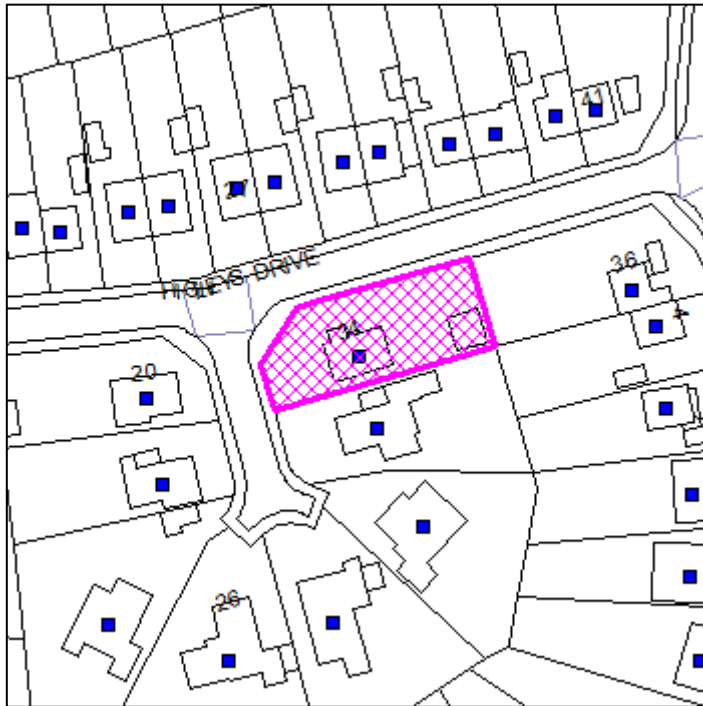


Application Number**Address****Report Items**

- A.** 18/00279/FUL 34 High Leys Drive
Oadby
Leicestershire
LE2 5TL
- B.** 18/00284/FUL 36 Marstown Avenue
Wigston
Leicestershire
LE18 4UH
- C.** 18/00317/FUL Pavilion
Horsewell Lane
Wigston
Leicestershire

a.	18/00279/FUL	34 High Leys Drive Oadby Leicestershire LE2 5TL
	12 June 2018	Single storey side extension, demolition of existing garage and replace with new garage
	Case Officer	Tony Boswell



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Published 2014

Site and Location

34 High Leys Drive is a single storey gable ended bungalow on a corner location within High Leys Drive. It, therefore, has a long return frontage and on that frontage there is currently a double garage with two additional car spaces on the same frontage. Both the frontages are largely enclosed by a circa 1.8 metre high hedge. High Leys Drive as a whole is characterised by a number of bungalows of similar appearance, although in more typical "street" layout.

At present the garden to number 34 is largely enclosed by the hedge and so much of that garden in-front of the building is normally used as functional garden – rather than the more usual "front" and "rear" garden arrangement.

The adjacent number 32 is very similar to number 34, and is separated from the boundary with number 34 by a covered and partially enclosed driveway.

Description of proposal

The proposal is to demolish the existing double garage and replace it with a single garage with a further off-street parking space in front.

The existing pitched roofed bungalow would be extended in a linear manner so that its overall length is increased from its current 12.3 metres to 21.7 metres. This would leave a gap of 3.34 metres between the flank wall of the enlarged bungalow and the new single garage. The external materials are stated to be to match those of the existing building.

Like the existing bungalow the proposed extension would be only some 1600 mm from the party boundary with the adjacent number 32 High Leys Drive. The extension would include one high level window in semi-obscured glazing. An additional and similar window would also be inserted into the flank wall of the existing bungalow.

The statutory determination period for this application expires on the 7 August 2018 and it is intended to issue a decision as soon as practicably possible after the Committee meeting.

Relevant Planning History

18/00138/FUL – Single Storey Side Extension to Bungalow – refused on the 29 May 2018 for the following reason:

High Leys Drive is an area of distinctive local character largely comprising modest sized bungalows and gardens. In contrast the scale of the proposed enlargements to number 34 amounts to a gross overdevelopment of its site. This would be unacceptable and objectionable for a number of reasons which include but are not confined to:

- * The total loss of off-street car parking capacity following demolition of the existing double garage. Not less than 3 such spaces would be required to serve the enlarged four bedroom home as proposed.*
- * By virtue of its scale and form the proposed extension would not appear subordinate to the pre-existing bungalow.*
- * Six new windows are proposed only 1650 mm away from the rear garden of the adjacent bungalow. However fenestrated or screened, those windows would threaten the actual and perceived privacy of that adjacent garden.*
- * The residual front garden to High Leys Drive would not be adequate to serve the recreational and functional needs of future households of the enlarged home, and its use would erode the*

character and appearance of the street concerned. (Functions such as the external drying of laundry).

The proposal would therefore be contrary to national planning policy in paragraphs 53, 58, 60 and 64 of the National Planning Policy Framework; policies Core Strategy 14 and Core Strategy 15 of the Oadby and Wigston Core Strategy and policies Landscape Proposal 1 and Housing Proposal 17 of the saved Oadby and Wigston Local Plan.

Consultations

None sought, although prompted by the Council's weekly list LCC Ecology requested a bat survey to establish the possibility that the existing bungalow might provide a habitat for bats.

Representations

Twelve near neighbours notified by direct mail on the 14 June 2018 and a site notice posted on the 25 June 2018. The date for the receipt of comments expired on the 16 July 2018. A single objection has been received from the immediate neighbour at 32 High Leys Drive which reads:

"I am writing to object to the above application. This new application is still doubling the size of the existing bungalow, this will impact just as much as the previous application"

Councillor Jeffrey Kaufman has also made representations on the application as he believes the proposal to be an overdevelopment of the site.

Relevant Planning Policies

National Planning Policy Framework (July 2018)

Oadby & Wigston Core Strategy

Core Strategy Policy 14 : Design and Construction

Core Strategy Policy 15 : Landscape and Character

Oadby and Wigston Local Plan

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

Housing 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:

- * The impact of the proposal on the street scene
- * The impact of the proposal on neighbouring residential properties.

The impact of the proposal on the street scene

Although the size of the proposed extension would near double the size of the existing bungalow, its visual scale would be largely indistinguishable from that of its near neighbours in that it is to be behind the existing front boundary hedge. Saved Local Plan Housing Proposal 17 requires extensions to be "subordinate to the main building and of harmonious design, form and materials".

Given the unusual corner location and its configuration to the street, officers do not see a conflict with that policy objective.

The enlarged bungalow would have three bedrooms and the proposed two off-street parking spaces would meet the car parking standards for that size of dwelling.

The impact of the proposal on neighbouring residential properties.

The only neighbour that would be directly affected would be the adjacent number 32 High Leys Drive. Number 32 has a wide sideway and car port, the rear portion of which derives much of its light from over the currently vacant garden of number 34 adjacent. In as much as the proposed extension would not affect the habitable accommodation of number 32 then the impact of the proposed extension is not seen as warranting refusal of permission.

Conclusion

Subject to receipt of a negative survey for the presence of bats at the premises prior to the date of this Committee - Largely un-objectionable and supportable, subject to compliance with the conditions recommended below, and any conditions or informatives requested in relation to both.

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 All external materials used in the development shall match those of the existing building in colour, size, coursing and texture unless otherwise first agreed in writing with the Local Planning Authority.
Reason: To safeguard the character and appearance of the building and its surroundings and in accordance with the aims and objectives of the National Planning Policy Framework, Core Strategy Policy 14, and Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 3 Unless otherwise first approved in writing (by means of a Non-material Amendment/Minor Material Amendment or a new Planning Permission) by the Local Planning Authority the development hereby permitted shall be carried out in accordance with the approved plans and particulars listed in the schedule below.

Master Plans drawing "Existing and Proposed Plans" dated 07.08.2018, as supplied to the Council by e-mail on that date.

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

- 4 The ground floor windows on the south 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.

- 5 The proposed garage and frontage car parking space shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 34 High Leys Drive, LE2 5TL.

Reason: To ensure that the proposed development is compatible with existing development in the locality and in accordance with Core Strategy Policy 14 and Landscape Proposal 1 of the Oadby and Wigston Local Plan.

Note(s) to Applicant :

- 1 In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Appeals to the Secretary of State

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

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

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

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

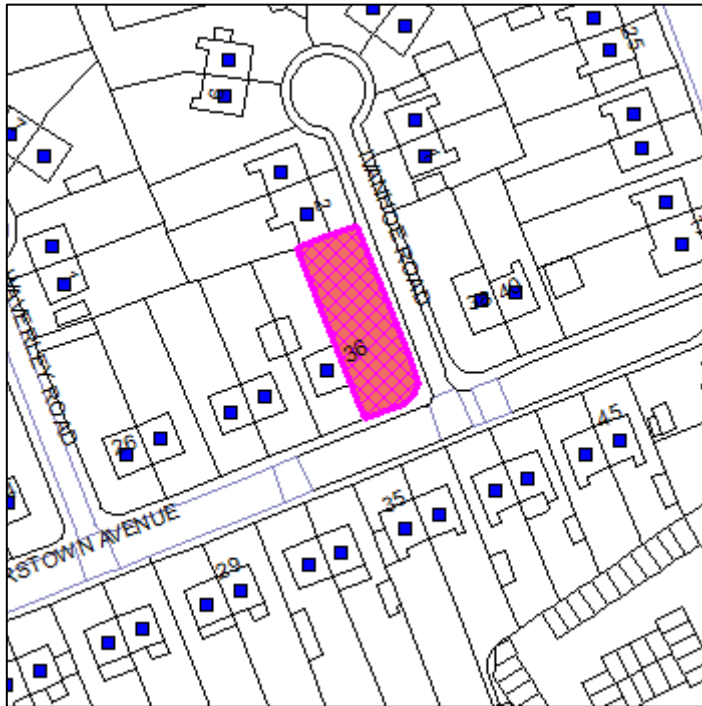
The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements,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

Purchase Notices

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

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

b.	18/00284/FUL	36 Marstown Avenue Wigston Leicestershire LE18 4UH
	19 June 2018	Two storey side extension to form an additional 3 bedroom dwelling
	Case Officer	Mrs Tracey Carey



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Published 2014

Site and Location

The site is located in a primarily residential area characterised predominantly by semi-detached two storey dwellings. The property is one half of a semi-detached property previously extended by a two storey and single storey extension to the rear with a detached garage to the side, located on the corner of Marstown Avenue and Ivanhoe Road.

Description of proposal

The application is for a two storey side extension to form a separate 3 bedroom dwelling with its own front/rear garden areas and a driveway to the rear, accessed off Ivanhoe Road.

The dwelling measures 4.7m wide x 10.4m long along the back of the footpath and in line with the existing two storey rear extension. The dwelling has a hipped roof and will be rendered to match the existing dwelling.

The statutory determination period for this application expired on the 14 August 2018 and it is intended to issue a decision as soon as practicably possible after the committee meeting.

Relevant Planning History

82/00191/8M – Two storey rear extension – Approved 15 April 1982

88/00242/8M – Single storey rear extension – Approved 19 April 1988

Consultations

OWBC Planning Policy – Incorporated within the report.

Representations

Neighbours have been informed and a site notice placed with 7 letters of representation and a petition signed by 38 people objecting to the proposal being received at the time of writing this report. The date for the receipt of comments expired on the 19 July 2018.

The reasons for objection can be summarised as follows: -

- Overdevelopment – piece of land unsuitable to accommodate an additional dwelling;
- Devaluation of existing property due to loss of rear access and reduction in size of plot;
- Out of character - will change existing house from a semi to a mid-terrace;
- Insufficient garden area;
- Loss of views;
- Add to the noise levels and could create friction;
- New access onto Ivanhoe Road, there is already a problem with parking on Ivanhoe Road due to double yellow lines;
- will only have one parking space, new builds with three bedrooms should have 2 parking spaces
- Will not fit in with existing street layout;
- Set a precedent for similar developments;
- Already doing works on existing property;
- Loss of light;
- Noise and fumes from new driveway adjacent to my bedroom/living room;
- New driveway will be easy access for intruders;
- Will gain a new neighbour along my side boundary, concerns over noise levels as will use garden a lot due to limited indoor space;

- Devaluation of neighbouring properties;
- Ruin the look of the street;
- Not enough information on the design;
- Extra demands on schools, doctors, services
- The property already has a single and two storey extension – is there a need for more?
- If this is allowed, I would ask why we weren't allowed a side extension 7 years ago on an identical plot.
- is it the intention to sell both properties or is it buy to rent? If the second is the case what conditions will be stipulated to prevent multi-occupancy? This would significantly affect parking on Marstown Avenue and make access for emergency vehicles even more difficult

The application has been brought to Committee at the request of Councillor Mrs Morris.

Relevant Planning Policies

National Planning Policy Framework

Oadby & Wigston Core Strategy

Core Strategy Policy 4 : Sustainable Transport and Accessibility

Core Strategy Policy 14 : Design and Construction

Oadby and Wigston Local Plan

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

Housing Proposal 13 : Infill Development

Housing Proposal 17 : Criteria for assessing the suitability of domestic extensions.

Emerging Local Plan

Policy 15 : Urban Infill Development

Policy 44 : Landscape and Character

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.

The impact of the proposal on the street scene

Core Strategy Policy 14: Design and Construction, requires all new development proposals to have high quality inclusive design that respects local character, patterns of development and is sympathetic to its surroundings and should contribute to creating buildings and places that are attractive with their own distinct identity.

Core Strategy Policy 15 Landscape and Character states that all development proposals will be considered against the need to protect and enhance the distinctive landscape and historic character of the Borough. They should reflect the prevailing quality, character and features such as settlement pattern, views, biodiversity and local distinctiveness.

Landscape Proposal 1 of the Saved Local Plan states that: Development will be permitted provided that ... (2) the building design, scale, form and materials will contribute positively to the overall quality of the environment and be carefully related to existing development.

Housing Proposal 13 states that: Planning permission will not be approved for infill residential development unless (1) the development proposed would not have an adverse impact on the character of the area and (2) the design of the development would not have an adverse effects on the amenities of adjacent of nearby properties.

Housing Proposal 17 of the Saved Local Plan states that: The Local Planning Authority will not grant planning permission for the erection of extensions ... within the curtilage of residential properties unless (1) the extension is subordinate to the main building and of harmonious design, form and materials; and (2) the development does not have an unacceptably adverse effect on the visual amenities of the area.

The Submission Draft Local Plan, Policy 6, High Quality Design and Materials states that: 'The Council will require the highest standards of inclusive design and use of the highest quality materials for all new development and major refurbishment in the Borough.

Proposals for new development and major refurbishment should create a distinctive environment by;

- respecting the existing local and historic character;
- ensuring patterns of development are sympathetic to their surroundings.'

The Submission Draft Local Plan, Policy 15, Urban Infill Development states that:

'Any proposal for development on residential garden land or any other open amenity space around buildings will not be permitted unless it conforms to the guidance set out within the Council's Landscape Character Assessment.

Proposals that seek to split existing residential plots and propose development on the garden land of and / or open amenity space of existing plots will not be granted planning permission unless the proposal sits comfortably, is consistent with, in character with, and respects the direct existing street scene in which it is situated. The Council will not accept development proposals that 'over develop' a site from its original intended or existing use.

The Submission Draft Local Plan, Policy 44 Landscape and Character states that:

'All development proposals within the Borough will be considered against the need to conserve and enhance the distinctive landscapes in the Borough. The Council will seek to ensure that all development proposals reflect the prevailing quality, character and features such as settlement patterns, important views, open spaces and significant natural habitats.

Development proposals will only be permitted where it is in keeping with the area in which it is situated.

Development proposals that are contrary to the policy guidance as set out within the Council's Landscape Character Assessment, the Conservation Areas Supplementary Planning Document and / or the Conservation Area Appraisals will not be approved.'

The site is located within Landscape Urban Character Area SW(i): South Wigston North of Gloucester Crescent. Policy Guidance SW(i)/1, Infill development states that:

'This urban area shows very little capacity of additional built development (except for comprehensive renewals) without the loss of the very few areas of open space within it, or erosion of the grain of the estate. The housing density is already relatively high in the southern area and the slightly larger plot size to its northern streets important to its character. The character of the area is weak, but defined nevertheless by a pleasant order, repetition, predictability and common but simple building design. Further development of a residential nature within this area would be likely to disrupt this, and serve little in terms of meeting additional housing provision and should be discounted. Comprehensive residential renewal would change the character of the area by removing its repetition, predictability and common but simple design in particular.'

In addition, the Council's Residential Development Supplementary Planning Document (2005) states "side extensions to corner plots effectively become front extensions and ultimately can have a major impact upon the appearance of the street scene. It is for this reason that they are often deemed unacceptable. Existing building lines of development should be respected."

The site occupies a prominent position on the corner of Marstown Avenue and Ivanhoe Road. There is currently an established building line to the north in Ivanhoe Road with dwellings being set back by at least 4.5m. The development as proposed by reason of its siting and width would project beyond this established building line by around 4.5m and given its corner position would appear particularly prominent when entering and exiting Ivanhoe Road. The impact of which would be exacerbated by the siting hard on the back of the footpath for a length of in excess of 10m.

It is, therefore, considered that the side extension would result in an unduly obtrusive extension detrimental to the visual amenity of the street scene and surrounding area.

In addition, the existing dwelling is of a reflective nature with regards to the adjoining property and is similar in terms of design, character and appearance to the other surrounding properties in the surrounding area. The proposed extension by reason of its full height and width would not appear subordinate to the existing dwelling and would unbalance the pair of semi-detached properties to an unacceptable degree. For these reasons the proposal would fail to achieve a harmonious visual effect to the detriment of the existing dwelling and the street scene.

The existing plot measures around 280sq.m consistent with the current character of the area which includes plots in excess of 200sq.m and garden areas ranging from 80sq.m to in excess of 150sq.m. The current plot has a rear garden area of around 137sq.m. The subdivision of the plot as proposed would result in the host property retaining a plot of around 174sq.m and a rear garden area of 70sq.m. (approx.) The new plot would be 126sq.m (approx.) with a garden area of around 37sq.m. This demonstrates that the subdivided plots would be smaller than those in the surrounding area and would have small gardens uncharacteristic for the area, generally.

As such the proposal is contrary to the above policies and the adopted Residential Development Supplementary Planning Document.

The impact of the proposal on neighbouring residential properties.

Due to the siting of the proposal in relation to the neighbouring properties it is not considered that the proposal will significantly impact on the amenities of neighbouring properties.

Other Matters

Highway/Access

The Highway Authority's standing advice requires a minimum of two spaces for dwellings with 3 bedrooms.

Whilst the proposal removes the existing garage the plans submitted show the two spaces required in the front garden area of the existing property and a new access. A new access is proposed off Ivanhoe Road to serve a driveway for the new dwelling to accommodate one vehicle. This falls short of the two required and could result in vehicles parking in the highway which in this corner location could impact on the safe and efficient use of the highway, detrimental to highway safety.

It should be noted however that the installation of the new accesses constitutes permitted development.

Reference has been made within the representations that similar applications in similar locations have previously been refused. I am unable to find any refusals to this effect however it is noted that a similar scheme was withdrawn at a neighbouring site in 2010.

Conclusion

The proposed extension required to accommodate a new dwelling would result in an unduly obtrusive form of development detrimental to the visual amenity of the street scene and surrounding area. Furthermore, the subdivision of the plot would be out of keeping with the existing developments detrimental to the character and appearance of the surrounding area.

In addition, only one on-site parking space will be provided resulting in a short fall in provision below required standards resulting in the potential for increased on-street parking provision which due to the sites corner location may adversely impact upon highway and pedestrian safety.

In view of the above it is therefore recommended that planning permission be refused.

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 **REFUSE** for the following reasons:

- 1 The site occupies a prominent corner position and the proposed mass and siting of the two storey extension would result in an unduly dominant extension in relation to the existing dwelling and the street scene and would be out of keeping with the general arrangement of dwellings along Ivanhoe Road which tend to follow a regular building line. The impact of the proposal would be exacerbated by the siting of the extension on the back of the footpath. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, Oadby & Wigston Core Strategy Policies 14 & 15 and Landscape Proposal 1 and Housing Proposals 13 and 17 of the Oadby and Wigston Local Plan and the Residential Development Supplementary Planning Document.
- 2 The application site is located within South Wigston North or Gloucester Crescent Urban Character Area which is characterised by medium sized dwellings in regular plots with modest back gardens. The subdivision of the plot as proposed, because of its restricted size would lead to a development out of keeping with the established scale and character of the area to the detriment of the street scene and the visual quality of the area in general, contrary to the aims and objectives of the National Planning Policy Framework, policies CS14 and CS15 of the Oadby and Wigston Borough Council Core Strategy, policies LP1 and H13 of the Oadby and Wigston Borough Council Local Plan and the Oadby and Wigston Landscape Character Assessment.
- 3 Policy 4, Sustainable Transport & Accessibility, of the Oadby & Wigston Core Strategy states that development should be designed to enhance the safety of pedestrians and road users. The applicant is proposing to extend the existing dwelling to provide a separate 3 bedroom property, which requires a minimum of x2 off-street car parking spaces. The car parking provision proposed for the new dwelling is considered by the Local Planning Authority to be inadequate and insufficient in meeting this required standard for this property. The proposed scheme would lead to an increased level of on-street parking provision which due to the sites corner location may adversely impact upon highway and pedestrian safety contrary to Policy 4 of the Oadby & Wigston Core Strategy.

Note(s) to Applicant :

- 1 For the avoidance of doubt this decision relates to the following plans and particulars:-

Location Plan submitted to and received by the Local Planning Authority on 15 June 2018
Block Plan submitted to and received by the Local Planning Authority on 15 June 2018
Proposed First Floor Layout and Elevations, submitted to and received by the Local Planning Authority on 15 June 2018
Proposed Ground Floor Layout, submitted to and received by the Local Planning Authority on 15 June 2018

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.

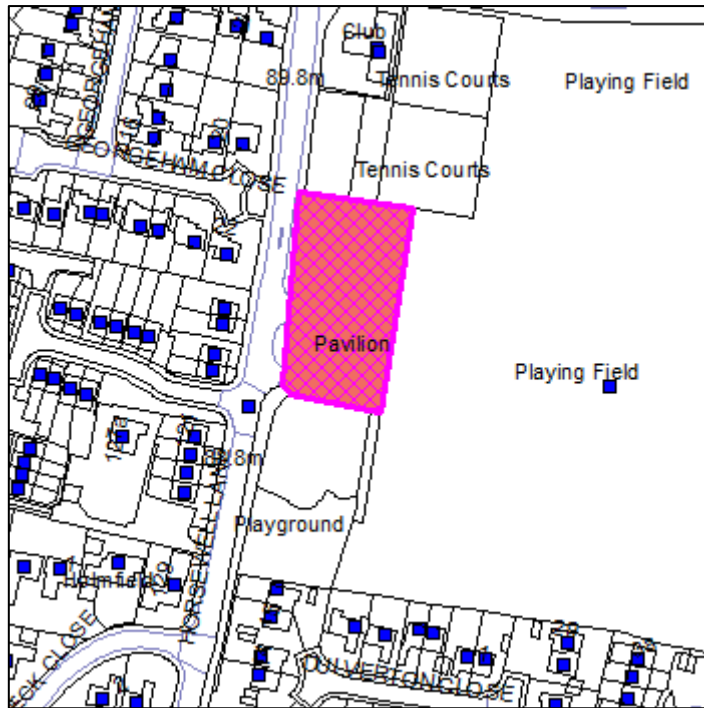
The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements,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

c.	18/00317/FUL	Pavilion Horsewell Lane Wigston Leicestershire
	17 July 2018	Demolition of existing sports pavilion and construction of new community and sports pavilion and associated parking
	Case Officer	Mrs Tracey Carey



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Published 2014

Site and Location

The site is located within a predominantly residential area accessed off the main distributor road serving the Little Hill Estate. The site currently comprises a wooden single storey flat roofed Pavilion building with a large tarmacked car parking area to the front and side. Immediately north of the site is the Tennis Club and Boys Club buildings, to the west is the recreation ground associated with the Pavilion, with the Play area to the south and residential development to the east. The site has two accesses onto Horsewell Lane.

Description of proposal

The application is for the erection of a new pavilion to replace the existing building. The building measures 11.3m deep x 28.2m wide with a hipped roof approximately 5m high (max) and will be constructed in a mixture of brick and timber cladding with a tile effect roof. The building will be sited against the northern boundary of the site with car parking laid out across the remainder of the site. Car parking comprises of 34 car parking spaces, 2 motorcycle spaces, 4 disabled parking spaces, 2 Mini-bus spaces and 8 cycle spaces.

The new pavilion will replace the existing building and provide a community facility for similar activities and services including changing facilities for local sports clubs, a nursery for pre-school and a general purpose space available for hire. In addition, it is envisaged that the building will be offered out for hire for meetings utilising the new meeting room and functions within the main hall.

The statutory determination period for this application expires on the 11 September 2018 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) – No comments received at the time of writing this report.

OWBC – Environmental Health - No comments received at the time of writing this report.

OWBC – Planning Policy – Incorporated into the report.

Representations

Neighbours have been informed and a press/site notice placed with one letter in support being received at the time of writing this report. The date for the receipt of comments expired on the 16 August 2018.

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

- * We are happy with the application and would hope that the youth club blue tin building is demolished on completion of the pavilion. As it is close to the tennis club can we request new paving slabs to the entrance gate and a new security gate to the tennis club in keeping with the new proposed gate. Please also confirm that the clothes bank will be removed as it has become a fly tipping paradise. It looks like new tarmac surfacing is proposed which will definitely assist as a deterrent.

Relevant Planning Policies

National Planning Policy Framework (new) (NPPF)

Oadby & Wigston Core Strategy

Core Strategy Policy 4	:	Sustainable Transport and Accessibility
Core Strategy Policy 14	:	Design and Construction
Core Strategy Policy 17	:	Open Space and Facilities for Leisure, Recreation and Tourism.

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.

Emerging Local Plan

Policy 6	:	High Quality Design and Materials
Policy 9	:	Open Space, Sport and Recreation Facilities

Planning Considerations

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

- * Principle of development
- * The impact of the proposal on the street scene
- * The impact of the proposal on neighbouring residential properties

Principle of development

The current sports pavilion building is dated and near its 'end of life'. Due to its age and condition, the building is underused. In addition, the Council's Playing Pitch Strategy (2018) highlights the proposed demolition of the existing building and erection of a replacement, as a short term (priority) project.

Paragraph 91 of the (new) NPPF suggests that planning decisions should aim to achieve healthy, inclusive and safe places which...promote social interaction...are safe and accessible...and support healthy lifestyles. Paragraph 92 goes on to say that decisions should plan positively for the provision and use of shared spaces and community facilities.

NPPF paragraph 97 states that existing sports and recreational buildings and land should not be built on unless, the resulting loss from the proposed development would be replaced by the equivalent or better provision in terms of quantity and quality.

Submission draft Local Plan Policy 9 – Open Space, Sport and Recreation Facilities supports the NPPF wording by suggesting that existing open space, sport and recreational buildings should not be built on unless the loss can be replaced by the equivalent or better provision.

Taking account of the above, the principle of demolition of the existing building and erection of a new improved sports and community use building is acceptable.

The impact of the proposal on the street scene

Core Strategy Policy 14 – Design and Construction states that the Council will require high quality inclusive design for all new development and major refurbishment in the Borough.

Core Strategy Policy 15 – Landscape and Character suggests that all development proposals will be considered against the need to protect and enhance the distinctive landscape character of the Borough.

Submission draft Local Plan Policy 6 – High Quality Design and Materials states that the Council will require high standards of inclusive design and use of high quality building materials.

Submission draft Local Plan Policy 44 – Landscape and Character states that all development proposals within the Borough will be considered against the need to conserve and enhance the distinctive landscapes in the Borough. The policy goes on to suggest that the Council will seek to ensure that all development proposals reflect the prevailing quality, character and features.

The proposed building is approximately 50 sq.metres larger than the existing building and will be located against the northern boundary of the site. Whilst the new roof will add some height in comparison to the existing flat roofed building this will be hipped and set back from the back of the footpath by around 4.5m with the side elevation fronting the road. The buildings to the north and the residential properties to the east are set back from the footpath between 3m and 6m and are a mixture of two storey and single storey buildings. In some instances, the properties opposite the site have been extended single storey with gables right up to the back of the footpath.

Due to the orientation of the building, side on to the road, the views from the highway onto the open space of the recreation ground have been maximised. In addition, it allows considerable parking provision to be included within the site boundary and the side elevation of the building is more sympathetic to the scale of the neighbouring residential properties.

The materials and style of the proposed building are in keeping with the residential nature of the surrounding area. The brickwork will be pale in colour to ensure it is sympathetic with the residential properties nearby and the roofing material is of a grey tone which is also similar to the surrounding houses. The fascias, soffits and windows are to be moss green aluminium to link in with the open space with a natural wood tone cladding to ensure a natural theme.

A 1.8m high mesh gate and security fencing is proposed along the rear elevation of the building. Whilst this will be visible within the street scene when travelling southwards along Horsewell Lane it will be viewed against the backdrop of the new building, painted green and will match the fencing in the immediate area. In addition, 1.2m high bow top fencing is also proposed along the side adjacent to the existing pitch (painted moss green) and a retaining wall between the car park and the front of the new building.

In view of the above, it is not considered that the design and siting of the building will significantly impact on the character and appearance of the street scene.

The impact of the proposal on neighbouring residential properties

The building replaces an existing facility on the site and is sited on the opposite side of the road from the nearest residential properties which are in excess of 22m away. Given the existing facility, it is not considered that the proposal will significantly impact on the amenities of neighbouring properties over and above the existing situation.

Highway/Access Issues

The current access and egress routes will be maintained. It is proposed to use a one-way circulation route around the site, incorporating one entrance point and one exit. The car park has been designed to accommodate spaces for cars, disabled parking, enlarged bays, mini-bus parking and an area for motorcycles. Bicycle parking has also been included to the front of the site. There is a level access and a ramped route on to the recreation ground from two points in the car park.

The Highway Authority have been consulted, however, no comments have been received at the time of writing this report.

Other Matters

With regards to the comments raised in respect of the demolition of the youth club building, new paving slabs and gate to the tennis club, these are outside the scope of this application. In respect of the recycling bins, these are not shown as being retained on the proposed plans.

Conclusion

In summary, the proposed development is not considered to harm the character and appearance of the street scene or that of the surroundings, the amenity of neighbouring residential properties or the safe and efficient use of the highway and is, therefore, 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

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 permitted shall be constructed using the materials specified on approved drawing no. 5164891/005, unless alternative materials are agreed in writing by 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 Policies 14 and 15 and Landscape Proposal 1 of the Oadby and Wigston Local Plan.

- 3 Prior to the first use of the building hereby granted permission the parking areas shown on the approved plan(s) shall be provided in a bound material (with the parking bays marked out on the ground) and thereafter shall be made available at all times for their designated purposes.
Reason: In the interests of highway safety and in accordance with the aims and objectives of the National Planning Policy Framework and Core Strategy Policy 4.
- 4 Prior to the first use of the building hereby granted permission the cycle parking provision shown on the approved plan(s) shall be provided and thereafter shall be maintained as such for the life of the development.
Reason: To encourage sustainable alternatives to the motor car and in accordance with the aims and objectives of the National Planning Policy Framework and Core Strategy Policy 4.
- 5 Prior to the commencement of development a scheme for the disposal of foul sewage and surface water drainage for the site (based on sustainable drainage principles) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the first dwelling and, unless otherwise first agreed in writing by the Local Planning Authority, shall be maintained as such for the life of the development.
Reason: To ensure adequate drainage facilities are provided to serve the development and to prevent pollution of the water environment as recommended by Severn Trent Water Limited and in accordance with the aims and objectives of the National Planning Policy Framework.
- 6 Unless otherwise first agreed in writing by the Local Planning Authority all materials resulting from the demolition works shall be removed from the site within two months of the demolition and the site shall be left in a clean and tidy condition.
Reason: To safeguard the character and appearance of the area and in accordance with the aims and objectives of the National Planning Policy Framework, Core Strategy Policies 14 and 15 and Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 7 The building hereby permitted shall not be open to the public outside the following times:
- | | |
|---------------------------|-----------------|
| Monday to Saturdays | 08:00 and 23:30 |
| Sundays and Bank Holidays | 08:00 and 22:00 |
- Reason:** In the interests of the amenities of local residents and the locality in general in compliance with Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 8 Unless otherwise first agreed in writing by the Local Planning Authority during the period of construction works vehicle parking facilities shall be provided within the site and all vehicles associated with the development shall be parked within the site.
Reason: To ensure that adequate off-street parking provision is made within the site and to reduce the possibilities on-street parking problems in the area during construction works and in accordance with the aims and objectives of the National Planning Policy Framework and Core Strategy Policy 4.
- 9 Unless otherwise first agreed in writing by the Local Planning Authority for the period of the construction of the development wheel cleansing facilities shall be provided within the site and all vehicles shall have their tyres and wheels cleaned (as may be necessary) before leaving onto the public highway.

Reason: To reduce the possibility of deleterious material (mud/stones etc) being deposited on the public highway during construction works in the interests of highway safety and in accordance with the aims and objectives of the National Planning Policy Framework and Core Strategy Policy 4.

- 10 Prior to the installation of any external lighting, full details of the proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and maintained accordingly.

Reason: In the interests of the amenities of local residents and the locality in general and in compliance with the National Planning Policy Framework and Landscape Proposal 1 of the Oadby and Wigston Local Plan.

- 11 Any external lighting shall be switched off no later than 30 minutes after the approved closing times and shall remain switched off until opening time the following day.
Reason: In the interests of the amenities of local residents and the locality in general and in compliance with the National Planning Policy Framework and Landscape Proposal 1 of the Oadby and Wigston Local Plan.

- 12 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 submitted and received by the Local Planning Authority on 10 July 2018
Location Plan, drawing no. 5164891/001 submitted and received by the Local Planning Authority on 10 July 2018
Site Plan, drawing no. 5164891/002 submitted and received by the Local Planning Authority on 13 July 2018
Block Plan, drawing no. 5164891/003 submitted and received by the Local Planning Authority on 13 July 2018
Proposed Roof Plan, drawing no. 5164891/004 submitted and received by the Local Planning Authority on 17 July 2018
Proposed Floor Plan, drawing no. 5164891/004 submitted and received by the Local Planning Authority on 13 July 2018
Proposed Elevations, drawing no. 5164891/005 submitted and received by the Local Planning Authority on 17 July 2018
Proposed Site Sections, drawing no. 5164891/006 submitted and received by the Local Planning Authority on 10 July 2018
Demolition Plan, drawing no. 5164891/007 submitted and received by the Local Planning Authority on 10 July 2018

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

Note(s) to Applicant :

- 1 You are advised that this proposal may require separate consent under the Building Regulations and that no works should be undertaken until all necessary consents have been obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section.

- 2 If the proposal involves the carrying out of building work along or close to the boundary, you are advised that under the Party Wall Etc. Act 1996 you have a duty to give notice to the adjoining owner of your intentions before commencing this work.
- 3 For the avoidance of doubt this permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
- 4 You are advised that any amendments to the approved plans will require either a Non-Material amendment application, a Minor Material Amendment application or a new planning application. If this is the case then you should allow at least 8 weeks before the intended start date to gain approval for such amendments. Further advice can be obtained by contacting the Planning Section of the Council on any amendments (internal or external).
- 5 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 £116. 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.
- 6 The Applicant is advised that each car parking space shall measure a minimum of 2.4 metres in width by 4.8 metres in length with any access isles being a minimum of 6 metres in width.
- 7 The applicant is advised that no demolition works or associated works or operations should take place on the site except between the hours of 8.00am and 6.00pm Monday to Friday, 9.00am to 2.00pm on Saturday and at no time on Sundays or Bank Holidays.
- 8 The Application as submitted was considered to be acceptable and therefore discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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. 18/00279/FUL
- b. 18/00284/FUL
- c. 18/00317/FUL